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THE EUROPEAN UNION IN A DYNAMIC GLOBAL CONTEXT



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PREFACE

The 21st century has confronted the European Union with a complex array of challenges – geopolitical shifts, economic uncertainty, technological transformation, and evolving social dynamics. At the same time, new opportunities for leadership, cooperation, and innovation are emerging. It is within this dynamic and often unpredictable environment that the EU must continuously redefine its role, vision and strategies.

The European Union stands at a crossroads, both as a political entity and as a normative force on the international stage. In recent years, the world has witnessed tectonic shifts that have redefined the contours of global governance. The aftermath of the COVID-19 pandemic, the resurgence of geopolitical tensions, the rise of authoritarianism, the growing urgency of the climate crisis, and the profound impact of digital transformation are just some of the forces reshaping the global order. The EU, while navigating its internal challenges – ranging from strengthening EU legitimacy to economic disparity, from governing the artificial intelligence to countering disinformation, from fighting populism and Euroscepticism to protecting the EU values, from guarantying security to a viable enlargement process – has also to con-front its place and responsibilities in the time of war and uncertain international environment.

The twelfth international conference of the European Studies Department of Sofia University „Saint Kliment Ohridski“, held under the title „The European Union in a Dynamic Global Context,“ was conceived as a platform to critically assess these challenges and explore the EU’s potential pathways forward. It brought together an exceptional community of scholars from across Europe united by a shared interest in understanding the EU’s evolving role in the world. The contributions in this volume reflect the depth and diversity of those discussions.

One of the central themes that emerged from the conference is the tension between continuity and change. The EU was founded on principles of multilateralism, cooperation, and peace – values that are now being tested in an increasingly fragmented global landscape. By championing the rule of law, sustainable development, and human rights, the EU can continue to serve as a good example of stability and progress, provided it remains adaptive and active.

This publication does not offer a singular narrative or definitive vision for the EU’s future. Rather, it presents a mosaic of perspectives, grounded in empirical research, theoretical insight, and practical experience. The diversity of topics underscores the multidimensional nature of the EU’s external action. The contributors engage critically with current policy frameworks while also proposing

innovative strategies that reflect the complexities of today's global realities. This volume brings together a diverse array of voices who have contributed thoughtful, critical, and forward-looking analyses on the EU's engagement with the world. The discussions held during the conference reflected not only academic excellence but also a shared commitment to understanding and shaping the EU's evolving global footprint.

Equally important is the recognition that the EU's actions abroad are deeply intertwined with its internal cohesion. The credibility of its foreign policy depends not only on the strength of its institutions but also on the unity of its member states. As many of the contributions in this volume suggest, the EU must balance strategic interests with normative commitments – a challenge that requires both political will and institutional innovation.

Throughout the conference, a recurring question resonated: What kind of global actor does the European Union aspire to be? The responses were as varied as they were thought-provoking. Some emphasized the need for a more assertive EU, capable of defending its values and interests in an increasingly multipolar world. Others called for deeper partnerships, greater multilateral engagement, and a stronger voice for civil society in shaping foreign policy. What united all perspectives, however, was a collective understanding that the EU cannot afford to remain passive or reactive. The global context demands proactive and strategic engagement.

As Jean Monnet, one of the founding fathers of European integration, once said, „People only accept change when they are faced with necessity, and only recognize necessity when a crisis is upon them.“ Today, that necessity is more evident than ever. The challenges Europe faces cannot be met by any one nation alone; they demand unity, vision, and collective strength. Europe is not only about procedures and rules, but about a vision for society. That vision of openness, solidarity, and shared destiny remains as vital today as at any point in the EU's history.

This ideal is beautifully captured in Friedrich Schiller's Ode to Joy, famously set to music by Beethoven and adopted as the European anthem. The poem proclaims, „Alle Menschen werden Brüder“ – „All men become brothers“ in joy and in happy times. But the true test of fraternity is not when we rejoice together, but when we suffer, rebuild, and persevere together. Crises expose the fault lines of solidarity, but they also reveal its strength. If joy unites, then shared responsibility sustains. The European project must strive to uphold the common values in adversity when unity is most difficult and most necessary.

In closing, I would like to express our deep gratitude to all those who made this conference and publication possible: to the authors who contributed their

research and insights, to the keynote speakers, panel chairs and participants who enriched our discussions, and to the organising committee whose dedication ensured the event's success. Special thanks go to Hanns Seidel Foundation and Wilfried Martens Centre for European Studies – the partners who supported this initiative and reaffirmed their commitment to academic exchange and international cooperation. I would like to end this preface quoting the words of Wilfried Martens „Strong Europe is a necessity in a globalized world“ and to remind the title of his book „Europe – I struggle, I overcome.“

Thank you for your commitment to this shared intellectual journey.

Prof. Ingrid Shikova, PhD
President of the Organising Committee¹

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First panel:

THE EUROPEAN UNION IN A NEW GLOBAL CONTEXT



THE ROLE OF THE DIGITAL EURO IN A GLOBAL AND REGIONAL CONTEXT

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Abstract:

The digital transformation affected how we live, work, trade, travel and use different services. It also affected how citizens and businesses interact with governments, how we make our everyday payments and transactions. Step by step, it also influences the way monetary policy will be conducted in the future. The efforts to introduce a digital euro in the EU aim to respond to all those changes and transformations. The current paper will describe the concept, the role and the project itself for the future digital euro. It presents a large number of opportunities, including for Bulgaria, in relation to the future digital legal tender and means of payment. But the digital euro is associated with many challenges and risks, which will also be described. There are still many uncertainties about the design and concrete characteristics of the digital euro. However, one thing is certain. After its introduction, the digital and financial inclusion, the payment landscape and the ECB monetary policy will be substantially different.

Keywords: digital euro, digitalisation, central bank, payments

1. Introduction

Currently, the euro is the second most important currency in the global economy, the US dollar still holding the first place. The euro usually comprises a share of 20% in global trade, financial, debt, foreign exchange and other global markets. The other currencies, apart from the US dollar and the euro, have far smaller global importance. However, in order to preserve its influence in a digital era, the euro shall also go digital. As it is explained by the Member of the Executive Board of the ECB, if the European Union wants to prevent

¹ This is a joined paper from Assoc. Prof. Kaloyan Simeonov and Savina Nedyalkova, PhD Student, including the introductory and concluding sections. Assoc. Prof. Kaloyan Simeonov focused its research on sections 2 and 3 and Savina Nedyalkova on sections 4 and 5. The opinions expressed in this paper are personal opinions of the authors and they do not engage the institutions in which they currently work.

the euro from losing significance on the global stage, transacting and investing in euro needs to be seen as safe, easy and efficient in the framework of the new digital payments and finance.²

The digital euro is a natural response to the trends to modernise payment services to reflect the changing needs of people and encourage innovation in the field of payment systems. This could increase choice, competition and affordability in digital payments and regulate the rapidly growing digital currency segment. The introduction of a digital euro is seen as an opportunity to support the European economy's digitalisation and the European Union's strategic autonomy by providing an alternative to online payment providers. The digital euro is a possible response to the significant decline in the role of paper money as a means of payment, a new channel for the implementation of the European Union's monetary policy and would serve to strengthen the international role of the euro. Last but not least, the optimisation of costs and processes through the introduction of the digital euro would support the reduction of the environmental footprint of the monetary and payment systems.

However, adopting new technologies in sectors with established traditional practices faces many challenges, including the different cultural attitudes towards risk and innovation in each country. The technical design choices for the digital euro will directly influence its energy consumption, presenting an additional challenge in balancing efficiency with environmental sustainability. The need to increase cybersecurity and the guarantee to prevent state and government interference in personal life are also substantial challenges for introducing and implementing the digital euro.

2. Concept and role of the digital euro

The future digital euro is a form of Central Bank Digital Currency (CBDC). The CBDC is defined as a form of a digital currency that is issued by a central bank. It is equivalent to the respective fiat currency and may serve as a legal tender in the respective territory.³ It shall be free of charge for the consumers, just like the cash is used by the citizens and businesses without any charges or fees.

A differentiation shall be made between a retail CBDC and a wholesale CBDC. The retail CBDC is usually a digital currency that is used by the public, the citizens and all types of businesses. The wholesale CBDC is used by credit institutions and other licensed financial institutions for large financial transactions. The two types of digital currencies are substantially different one from the other. This report is focused mainly on the use of the retail digital euro.

² Cipollone, P. (2024), „Why Europe must safeguard its global currency status“, Financial Times, 11 June 2024.

³ See: Investopedia, „What Is a Central Bank Digital Currency (CBDC)?“, last seen: 10 April 2025, <https://www.investopedia.com/terms/c/central-bank-digital-currency-cbdc.asp>.

As it is backed by the central bank, the digital currency shall be much more stable and secure than cryptocurrencies or stable coins. Taking into account the volatility and the likelihood of fraud in the case of cryptocurrencies and even stablecoins, the digital euro shall be much more credible and trusted. The trust shall also stem from the fact that the European Central Bank, which has a solid and widespread reputation, will be a guarantor for the stability of the digital euro itself.

Some unique attributes of cryptocurrencies are being explored and used by central banks to introduce Central Bank Digital Currencies backed by their full faith and credit, such as the digital euro. CBDCs like cryptocurrencies may use blockchain or other distributed ledger technologies. The characteristics of this technology will enhance transparency and traceability of transactions and serve as a single reference point, significantly contributing to the economy of the European Union in the long term.

Technologically, the digital euro drives modern payment infrastructure. It can spur the development of secure EU digital wallets, payment apps, and offline solutions compliant with European data standards. It enables fintech innovation in different areas, such as recurring payments and smart contracts.

Digital transformation is one of the driving forces behind the introduction of the digital euro. The development of the single digital market and the need to couple it with the establishment of the digital euro go hand in hand. Another stimulus for the introduction of the digital euro is the substantial decrease in the use of cash in the EU and the euro area.

The recent COVID-19 pandemic and the spread of limitations on physical contact between people boosted further the use of digital solutions, including in the payments area. After the pandemic, more and more people not only work on-line, but also make purchases and trade on-line.

The digital euro will be an alternative to other digital payment solutions, such as those that are offered by global card scheme operators or fintech companies. There will be many challenges for this new payment method to be introduced in the everyday life of the citizens and in the activities of the companies, as they already widely use the existing card schemes and fintech operators to perform their digital transactions and payments.

There is an increasing political support across the EU for the introduction of the digital euro, not only among institutions such as the European Central Bank, the European Commission or the European Parliament. Member States' central banks and governments also streamline their support for the introduction of the digital euro. It became much more than a monetary project or instrument, especially due to the need to ensure greater strategic autonomy in the EU and the euro area in the payment sphere.

Considering that the current digital payment systems and infrastructure are usually owned by foreign card schemes and players, the establishment of a European digital payment solution becomes not only a necessity but a must.

As the European Central Bank explained it, „if we do not bring central bank money into the digital age, we will hamper Europe’s competitiveness, resilience and strategic autonomy“⁴. This conclusion is even much more relevant after the new administration in the United States took the power and started to perform its unpredictable policy. The current problematic decisions of Trump in the area of security and trade may also quickly affect the payments environment and autonomy of Europe and the euro area in particular.

The need for strategic autonomy and further resilience is also recognised by the representatives of the national central banks. As a member of the Executive Board of the Deutsche Bundesbank explains it, the current geopolitical situation further increased the need for a united Europe. Introducing the digital euro shall overcome many current challenges, such as market fragmentation and over-dependence on non-European providers.⁵ The Governor of the National Bank of Estonia also highlights the need to ensure a pan-European payment infrastructure solution for the foreign-owned payment card schemes and fintech solutions. He admits that currently, the EU authorities do not have a secure EU payment network. However, he stresses that it will not be easy to persuade consumers to use the future digital euro as it shall provide added value to the current efficient and highly rated card payment, mobile and instant payments solutions.⁶ It shall be taken into account that currently around two-thirds of the card transactions in the euro area are settled through the international payment schemes.⁷ One reason is the lack of a single and widespread Europe or euro area payment scheme.

The role of the digital euro is recognised also by the representatives of the private financial institutions in the EU. They admit that the digital euro shall overcome at least three significant current challenges for the monetary and payment environment in Europe. The first one being to balance against the riskier private cryptocurrency solutions. The second one is to find an alternative solution to the central bank’s monetary policy in times of decreasing use of cash and increasing role of digital payments. The third one is the already mentioned need to increase and safeguard the Europe’s strategic independence.⁸ Another fourth challenge that will be tackled with the introduction of the digital euro will be to guarantee a better financial and payment markets stability.⁹

⁴ Cipollone, P. (2025), „The role of the digital euro in digital payments and finance“, Contribution to Bancaria by the Member of the Executive Board of the ECB, based on remarks at the Crypto Asset Lab Conference on 17 January 2025, published on 28 February 2025.

⁵ Balz, B. (2025), „The digital euro: reshaping the future of Europe’s financial landscape“, the EUROFI magazine, April 2025, p. 172.

⁶ Müller, M. (2025), „The digital euro: future-proofing payments in Europe“, the EUROFI magazine, April 2025, p. 173.

⁷ Kretschmer, M. (2025), „Who controls Europe’s payments? The sovereign case for a Digital Euro“, Finance Watch, 20 March 2025.

⁸ Blavet, Yv. (2025), „What’s in it for the consumer“, the EUROFI magazine, April 2025, p. 176.

⁹ Demertzis, M. and C. Martins (2023), „Progress with the Digital Euro“, Intereconomics, Review of European Economic Policy, Volume 58, p.195-200.

The digital euro could also have another key role, i.e. to increase the opportunities for governments and law enforcement authorities to prevent and even decrease illicit activities. Financial transactions will be much more easily tracked and supervised, thus combating practices as money laundering and terrorist financing or any other criminal activity. If properly introduced and widely accepted, the digital euro will increase tax collection and decrease tax evasion and tax avoidance. However, these features will contrast with the need to ensure anonymity of transactions or to protect personal data according to the EU rules.

Another positive role of the digital euro is to foster further financial inclusion. Taking into account that this solution will be backed by the ECB and it will serve as a legal tender like the use of cash, the introduction of the digital euro may provide an opportunity for better access to affordable basic bank accounts for citizens across EU and the euro area. The latter will provide better financial and digital inclusion even for consumers that are remotely situated or are part of the vulnerable groups. However, in some cases, when vulnerable groups are digitally excluded, this may create future social problems and exclusion.

Last but not least, the digital euro may have the role to foster innovation in payment and closely associated areas. It will also provide opportunities to enhance competition and to improve the payment solutions that are available to consumers. The digital euro will stimulate the ECB to cooperate further not only with traditional commercial banks but also with fintech and other organisations.

3. The digital euro project

The project for the digital euro has three main domains. The first one is the change it will introduce to monetary and payment policies, to the way we live and do business. The second one is related with the technical solutions and challenges that are associated with the establishment and future implementation of this new digital currency and legal tender. The third one is the changes that shall be introduced in the EU legal framework to allow the smooth and well-regulated introduction of the digital euro.¹⁰ This section will describe the legal amendments and discussions that are currently on the table and that shall permit the establishment of the digital euro. These three domains are closely interrelated, and the advancement of all of them shall go hand in hand and in coordination between them.

The draft legal acts for the introduction of the euro, the so-call „single currency package“, were proposed in late June 2023. The package comprises three draft legal acts, namely:

- Proposal for a Regulation on the establishment of the digital euro – this is the main draft legal act from the package that aim to establish the

¹⁰ Due to the volume limitations for this paper, not all the aspects for the digital euro are analysed in details. For example, the monetary policy implications in relation to the digital euro are not discussed.

digital euro. It contains draft provisions in relation to its legal tender status, distribution, use as well as some essential technical features.¹¹

- Proposal for a Regulation on the provision of digital euro services by payment services providers incorporated in Member States whose currency is not the euro – the draft legal text aims to specify the obligations for payment service providers that are incorporated in non-euro area Member States when providing digital euro payment services.¹²
- Proposal for a Regulation on the legal tender of euro banknotes and coins – although digital use of the euro shall be stimulated, the draft legal text aims that the mandatory acceptance of the cash shall be also guaranteed in the future.¹³

The Proposal for a Regulation on the establishment of the digital euro will ensure the legal basis for its implementation. Interestingly, the European Commission prescribes it in the information note to the package that this is a framework for a *possible new digital form* of the euro. The Commission recognises that it is ultimately to the ECB to decide if and when to issue the digital euro.¹⁴ The main reason for this is the division of powers between EU institutions, considering that the monetary policy lies in the competence of the ECB.

In accordance with the draft proposal for the establishment of the digital euro, the ECB shall have the exclusive right to authorise the issue of the digital euro. It also specifies that the ECB and the national central banks may be the only institutions that will be empowered to issue the digital euro after the ECB authorisation.

Another key provision of the draft regulation is about the legal tender status of the digital euro. This status shall entail its mandatory acceptance in the euro area at full face value, similarly to the acceptance of the euro in cash.

The draft regulation prescribes rules also for the distribution of the digital euro as well as some technical features of the future digital legal tender. One of these draft provisions stipulates that the digital euro shall „have usage and service features that are simple and easy to handle, including for persons with disabilities, functional limitations or limited digital skills, and older persons.“ Other provisions include privacy and data protection, anti-money laundering and other provisions.

¹¹ European Commission (2023a), Proposal for a Regulation of the European Parliament and of the Council on the establishment of the digital euro, COM(2023) 369 final.

¹² European Commission (2023b), Proposal for a Regulation of the European Parliament and of the Council on the provision of digital euro services by payment services providers incorporated in Member States whose currency is not the euro and amending Regulation (EU) 2021/1230 of the European Parliament and the Council, COM(2023) 368 final.

¹³ European Commission (2023c), Proposal for a Regulation of the European Parliament and of the Council on the legal tender of euro banknotes and coins, COM(2023) 364 final.

¹⁴ The proposals for legal acts are published at: European Commission (2023d), „Digital euro package“, https://finance.ec.europa.eu/publications/digital-euro-package_en.

In addition to the specific rules that are developed under the single currency package, the ECB also began drafting a single rulebook for the future digital euro. This is a set of provisions and standards that will describe further provisions related to its implementation. These draft legal texts are elaborated within the rulebook development group, established by the Eurosystem. This group comprises not only central bank representatives but also representatives from the retail payment market, i.e. consumers organisations, retailers and intermediary associations.¹⁵

4. Opportunities for the digital euro

The digital euro will serve as a catalyst for modern payment technology – from mobile wallets to offline smart cards – all vetted for security and EU compliance. Early adoption and innovation in the digital euro will enable the EU to establish global standards for CBDC interoperability, privacy, and regulation.

The ECB is explicitly designing the digital euro system to interoperate with other currencies. Noneuro residents and also travellers could be granted accounts to hold digital euros temporarily. Crucially, the architecture includes multi-currency settlement features¹⁶. In practice, this means a Swedish bank or Federal Reserve could plug their CBDC into the same platform, enabling instant exchange between euros and krona, dollars or other CBDCs without additional correspondents.

Researchers and analysts note that by funding the core infrastructure, the ECB reduces risk for subsequent investments,¹⁷ essentially creating an environment where innovation in digital payments can flourish. Both banks and tech companies benefit from a unified European payment backbone: they could integrate it with biometric IDs, wallets, or cross-border apps without reinventing rails country by country.

Another opportunity for the digital euro is for improving cross-border payments and trade, in both intra-EU and global settlements. Cross-border payments have faced challenges like inflated costs, low speed, limited access and insufficient transparency. Within the euro area, the digital euro will effectively create a single pan-European payment zone: residents and businesses would pay and receive digital euros instantly and at no extra charge anywhere in the EU. This overcomes today's fragmentation, where 13 of 20 countries rely on foreign card schemes¹⁸ and avoids currency conversion costs for EU trade. So, the implementation of the digital euro could serve as a platform for cheaper,

¹⁵ European Central Bank (2024), „FAQs on a digital euro“, last updated on 2 December 2024.

¹⁶ European Central Bank (2025), Speech by Piero Cipollone, Member of the Executive Board of the ECB „Enhancing cross-border payments in Europe and beyond“

¹⁷ Boston Consulting Group (2024), The Digital Euro Could Herald a New Era of Innovation

¹⁸ European Central Bank (2025) Report on card schemes and processors

faster cross-border payments and remittances via interconnected fast-payment systems, reducing transfer costs and chains. Moreover, it would have widespread benefits for supporting economic growth, international trade, global development and financial inclusion.

For Bulgaria, implementing the digital euro presents a transformative opportunity at both the macro and grassroots levels. Undoubtedly, the opportunities will be much bigger if Bulgaria joins the euro area in the near future. Although the digital euro will spread to a certain extent in the non-euro area Member States, subject to an agreement between the ECB and the respective national central bank, the benefits and opportunities for Bulgarian citizens and companies will be substantially higher if the euro becomes the legal tender in the country.

In the lead-up to euro adoption, Bulgaria should continue modernizing its payments infrastructure and legal frameworks to seamlessly integrate the digital euro. This includes finalising system upgrades, piloting digital payment services, and training financial institutions. Doing so will maximise early wins: Bulgarian consumers and businesses will become familiar with instant digital payments, and banks will have clear pathways to offer digital-euro accounts. The digital euro could reinforce Bulgarian banks and regulators, and when fully aligned, could help regional projects with Balkan economies. Moreover, involvement in the digital euro supports Bulgaria's position in EU digital policy discussions and signals Bulgaria's commitment to Europe's digital finance strategy and may unlock additional EU support or projects. For the euro-spending tourists, accepting digital euro payments, especially offline, increases ease of spending and may boost revenue from EU visitors.

After joining the eurozone, Bulgaria could immediately tap into the full potential of the digital euro. It will not only bring tangible benefits at home like inclusion, efficiency and innovation but also strengthen its integration into Europe's economic and geopolitical landscape. The digital euro's implementation will reinforce cybersecurity standards in Bulgarian finance as well. Bulgaria's strong IT workforce and growing digital hubs can capture these opportunities, potentially positioning Sofia as a regional fintech centre, leveraging the Eurozone's digital payments agenda. Bulgaria will also benefit from the enhanced strategic autonomy that will bring the digital euro to Europe and to the euro area in particular.

5. Challenges for the digital euro

Whilst there are various potential advantages to the digital euro, there are also several disadvantages.

One of the biggest challenges is the adoption of the digital euro. The shift toward digital currencies may inadvertently marginalize segments of the population who lack access to digital infrastructure or possess limited digital literacy.

If cash becomes less available and CBDCs are not designed with inclusivity in mind, there is a risk of excluding vulnerable groups from the financial system. Affordability, accessibility, and the preservation of a level playing field among service providers are crucial to prevent such exclusion.

In a study¹⁹ published in November 2023, the Bank for International Settlements found a direct correlation between trust in the privacy attributes of the CBDCs and the willingness of people to use them, namely because the trust in institutions to safeguard personal data varies within each country.

Opponents of digital currencies are raising concerns that the digital euro will enable governments to abridge civil liberties and human rights, using it as a means to censor individuals and exert control over its users. Authorities could censor users and transactions without due process or recourse. Such risks could be exacerbated in times of heightened political volatility, when governments may try to use CBDCs to enforce domestic political discipline.²⁰

At the same time, the Joint Research Committee (JRC) looked at possible scenarios of demand for a retail-only euro central bank digital currency and assessed their impact on banks' balance sheets to explore potential effects on banks' intermediation capacity and financial stability. The JRC's test concludes that although the initial shock may not be substantial, the full dynamic effects of changes on the liability side following the introduction of the digital euro could be more nuanced and complex than the first-round impacts. These dynamics may result in the creation of position rents and the redistribution of income streams among banks of different sizes or across countries.²¹

Another JRC study²² shows that the implementation of a digital euro could pose substantial challenges to the profitability of banks, especially for smaller financial institutions that heavily rely on deposit funds. The study examines the relationship between the adoption of the digital euro and bank profitability, by evaluating the extent to which banks depend on deposit profits.

A particular concern is that of energy requirements. It is important to consider the broader energy implications of digital infrastructures. Data centres, which would support the digital euro's operations, are projected to experience significant energy demand growth. The International Energy Agency (IEA) estimates that data centre electricity consumption could increase by 80% between 2022 and 2026, even accounting for efficiency gains.²³

¹⁹ S. Choi, B. Kim, Y. Kim, O. Kwon, BIS Working Papers No 1147, Central Bank Digital Currency and Privacy: A Randomized Survey Experiment, Monetary and Economic Department; Nov 2023

²⁰ OECD (2023), „Central Bank Digital Currencies (CBDCs) and democratic values“

²¹ Petracco Giudici, M., Di Girolamo, F., Central bank digital currency and European banks' balance sheets JRC 2023

²² JRC, Working Papers in Economics and Finance, 2023/6, Bank profitability and central bank digital currency

²³ ECB Economic Bulletin, Issue 2/2025.

The energy consumption associated with the digital euro is intrinsically linked to its underlying technological infrastructure. As the European Central Bank progresses in developing its digital currency, it faces critical decisions that will determine its environmental footprint.

A centralized architecture, managed directly by the ECB or national central banks, offers a streamlined approach with lower energy demands. Such systems can process transactions efficiently, leveraging existing infrastructure and oversight mechanisms. This model aligns with the ECB's commitment to sustainability and operational efficiency.

Alternatively, decentralized systems, particularly those utilizing blockchain technologies, present a different set of considerations:

A solution with a Proof-of-Work (PoW) consensus mechanism, used by cryptocurrencies like Bitcoin, will be notably energy-intensive. Implementing a PoW-based digital euro could significantly increase energy consumption, potentially conflicting with the EU's climate objectives.

As a more energy-efficient alternative, Proof-of-Stake (PoS) mechanism relies on validators who stake their assets to confirm transactions. This method drastically reduces energy usage, with estimates suggesting consumption as low as 10^9 joules per transaction, compared to 10^3 joules for PoW systems. Adopting PoS could offer a balance between decentralisation and sustainability.²⁴

The ECB is also exploring hybrid models that integrate both centralised and decentralised elements. Such configurations aim to harness the benefits of decentralisation – like resilience and user autonomy – while maintaining the energy efficiency and regulatory compliance of centralised systems.

6. Conclusions

Amidst the rapid evolution of the global financial ecosystem, the digital euro emerges as a pivotal initiative to fortify Europe's monetary sovereignty and enhance its influence in international finance. As digital currencies gain traction worldwide, the European Central Bank acknowledges the imperative to adapt, ensuring the euro's continued relevance and competitiveness.

The digital euro is envisioned as a secure, efficient, and universally accessible means of payment, complementing existing cash and electronic systems. By introducing a central bank-backed digital currency, the ECB aims to mitigate risks associated with the proliferation of private digital currencies and foreign central bank digital currencies (CBDCs), which could potentially challenge the euro's position and Europe's financial autonomy.

²⁴ Cambridge University Press & Assessment, Volume 23 Issue 9, The Digital Euro and Energy Considerations: Can the ECB Introduce the Digital Euro Considering the Potential Energy Requirements?

Furthermore, the digital euro holds the promise of streamlining cross-border transactions, reducing associated costs, and bolstering the euro's appeal in international trade and investment. This initiative aligns with Europe's broader objectives of fostering innovation, ensuring financial stability, and asserting strategic autonomy in the face of technological advancements and shifting geopolitical dynamics. Its successful implementation will hinge on meticulous design choices that harmonize innovation with security, privacy, and inclusivity.

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EURO: MYTH AND REALITY

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Abstract:

Last year the Euro turned 25. In this work, we discuss future opportunities and challenges for the use of the euro at three levels. First, taking stock from the Euro Area (EA) achievements in the global rivalry, we summarize the euro's international role and its potential to replace the American dollar as the currency of choice. Second, the paper highlights controversy between the catalytic role of the euro for further economic integration in Europe in an environment of global market and political fragmentation and its use as a political symbol. Based on the findings, we discuss the need Bulgaria as an EU member to strengthen its economic governance in response to challenges.

JEL Classifications: E020, F31, F33, F65, F360, H1

Keywords: euro, global currency, economic and monetary union, Euro Area enlargement, economic governance.

Introduction

This work has three interrelated goals and consists of three sections. First, based on the theory of currency globalisation, we evaluate the perspective of the euro as an international currency. Second, the paper summarizes the scope and limitations of the Euro's integration power taking stock from application of the theory of optimum currency areas (OCAs) to the EA's economic and monetary convergence in the last 25 years. This approach touches upon the political and economic fundamentals of the euro and helps to better determine the cost-benefit balance for its current and potential users within the evolving legal, institutional and regulatory architecture of the European Union (EU). An in-depth summary of the literature on currency globalisation and OCAs is intentionally omitted here as it is outside of the scope of the current work. A good overview, however, can be found respectively at Bénassy-Quéré (2015) and Alesina et. al. (2003).

¹ Disclaimer: The opinion expressed here is entirely of the author and should in no way be attributed or linked to that of the institutions in which he has worked or is working, or to their policies. Any inaccuracies, omissions or errors are entirely the fault of the author.

Third, based on above findings and Bulgaria's own experience as an EU member, the paper adds value to the ongoing domestic debate for adoption of the euro on January 1, 2026. The analysis intentionally goes beyond the traditional discussion on Bulgaria's ability to sustainably meet the Maastricht Criteria for nominal convergence. We apply literature on sound economic governance² that followed the groundwork of Acemoglu et. al. (2005) to assess ability of the Bulgaria's policies and institutions to deliver sustainable growth and income catch up within an incomplete monetary and economic union. This approach focuses on the role of institutional strength, policy coordination, and accountability, elements which are also well incorporated in the theories of currency globalisation and OCAs.

Perspective of the Euro as an International Currency

The euro emerged as a fundamental political project in the late 1980s and early 1990s which European Union (EU) leaders established to integrate Europe. It is often considered as one of the most significant financial, economic and political moves in modern European history, which has also triggered the global popularity of the currency unions in that period. In line with the three-stage process initiated under the 1987 Single European Act and 1992 Maastricht Treaty, the euro was first introduced in 1999 as a virtual currency with the functionality of an accounting unit. On January 1, 2002, physical notes and coins were also circulated to serve as a means of exchange and store of value for more than 300 million Europeans from the then 12 EA member countries. Since then, the EU has grown to 27 members, and the EA has enlarged to 20 members³. The latter members consist of mostly small and open economies from Central Eastern and Southeastern Europe (CESEE) without systemically important financial markets.

Early predictions were that the euro could challenge the US dollar as a global currency soon after its introduction but did not materialise. The main factors behind these expectations, however, were not related to the internal market strength. Bergsten (1997) stressed serious US macroeconomic policy lapses, and Chinn and Frankel (2005) highlighted success of the EA Eastern enlargement. The first decade of EU existence coincided with a surge in globalisation, which also fuelled such expectations but underestimated deficiencies in the EU architecture. The new monetary regime in Europe has supported global growth in the early 2000s, mainly through plentiful debt finance. Within the EU, this has benefited the countries with big trade and current account deficits, such as France, Spain, and most of the new EU member states. Increasing EU financial

² A good overview of the underlying governance principles and policies is provided at the IMF (2018a).

³ As of April 30, 2025, the EA members are Austria, Belgium, Croatia, Cyprus, Estonia, Germany, Greece, France, Finland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Slovak Republic, Slovenia, and Spain. The EU members which do not use the euro as a national currency are Bulgaria, Czechia, Denmark, Hungary, Poland, Romania, and Sweden.

market regionalisation in the 2000s has helped the EA economies to better withstand global shocks than it would otherwise have done. The benign global economic and financial conditions have also eased pressure on European institutions. This has made institutions less vigilant to underlying vulnerabilities of the national economies and potential risks associated with growing budget deficit and public debt (Marsh, 2009).

A deeper dive in the EU architecture reveals a few important nuances and flaws related to the size and depth of the market and its political power. The introduction of the euro and establishment of the 1999 EA, within the EU, with the highly independent European Central Bank (ECB) as a new common emission bank has brightened prospects of European financial markets development. However, some of the EU members with systemically important markets, like the United Kingdom (UK) and Denmark⁴, used the opt-out clauses in the Maastricht Treaty to signal their intention to remain outside the EA, while another systemic market country - Sweden⁵ - delayed the euro adoption. The UK's rejection to become a member of the EA from the very beginning significantly reduced the euro's ability to become a global reserve asset. Additionally, this rejection constrained development of the euro bond markets in the long run (Portes and Rey, 1998). Posen (2008) implies that the EAs political influence remains considerably low beyond its close neighbourhood too. Thus, launching the euro as an international currency has not fundamentally changed the post-World War Two (WWII) Bretton-Woods international monetary system.

Chances the euro to rise as a number one world currency further deteriorated in the 2010s. The UK exited the EU in 2020. Following the 2007-09 Global Financial Crisis (GFC) and 2011-13 European Sovereign Debt Crisis (ESDC), the EA legal, institutional and financial architecture underwent abrupt changes, like introduction of the European Stability Mechanism (ESM) and plans for creation of Banking, Fiscal, and Capital Market Unions. These changes were not always well sequenced in terms of time and policy, and some of them remain incomplete (IMF, 2018).

Inconsistent communication policy has also limited the chance of the euro becoming a global currency. From the very beginning of the EU's third phase, the ECB has highlighted that establishing the euro as a dominant global currency has never been the primary objective (ECB, 1999). Since 2019, the ECB has changed its attitude to currency internationalisation and framed the issue in geopolitical terms (Spielberger, 2025). In November 2023, the ECB launched the digital euro preparation project after consultations with the European Parlia-

⁴ In difference to the British Pound, however, the Danish Krone has been included from the very beginning in the so-called EA waiting room - the Exchange Rate Two Mechanism (ERM II).

⁵ Sweden is the only founding EMU member which approved the Maastricht Treaty in the 1994 referendum and joined the EU next year without considering an opt-out for the euro adoption. Since then, the country sustainably meets the nominal convergence criteria most of the time. Sweden would have adopted the euro on 1 January 2006, but the 2003 referendum rejected membership of the EA, and the government decided to delay inclusion of the Swedish Krona into the ERM II.

ment (ECB, 2024a), which could become a game-changer. Depending on its legal and institutional design, however, introduction of the digital euro may further complicate macroeconomic policy transmission too.

According to the most recent ECB report on the international role of the euro (ECB, 2024), the euro remains the second most important currency in the international monetary system. This is despite the persistently declining share of the EA in the global GDP at purchasing power parity (PPP), which was 17 percent in 1999 and less than 12 percent in 2023. The share of the United States in the global GDP at PPP has also fallen, from 25% to 17%. In view of the size criterion, it is the Chinese renminbi, and not the euro, that should be expected to rival the dollar in the foreseeable future, given that the share of China in the global GDP at PPP has risen from 10 to 22% over the same period.

Depth and stability of currency and financial markets appear less favourable to the euro than the dollar because of structural factors, like the banking-centric financing model, incomplete capital market union, and lacking fiscal backstop (Bénassy-Quéré, 2015). Approximately 30% of the 2023 global foreign exchange turnover⁶, 23% of the global debt and 20% of the central banks' foreign exchange reserves were in euro. Yet, the euro remained far behind the US dollar which held 87%, 63% and 58%, respectively. The changing global economic landscape also increases the onus on European policymakers to create the conditions for the euro to thrive. Its international role can be primarily supported by deeper and more complete EU market and adequate policies, but the pace of economic integration and lack of sufficient political and military power limit its geopolitical influence (Tokarski, 2024). The current US policy-making under the president Trump administration has had a strong impact on the value of the dollar, yet the euro has gained little ground as an international reserve currency. This is due to rising competition from the emerging commodity-based currencies.

One can conclude that it is a myth that the euro to become a currency of choice in the 2030s. Nonetheless, the reality is that monetary integration is one of the few areas where the EA has already managed to achieve a high degree of strategic autonomy. The euro has become a full-fledge regional currency, even though the EA is often seen in isolation from the EU with the post-GFC amendments to the 2009 Treaty of the Functioning of the EU. The adoption of the euro has united EU financial markets too, which is critical in the current times of global fragmentation and flailing multilateralism.

The Fundament of the Euro

Establishment of the EA in 1999 with the independent ECB and the 2002 introduction of paper euro were well in line with the OCA theory. These have

⁶ Since transactions in foreign exchange markets always involve two currencies, foreign exchange turnover shares add up to 200%.

denationalised money in Europe and put its North and South in an irreversible legally binding marriage, despite their diverse culture and differences in economic and institutional structures. The project has also attracted the countries from the CESEE to consider EU accession immediately after the successful transition from plan to market. The euro has pushed the continent towards a pan-European financial and business system of globalising trade and investment.

At the same time, the cost-benefit analysis under the OCAs theory of adopting a common currency has little applicability to many of the new members of the EU from CESEE. These markets are non-systemic for the EA and so small that the macroeconomic cost of embracing the euro is negligible (Buiter and Sibert, 2006). This is a common real-world argument, one that has led many small nations to abandon their currencies in the past too. Nitsch (2006) also concluded that the CESEE countries achieve high intra EU-trade integration before adopting the euro but converge less in terms of the real income without having the common currency as national.

Adequate deepening of the common market is what matters most for the EU from the sustainable economic welfare perspective. Marsh (2009) highlighted that in the early 21st century, the EU has emerged as a dynamic marketplace containing many trans-national companies that benefit from the ongoing globalisation. Introduction of the euro contributed through reduction and stabilisation of the EA interest rates in the 2000s, which converged toward the low German benchmarks. The single currency has also enhanced price transparency, boosted intra-EU trade, and strengthened the EU global economic influence (Padoa-Schioppa, 2004). Before GFC, businesses operating within the EA benefited from reduced transaction costs and easier financial planning, which boosted welfare too.

Unfortunately, the increase in the pace of globalisation has also unleashed new forces, like rising inequalities and disparities among the EU members and integration fatigue. Surprisingly, early warning signals for policy mismatches have emerged in some of the founding members with the most dynamic economies. These include Ireland, Netherland and France, as evident from the revised Treaty referendum setbacks in 2000s. The signals have been underestimated during the initial euphoria caused by the euro adoption. The inadequate knowledge and capacity for macroeconomic management at both national and EU level, have also provoked the unnecessary 2005 relaxation of the Stability and Growth Pact (SGP) rules during the upside of the EA business cycle (Schuknecht et. al., 2011).

Later, during 2007-9 GFC and 2011-13 ESDC, chaotic political efforts to please the hyper-nervous EA citizens and markets triggered a chain reaction of nationally minded policy measures across the continent, which endangered the integrity of the euro. The Draghi (2012) political message that „*within our mandate, the ECB is ready to do whatever it takes to preserve the euro. And believe me, it will be enough.*“ well summarises the difficult, unpopular, weak-sequenced and costly expediency-centric reforms. These reforms have had three main

consequences, namely: i) made participation of the forthcoming members in the EA less rewarding, ii) turned the integration process against the EU founding values to put citizens' wellbeing at the centre of unification, and iii) widened the gap between governments, including the European Commission, and people. They have also brought initially unexpected higher intensity to resistance against deepening of the economic integration and have strengthened protectionist and populist forces, as evident from the most recent election results for the European parliament.

The myth that the euro itself can guarantee economic stability, prosperity and equality for citizens in all members has been shattered in the 2010s as EA members have been forced to face the complex reality. While the euro has facilitated trade and investment by eliminating exchange rate fluctuations, it has also exposed structural weaknesses in both the EA institutional architecture and in the economies with weak macroeconomic fundamentals and policies. Another myth that the euro creates a level playing field and puts all member countries on equal footing has been dismantled. In the 2010s, countries such as Greece, Spain, and Italy have struggled most under the single currency, as they have been unable to regain competitiveness simply through an exchange rate devaluation. Lack of political will and the inability to induce the necessary internal devaluation led to a prolonged instability and caused overall slowdown in the EA growth potential. This is despite the ECB's unconventional monetary policy of zero-lower bound rates.

The euro, currently interpreted mostly as an emblematic political project to circumvent the needed austerity and structural adjustments in many European economies, confronts the objective requirements of today's fragmenting global markets. It demonstrates that political ambition sometimes comes at the expense of economic pragmatism, as structural differences among member states remain unresolved. The ECB's common monetary policy of one-size-fits-all cannot always suit the diverse financial and economic conditions within the EA. The ECB is also poised to keep interest rates too low (Bletzinger and Wieland, 2017), mainly due to the lack of a well-functioning fiscal union where the central authority can effectively redistribute resources to struggling regions. This exacerbates asymmetric shocks and makes the affected countries prone to crises.

The establishment of the 2011 ESM to compensate for the incomplete fiscal union has a few distinguished features. The ESM has temporarily alleviated the citizens' high initial pains from the European sovereign-banks nexus through debt restructuring in members such as Spain, Portugal, Ireland and Greece. In contrast to the International Monetary Fund (IMF), however, its financing structure does not offer the needed credible backstop going forward because of heavy reliance on borrowed resources in an environment of already highly indebted sovereigns. Recent ESM reforms, which have strengthened the EA burden sharing potential through additional debt accumulation, have been widely criticised.

De Grauwe (2013) concluded that the ESM architecture could be a deterrent for new members or countries in financial distress. Stiglitz (2016) underscored

that the ESM is a costly solution because it can force members to impose inadequate austerity conditions. Blyth (2016) noted that pressures for political realignment across crises cases that compound the economic problems of stagnation in the whole EA harm overall growth potential of the region. Matthijs and Blyth (2015) observed that commitment of large amounts of potential taxpayers' money to the ESM sidelines the EA and EU institutions from the macro policy decision-making, while putting the European Council firmly in charge of crisis management. To counterbalance the latter, the post-GFC architecture developed a sophisticated multi-layer balance of power among the EU institutions⁷, which risks timely responses to potential vulnerabilities and risks.

One can hardly conclude whether the post-GFC institutional reshuffles in the EU lead to guaranteeing conditions established by the OCAs theory, as well-demonstrated by the analysis of the UK's Treasury (2016). This is because of the sharp division between the political economy and the economic welfare gains from euro membership in the 2020s. The forthcoming EA and EU members may not benefit as much as the founding members from the „creation of extra trade“ since this effect may have already been exhausted, as indicated by earlier analysis of Baldwin (2006). Trade data in the last two decades suggest that the trade and current account deficits in most of the EU members have deteriorated. In the current globalized market, importing goods allows the nation to consume at a lower cost, while export reflects the true economic cost of the resources used in making them, so exporting per se is negative from the welfare perspective.

From a political and economic policy perspective, things are just the other way around. Policymakers often hear from exporters who want improved access to foreign markets, as well as from domestic firms who want protection from foreign competition. Policies that promote imports are a hard sell, but consumers who benefit from cheaper imports rarely connect trade policy to the prices they pay in the shops. In this political climate, policies that promote exports are win-win, politically speaking. However, today's reality makes such a macroeconomic policy implementation difficult in the EU given the EA vulnerabilities to shocks. For example, the Russia's invasion of Ukraine has sent food and energy prices soaring, hammering the terms of trade for import-dependent nations and Trump's trade policy has rippled outward, potentially crippling financial systems and inflicting serious harm on the global economy.

Going forward, inevitably the EU should also properly address emerging security challenges triggered by higher confrontation between global powers in the 2020s. Those chiefly include, cyber and hybrid threats related to digitisation and penetration of artificial intelligence, declining cash usage and rising transaction costs following the growing mutually imposed economic sanctions. All

⁷ The European Commission gained sizable future power in monitoring member states' fiscal policies through the „European Semester“. The ECB won large discretionary powers not just over monetary policy, but also over the macro- and prudential banking supervision and banks' resolution. The European Parliament managed to stage a major coup against the European Council by launching a system of „Spitzenkandidaten“ during the European elections.

these risks require even more sophisticated EU coordination and institutional architecture. Such an environment may further challenge the effectiveness of the ECB monetary policy and increase social division in the backdrop of proprietary financial solutions, like fintech and cryptocurrencies, in attempts to preserve national economic sovereignty. Although such an analysis remains beyond the scope of this paper, the post-GFC EA experience with technological innovation in finance suggests one should not exclude a need for another intervention of epochal proportions by the ECB, including through introduction of the digital euro.

What matters most for Bulgaria's decision to join the EA on January 1, 2026?

Bulgaria's experience with the EU discussed below suggests that domestic political leaders and policymakers are behind the curve on the complex and evolving nature of the EU architecture and related economic challenges and opportunities. They remain generally short-term looking, retroactive and prone to ad hoc, untested or unjustified decisions that are often detrimental to the long-term well-being of citizens. This governance style has been facilitated by the inadequate institutional capacity and incomplete frameworks, which result in low transparency, minimal accountability, and slow pace of convergence to the EU average GDP per capita at PPP. High domestic political instability further exacerbates these issues.

Preoccupied by its own transition challenges, Bulgaria was on a different page during the late 1980s and early 1990s when the EU project gained a momentum and many CESEE countries started its practical implementation through privatisation and sharp market liberalisation. Low political priority of the EU membership led to a prolonged accession process and deprived the 1990s domestic macro-stabilisation from a credible anchor. For instance, the domestic political debate to request membership in the EU took five years. Not surprisingly, the first readiness assessment prepared by the European Commission in mid-1997 was negative, also reflecting the previous year's deep domestic economic and political crisis.

Bulgaria's painful transition from plan to market in the 1990s ended with the mid-1997 introduction of the D-mark based currency board arrangement (CBA) and the legal provisions the exchange rate to be automatically re-based to the euro at the time of its appearance. At that time, the country made a strategic political choice to use the euro as a nominal anchor for its macroeconomic stabilisation in contrast to foreign trade structure, which suggested the US dollar as a base currency (Manchev, Mihaylov, 1997). Geographically closely linked to Europe, in the 2000s Bulgaria became one of the constant number of countries which strongly rely on the euro as a reserve currency and a currency to issue external debt. Nonetheless, while the trade flows swiftly adapted and the EU share in the Bulgaria's foreign trade of good and services reached 60 percent in the 2000s, the accession remained protracted.

It took eight months of the Bulgarian government to adopt a national negotiation strategy in 1998, and the process started in early 2000 after an action plan was adopted in response to the 1999 Commission progress assessment. The strategy, however, brought clarity that Bulgaria will maintain macroeconomic policy compliant with the CBA and seek an ERM II and as early-as-possible euro adoption without changing the initially set exchange rate. These switched off expectations that the foreign exchange rate regime change can be a risk factor at the time of euro adoption. The actual political priority of the full-fledged integration in the EA and euro adoption in the remained low, although success of the first wave of the Eastern EU enlargement with 8 countries on January 1, 2004, gave impetus to the process. Later in that year Bulgaria fulfilled the EU political criteria and signed the Maastricht Treaty to join the EMU on January 1, 2007, albeit with a derogation regarding use of the euro as a national currency.

It took another 13 years before the government to negotiate inclusion of the Bulgarian Lev in the ERM II in mid-2020, a legally binding step under the Maastricht Treaty before the euro adoption. Despite the progress in the various aspects of convergence well-documented by Simeonov (2022), Bulgaria was subject to additional conditionality concerning various aspects of economic governance, like regulation and supervision of banks, management and accountability of the state-owned enterprises, implementation of the anti-money laundering (AML), counterterrorism financing (CFT), and insolvency frameworks (ECB, 2020). Bulgaria did not observe sustainably the nominal convergence criteria and missed the opportunity to join the EA together with Croatia on January 1, 2023, after expiration of the minimum required period in the waiting room. With ambition to adopt the euro on January 1, 2026, immediately after reaching the Maastricht inflation value criterion in February 2025, the government requested an extraordinary Convergence Report from the EC and ECB, expected in June.

The prolonged uncertainty associated with the euro adoption may be close to an end soon, but it does not end the overall economic uncertainty in the country related to the legally irrevocable participation in the EA. Lack of trust and confidence in the EA fundament has already been deeply rooted in the domestic expectations. On one hand, uncertainty surrounding the use of the euro in Bulgaria was fuelled by the unresolved dilemma in the 2010s EU legal framework concerning the process. For a long time, the Bulgarian authorities were stuck between fulfilling the official nominal convergence criteria in the Treaty or debating the additional sustainability criteria steadily imposed by the European Council in line with the post-GFC EA architecture. This increased the role of political judgement and thus a sense of unequal treatment of the new ERM II participants, which adversely affected the already shaken domestic macro policy consensus and social support for the process. On the other hand, a series of domestic and external shocks, such as 2011-13 ESDC, the Russia's occupation of Crimea in 2014, the 2022 war in Ukraine, the global COVID-19 pandemic, and failure of the fourth largest Corporate Commercial

Bank in 2014, misaligned the macroeconomic policy. The authorities deviated from the sustainable multi-annual budget frameworks and debt management strategies, established in the 2010s in line with the requirements of the EU's SGP and European Semester.

Bulgaria is a good example of the lacking macroeconomic policy consensus, fragmented policy frameworks, and highly politicised economic knowledge. These have been well noted by the development partners. From the very beginning of Bulgaria's accession in the EU, the process was accompanied by additional conditionality imposed by the European Council. Together with Romania, Bulgaria remained under the Cooperation and Verification Mechanism (CVM) for a long time after their EU accession. Bulgaria was also placed twice in the joint World Bank Financial Action Task Force (FATF) and the EU MONEYVAL grey list. In 2000-2006 this was due to deficiencies in its AML/CTF frameworks. The 2023 FATF decision was provoked by concerns about the effectiveness of AML/CTF regime implementation. During the period 2010-12 Bulgaria was under the EC's excessive deficit procedure.

Governance failures have had the economic welfare cost since Bulgaria remains at around 66 percent of the EU-average income per capita at PPP. The country still struggles to join the Organisation for Economic Cooperation and Development (OECD, 2024) and has lower international credit ratings, compared to many EU peers. In the early 2020s, the Bulgarian macroeconomic policy stance has steadily diverged from the disciplining pattern implied by the CBA. This has yet again raised the fear of the public debt spiral (Oresharski, 2024) and has resulted in increasing economic and political vulnerability. However, unlike the early 1990s, Bulgaria still has low public debt and an adequate foreign reserve level in accordance with the international standards. Therefore, there is no immediate need for official stabilisation financing from the EU.

Concluding remarks on the way forward

The euro can hardly replace the American dollar and become the number one world currency in the foreseeable future. Nevertheless, the euro has already demonstrated its huge potential to integrate Europe further, if not used as a political symbol and considered as a universal solution to Europe's economic challenges. The European political leaders and policymakers should make the EA economic governance less costly and more consistent with the OCAs theory requirements.

For Bulgaria, we can conclude that the CBA itself or its replacement with the ECB monetary policy with the euro adoption on January 1, 2026, would not automatically resolve governance issues. In addition to political will, a huge investment in theoretical and practical knowledge on the global and EU economy is a critical precondition to rebuilding social cohesion and anchor expectations.

The concrete ideas on how to accumulate such knowledge and use it efficiently to improve governance should include: i) adoption of an adequate and transparent capacity-building strategy to strengthen the democratic and accountable rule-based governance; ii) establishment of an independent high-level domestic publicly funded institution for macroeconomic analysis and forecasting which can help improving knowledge transfer in the long run; and iii) enhancement of the domestic intra-institutional coordination to make the formally existing domestic Financial Stability Council a fully operational body.

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FINANCING FREEDOM: FUNDING EUROPE'S SECURITY IN A TIME OF WAR

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Abstract:

Initial assessments suggest an increase in European defence spending of about 250 billion euros annually (to around 3.5 percent of GDP) is warranted in the short term. However, most of this additional expenditure will be implemented at a national level for national needs. This paper highlights that Europe remains a wealthy continent characterised by greater cash reserves, higher household savings and a significantly higher rate of mortgage free homeowners than the United States. Europe possesses ample financial resources to support higher levels of defence spending. Italian households alone save approximately 400 billion euros annually, with the majority of these savings resting in low yielding bank deposit accounts or insurance policies. Across Europe, trillions of euros of household savings remain underutilised. In this context, this paper highlights that European households should be better incentivised to participate in national level investment accounts that offer additional tax and financial benefits. These accounts can be specifically constructed to channel household savings into long term security and defence investments. Europe's capital markets must be built at the national level before grander European plans become politically achievable. The UK ISA model is identified as a template in this regard.

Keywords: defence spending, capital markets, investment, savings and investment union

Introduction

Europe is in the early stages of its rearmament. This has already returned defence spending to the forefront of the political agenda. Yet, it is not enough to just support Europe's higher spending on defence. What is also required is a plan to ensure the Eurozone's financial stability can be maintained. Otherwise, Europe's much needed spending drive risks becoming a disjointed rush into action. In desperately seeking to boost military readiness while simultaneously supporting Ukraine, Brussels proposals must not ignore the long-term stability of the Eurozone.

As noted recently, two-thirds of NATO allies upped their individual NATO spending to 2 percent of their GDP in 2024.¹ Total defence expenditure of member states rose by more than 30 percent between 2021 and 2024, collectively reaching an estimated 326 billion euros (around \$340 billion). Perhaps deemed peripheral in current political discussions, economic stability remains the only guarantee of implementing the EU's expanded expenditure programmes in the future. And in an unfinished monetary union - like the Eurozone - this stability should not be taken for granted.

Already, politicians in Europe are warning that increased spending on defence will require cuts in social spending.² This implies that Europeans high reliance on public spending as their principal source of social protection (e.g. payments in times of unemployment, pensions and publicly funded health systems) is at risk from higher security and defence spending.

General government expenditure in the EU on social protection stood at 3,309 billion euros, or 19.2 percent of GDP, in 2023.³ However, this is a level of spending that varies considerably even within the EU. Datasets from the Organisation for Economic Cooperation and Development (OECD) illustrate that France (30.6 percent of GDP) and Germany's (27.9) level of social spending in 2024 was significantly higher than both the OECD average (21.2) and fellow EU member Estonia (17.2).⁴

This paper analyses whether the EU's member states have the financial capability to spend significantly more on security and defence, while simultaneously maintaining their existing levels of social spending. To achieve this objective the following structure is applied. Part one offers an assessment of the EU's financial resources. In particular, this paper focuses on the unused savings and associated household wealth of EU member states. Part two provides Italy as a case study.

Part three set out the political realities associated with achieving Capital Markets Union (CMU) in Europe and argues for a shorter-term strategy involving the development of capital markets at a national level through the introduction of national investment products. Individual Savings Accounts (ISAs) in the UK are illustrated as a relevant template. Part four concludes.

Lack of Money is Not Europe's Problem

Member states of the EU are not financially constrained when it comes to financing their future security (or climate change or digitalisation) needs. Contrary to the prevailing political narrative, Europe possesses ample financial assets to finance higher spending in the future. Lack of money is not Europe's problem. Rather, the real issue is the allocation of capital across the economy. Europe is

¹ Anchal Vohra, Europe's looming guns vs. butter decision, *Foreign Policy*, 4 March 2025.

² Laura Kayali, Belgium warns defence spending boost will hurt welfare, *Politico*, 16 April 2025.

³ Eurostat, Government expenditure on social protection, 21 March 2025.

⁴ OECD, Social Spending, 5 May 2025.

characterised by a risk-adverse hoarding of savings arising from Europe's twentieth century history. This is a history of repeated financial upheavals associated primarily, but not exclusively, with the Great War of 1914-18 and the Second World War. A historical context aggravated by the Great Financial Crisis of 2008, particularly evident in Southern Europe and Ireland.

Europe remains a very rich continent. Total household savings account for over 33 trillion euros in the EU.⁵ Remarkably, EU households and household-related non-profits hold 34 percent of their assets in deposits and currency, compared to just 14 percent in the US.⁶ In addition, households in the EU save significantly more money than their counterparts in the US. In Quarter 2, 2024 average household savings rates were 15.7 per cent across the EU compared to just 2.2 per cent in the US.⁷

Even allowing for the impacts of the pandemic, pre-Covid savings rate averages were more than double in the EU (12.3 per cent) compared to the US (6.1 per cent). As noted by the European Commission, this shows that „US households seem to have a more favourable attitude towards current spending than European consumers, as they tend to value spending today more than saving for the future“.⁸

European households are therefore characterised by larger cash savings and higher savings rates than households in the US. However, how do European resources compare if we include housing costs? This is important as housing is generally the single largest expense facing all citizens today. Do housing costs offset some of the very high cash savings of Europeans? The answer is a resounding „no“. In fact, the data is clear in illustrating how housing wealth in Europe has further strengthened households overall financial strength.

Across Europe – in 2022 – just under 70 per cent of Europeans owned their own home while less than 25 percent has mortgages.⁹ Although wide variations are evident across EU member states, data from the OECD highlights that 56 percent of EU households own their properties outright (with no related mortgage debt). This compares to an OECD average of 46 percent and under 25 percent in the US.¹⁰ The US has the third lowest percentage of households that own their own homes without mortgages.¹¹ Similarly, just under 19 percent of EU homeow-ners have a mortgage compared to 25 percent across the OECD and over 40 percent in the US.

⁵ Rebecca Christie et al. EU savers need a single-market place to invest, *Bruegel*, 25 April 2024.

⁶ Ibid.

⁷ European Commission, Household saving rates in the euro area and in the US: a counterfactual analysis, 15 November 2024.

⁸ Ibid.

⁹ Geoffrey Ditta, Generation Z may not need mortgages, here's why, *The Conversation*, 14 February 2024.

¹⁰ Organisation for Economic Co-operation and Development (OECD), Affordable housing database, data from 2022.

¹¹ John Wake, U.S. Has 3rd Lowest Percentage Of Households That Own Their Homes Without Mortgages, *Forbes*, 31 March 2023.

This data is clear in highlighting that more European households – on average – have no mortgage debt when compared to their peers in the United States. As previously noted, European households also have higher cash savings – and save at a higher rate than those in the US.

Italian Dreams

Italy is a good example of how a seemingly highly indebted country has ample financial savings to finance higher defence expenditures in the future. The prevailing narrative is that Italy is drowning in a sea of its own debt. And while its Central Government Debt as a percentage of GDP is the second highest in the Eurozone at over 130 percent, this does not tell the full story of Italy's real financial position.¹² That is because while debt is concentrated at the government level – primarily associated with the provision of public services, pensions and social protection – the data at household level provides a better indication of Italy's real financial capacities. Italian households' overall wealth amounted to 5.2 trillion euros in 2023: 80 billion euros more than the previous year and 552 billion euros more than 2019. This wealth corresponds to two and a half times the national GDP (2.1 trillion), and nearly twice as high as the value of the public debt (2.9 trillion).¹³

The Governor of the Bank of Italy Fabio Panetta noted in 2024 that „annual private savings in Italy exceeds €400 billion, a fifth of the national income“. He also underlined that only a portion of those savings finance investments in the country. 30 percent of Italian household savings continues to be held in bank accounts or cash; 20 percent in insurance policies; 26 percent in single stocks; 13 percent in mutual funds, ETF and actively managed funds; and 7 percent in bonds.¹⁴

Italy is therefore characterised by – not a shortage of cash – but a misallocation of its significant capital reserves into non-productive and low yielding investment products. In turn, debt has been disproportionately allocated to the central government level, rather than being better distributed between public and private levels. Italian households focus on investments with low, but secure, returns. 90 per cent of Italian households' assets are concentrated on properties, bank accounts, and state bonds. In the last two years alone, long-term treasury bonds 'Btp' (Buoni del tesoro poliennali) have attracted of 240 billion euros from Italian household savings.¹⁵

These immense savings are also partnered with very low levels of household debt. Data from Eurostat for 2023 highlights a Gross Debt to Income Ratio of

¹² International Monetary Fund (IMF), Central government debt as a percentage of GDP, 2023.

¹³ Gianluca Mercuri, How much do Italians save? More and more, but one euro in three remains stuck in current accounts, *Corriere della Sera*, 1 November 2024, reporting research by the Federazione Autonoma Bancari Italiani ((Autonomous Federation of Italian Bankers)).

¹⁴ Ibid.

¹⁵ Guido Gozzano, The mind-boggling wealth of Italians, a people of savers without a compass, *Corriere dell'italianità*, 2 December 2024.

just 57% in Italian households in 2023. This compares to figures of 95% in France, 78% in Germany, 110% in Finland and 184% in the Netherlands.¹⁶ In addition, this is complemented by very low levels of mortgage debt in Italy. Only 14% of Italian homeowners have a mortgage, compared to 61% in the Netherlands.¹⁷

Overall, the data is clear in highlighting that Italy has ample financial resources for higher defence spending in the future. Rather, it is the concentration of debt at central government level which has created the impression that Italy is lacking available capital. At a household level, more than ample resources exist to fund a level of defence expenditure consistently at 3 per cent of GDP and above.

Immediate national financing requires immediate national investment tools

In the short-term most of the additional expenditure on defence will be implemented on a national level for national needs. And while the European Commission is correct in highlighting the potential of the trillions of euros in household savings lying in low interest deposit accounts, it is not realistic to expect the immediate construction of a European Capital Markets Union (CMU).¹⁸ CMU is a long-held political plan to create a single market for capital. The aim is to get money – investments and savings – flowing across the EU so that it can benefit consumers, investors and companies, regardless of where they are located.

However, the lack of political will to implement CMU over the last decade highlights the structural challenges facing its implementation. The reality is that even relatively straightforward elements of CMU – such as cross-border banking consolidation or introducing a common bank deposit insurance scheme – remain subject to embedded national level opposition.¹⁹ More fundamental measures, such as centralising the supervision of European capital markets, are still very politically contentious.

Nor is it reasonable to assume that the cultural and historic drivers of households' fiscal caution in Europe will be radically altered in the short-term. The socio-economic drivers of high savings rates, risk adverse investment preferences and a high level of government spending reflect a financial insecurity steeped in historical experience.

In this context, it is important to acknowledge that CMU is not a project that is politically deliverable in the short-term. Rather than waste valuable political momentum directly seeking to impose capital markets integration immediately, the EU should instead focus on more impactful measures that will deliver results in months, not years. Chief among these is enabling national capitals to tap their

¹⁶ Eurostat, Gross debt-to-income ratio of households, 28 April 2025.

¹⁷ Geoffrey Ditta, Generation Z may not need mortgages, here's why, *The Conversation*, 14 February 2024.

¹⁸ Now commonly referred to as Savings and Investment Union.

¹⁹ Melissa Eddy and Bernhard Warner, Why Germany's Resistance to an Italian Bank Takeover Is Raising Eyebrows, *New York Times*, 1 November 2024.

domestic household savings more easily as a funding mechanism for higher defence spending.

Such an approach will ensure a much more sustainable model for achieving eventual CMU in Europe. Given the underdeveloped nature of most national capital markets in Europe, such a strategy will help to build CMU from the bottom up. This process can also take advantage of best practice at national level, accelerate the process of capital market deepening in member states and – perhaps most importantly of all – begin to change prevailing investment preferences at a local, household level.

There are examples in several EU member states of differing types of investment and savings products that could act as adjustable templates for other EU member states. They all possess potential to better utilise some of the trillion of Euros of underutilised savings sitting in bank accounts all across Europe. For the purposes of this paper, we highlight the example of the Individual Savings Account (ISA) product in the UK.

ISAs are an established part of the financial offer in the UK.²⁰ They are accounts that allows you to save or invest money in a tax-efficient way. Currently, you are allowed to save up to 20,000 pounds sterling per annum. There are 4 types of ISA including a Cash ISA, Stocks and Shares ISA, an Innovative Finance ISA and a Lifetime ISA. You can use a Lifetime ISA to buy your first home or save for later life. You can put in up to 4,000 pounds per year, until you are 50. You must make your first payment into your ISA before you are 40. The government will add a 25% bonus to your savings, up to a maximum of 1,000 pounds per year. The interest on cash ISAs is free from UK Income Tax. You do not pay UK Income Tax or UK Capital Gains Tax on potential earnings from the other types of ISAs.

Several characteristics of the ISA project range are vital for attracting consumer interest and savings. These are characteristics which are likely important to citizens across all European states. First, is that the product is available through locations which are accessible and familiar to consumers (Post Offices, bank branches and online). Second, these products offer a clear and easily understood tax incentive for investors. Third, ISAs also allow for long term/pensions savings with an added financial bonus from the government. Fourth, they are actively regulated by the appropriate authorities.

Such a model provides huge potential if specifically designed to invest in Europe's long-term security needs. In the medium-term this model could also be used to develop Europe's supplementary pension sector.

Conclusions

The latest research highlights that „European defence spending will have to increase substantially from the current level of about 2 percent of GDP. An initial assessment suggests an increase by about €250 billion annually (to around 3.5

²⁰ UK Government, Individual Savings Accounts.

percent of GDP) is warranted in the short term²¹. This paper highlights that Europe possesses ample financial resources to support that level of defence spending for the long term. Italian households alone save approximately 400 billion euros annually, with the majority of these savings resting in low yielding bank deposit accounts. Across Europe, trillions of euros of household savings remain underutilised.

In this context, this paper highlights that CMU is not a project that is politically deliverable in the short-term. Rather, the EU should instead focus on more impactful measures that will deliver results in months, not years. Chief among these is enabling national capitals to tap their domestic household savings more easily as a funding mechanism for higher defence spending. CMU needs to be built from the bottom up by first developing national level capital markets. The UK ISA model is identified as a template in this regard for other European states.

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²¹1 Alexandr Burilkov and Guntram B. Wolff, Defending Europe without the US: first estimates of what is needed, *Bruegel*, 21 February 2025.

GATEKEEPING EUROPE: THE EU'S FDI SCREENING MECHANISM IN A SHIFTING GLOBAL ORDER

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Abstract:

This paper examines the development of the European Union's Foreign Direct Investment (FDI) Screening Mechanism as a response to mounting geopolitical tensions and the securitisation of economic policy. It traces the progression from the coordination-based Regulation (EU) 2019/452 to the more assertive 2024 reform proposal, showing how strategic concerns – particularly over Chinese investment – have reshaped the EU's approach to foreign capital. While aiming to balance strategic autonomy with continued openness, the EU has seen declining FDI inflows and a shrinking share of global investment, raising concerns about competitiveness. By assessing policy developments and investment trends, the paper evaluates whether the screening regime can enhance economic security without fragmenting the single market or deterring investment. The findings highlight the EU's effort to reconcile liberal market commitments with growing demands for control, resilience, and geopolitical awareness.

Keywords: foreign direct investment, strategic autonomy, investment policy, economic security, global competition.

Introduction

The convergence of economic and security policy has become a defining feature of the European Union's governance architecture in the 21st century. As geopolitical rivalries intensify and the liberal international order fractures, the EU has been compelled to reconsider its traditionally open approach to foreign direct investment (FDI). What was once perceived as a politically neutral flow of capital is now increasingly understood as a potential conduit of strategic vulnerability and geopolitical influence.^{2,3}

¹ This paper was prepared within the framework of the project „Contemporary Trends in FDI Regulation and Promotion (CT-FDI-RAP)“ at the Bratislava University of Economics and Business.

² Rosén, G. & Meunier, S. (2023), *Economic Security and the Politics of Trade and Investment Policy in Europe*, Politics and Governance, Vol. 11, No. 4, Cogitatio Press, Lisbon.

³ Farrell, H. & Newman, A. (2019), *Weaponized Interdependence: How Global Economic Networks Shape State Coercion*, International Security, Vol. 44, No. 1.

At the heart of this transformation lies a fundamental paradox. The EU seeks to remain open yet secure; to attract foreign investment while preserving both national and supranational sovereignty; to uphold interdependence without drifting into strategic dependency. Regulation (EU) 2019/452, which established a framework for the screening of FDI on grounds of security and public order, is the institutional expression of this policy contradiction.⁴ Initially introduced to support coordination among Member States in evaluating FDI on security grounds, the mechanism has been evolving into a core element of the Union's economic security agenda – an attempt to reposition the EU as a *strategic gatekeeper* in global investment flows.

This regulatory shift must be understood in the context of the EU's broader pursuit of strategic autonomy.⁵ While the Union remains formally committed to market-based principles and openness to global capital, the institutionalisation of investment screening marks a departure from the liberal economic orthodoxy that long underpinned both its internal market and external trade and investment policies. At stake is the EU's capacity to balance competitiveness with security, to shield critical technologies and infrastructure without undermining investor confidence, and to preserve cohesion across a highly diverse regulatory landscape.

This paper addresses a central question: How does the EU's FDI Screening Mechanism navigate the tension between safeguarding strategic autonomy and maintaining openness to foreign capital? It traces the evolution of the screening framework from its 2019 origins to its proposed 2024 reforms, examines its uneven implementation across the Union, and assesses its implications for the EU's role in a more contested and multipolar global economic order.

The Evolution of the EU's FDI Screening Mechanism

The emergence of a coordinated EU approach to foreign direct investment (FDI) screening is a relatively recent phenomenon, rooted in a broader shift from liberal economic governance to a more security-conscious regulatory paradigm. Until the mid-2010s, the EU remained institutionally committed to open capital markets, and foreign investment was largely seen through the lens of economic efficiency and legal neutrality. However, a confluence of geopolitical pressures – ranging from the increasing global footprint of state-driven investment actors to growing tensions with Russia – catalysed a significant institutional response.

Before 2019, only a subset of EU Member States maintained national-level screening mechanisms, and there was no formal structure for coordination at

⁴ Regulation (EU) 2019/452 of the European Parliament and Council, OJ L 79, 21.3.2019.

⁵ European Commission (2023) An EU Approach to Enhance Economic Security, IP/23/3358, available at: https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_23_3358/IP_23_3358_EN.pdf

the Union level. The adoption of Regulation (EU) 2019/452 marked the EU's first serious step toward a collective investment screening framework. Rather than creating a centralised authority, the regulation introduced a cooperation mechanism enabling Member States and the European Commission to exchange information and raise concerns about specific transactions that might affect security or public order. Importantly, the Commission gained the ability to issue non-binding opinions on investments impacting projects or programmes of Union interest (such as Galileo or Horizon Europe)⁶.

The regulation also laid out a set of screening criteria, including impacts on critical infrastructure, technologies, dual-use items, and access to sensitive data. Although its legal scope was modest, the regulation signalled a new institutional logic in EU trade and investment governance – one that acknowledged FDI as a potential channel for strategic risk.⁷

The framework was quickly tested by a series of crises that exposed the vulnerabilities of Europe's economic openness. The COVID-19 pandemic intensified concerns over foreign acquisitions of firms in sensitive sectors, prompting the Commission to issue guidelines urging Member States to guard against „opportunistic takeovers“.⁸ Russia's invasion of Ukraine further amplified security concerns, particularly in the energy and defence sectors, reinforcing the rationale for tighter investment scrutiny. Meanwhile, Chinese investments in critical technologies, infrastructure, and manufacturing raised alarms about long-term dependencies and state-driven economic influence. These events contributed to the reframing of FDI screening as not merely a defensive tool, but also a pillar of the EU's evolving economic security strategy and industrial resilience agenda.⁹

Recognising the limitations of the 2019 regulation – chiefly its reliance on voluntary Member State participation, uneven national coverage, and the absence of enforcement mechanisms – the Commission proposed a new regulation in January 2024.¹⁰ This proposal aims to create a more harmonised and effective system across the single market. First, it would make national screening mechanisms mandatory for all Member States, closing gaps in coverage and reducing opportunities for regulatory arbitrage. Second, it standardises the scope of national mechanisms by requiring the screening of investments in sectors and entities listed in two annexes: Annex I (projects and programmes of EU interest)

⁶ Jong, B. & Zwartkruis, W. (2020) The EU Regulation on Screening of Foreign Direct Investment: A Game Changer? *European Business Law Review*, vol. 31, issue 3, pp. 447-474.

⁷ Kim, B., Choi, H., Jung, H. (2021) The EU's Foreign Direct Investment Screening Framework: Current Status and Future Implications. " *Korean Journal of European Integration*, vol.12, no.1, 2021, 155-176.

⁸ European Commission. (2020). Guidance to the Member States concerning foreign direct investment and free movement of capital from third countries, and the protection of Europe's strategic assets. Brussels, C(2020)1981 final.

⁹ van Zon, W. (2023). The application of Regulation 452/2019 in response to Chinese foreign direct investment. *Legal Issues of Economic Integration*, 50(2), 129-164.

¹⁰ Crivoi, A. (2024), *EU FDI Screening - Level Up in Multilevel Governance? The Commission's Proposal for a New Regulation on the Screening of Foreign Direct Investment into the Union*, *Zeitschrift für Europäisches Wirtschaftsrecht*, 27(2):241-261

and Annex II (critical technologies, infrastructure, and services vital to public order and security). Third, it expands the scope of screening to include indirect control, such as acquisitions conducted through EU-based subsidiaries of non-EU investors – addressing the increasing sophistication of deal structures designed to circumvent scrutiny.¹¹

The proposal also enhances procedural coordination. It strengthens the EU-wide cooperation mechanism by mandating information-sharing for „notifiable investments“ and introduces specific rules for managing multi-country transactions. A centralised database and clearer procedural timelines are also included, improving transparency and efficiency. Moreover, while greenfield investments were theoretically covered under the 2019 regulation, the 2024 proposal clarifies their inclusion and encourages Member States to scrutinise such investments – especially where they involve the creation of new facilities in sensitive sectors or represent a lasting and direct link between the investor and the EU economy.¹²

Despite these advances, enforcement power remains with national authorities, preserving Member State autonomy over final decisions. Nevertheless, the Commission is granted stronger oversight capacity, including the ability to issue formal opinions on transactions affecting multiple jurisdictions or projects of EU interest. The reformed regime, though not yet enacted, signals a clear institutional turn: from soft coordination toward a more integrated, rule-based, and security-aware investment governance model.

This transformation catalysed a reconceptualisation of FDI screening – not only as a defensive tool, but as part of a broader strategy to protect the EU's economic sovereignty and technological leadership.¹³ Whether the EU can sustain this balance between openness and control without deterring investment remains to be seen. What is clear, however, is that its role as a strategic gatekeeper is no longer aspirational – it is becoming institutionalised.

Losing Ground? The EU's Shrinking Attractiveness for Inward FDI

The development of the European Union's FDI screening regime must be viewed in light of declining investment trends over the past decade. Since 2015, the EU's attractiveness to global capital has declined, reflecting broader economic shifts and, to some extent, increased regulatory intervention, including the expansion of investment screening. The adoption of Regulation (EU) 2019/452 and its proposed 2024 revision have introduced additional legal complexity and

¹¹ European Commission (2024). Proposal for a Regulation of the European Parliament and of the Council on the Screening of Foreign Investments in the Union and Repealing Regulation (EU) 2019/452, COM(2024) 23 final, Brussels.

¹² Ibid.

¹³ Draghi, M. (2024). The future of European competitiveness: In-depth analysis and recommendations (Part B). European Commission. Retrieved from: https://commission.europa.eu/publications/future-european-competitiveness_en

administrative burden for international investors. While these reforms aim to strengthen strategic autonomy, they have also contributed to uncertainty and delays, reinforcing the perception that the EU is becoming less welcoming to foreign capital.¹⁴

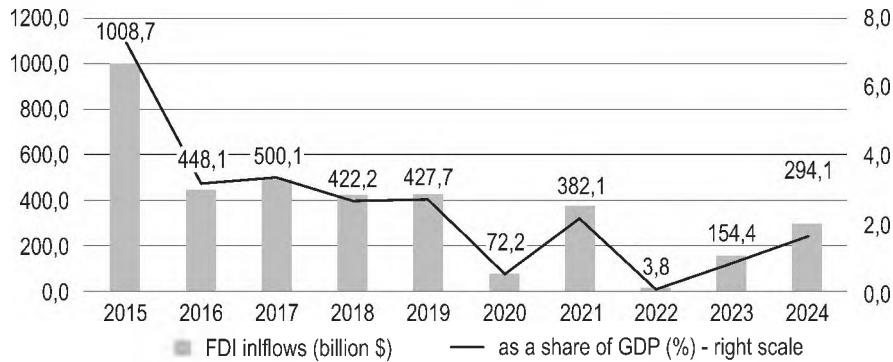


Fig 1 FDI inflows to the EU (2015-2024, billion USD and % of GDP)

Source: OECD

As shown in Fig. 1, FDI inflows to the EU fell dramatically from \$1008.7 billion in 2015 to just \$72.2 billion in 2020. Although there was a partial recovery to \$294.1 billion by 2024, the overall trend is one of structural decline. Measured as a share of GDP, FDI dropped from 7.8% in 2015 to just 1.7% in 2024, underscoring how foreign capital is playing a diminishing role in the EU economy. The magnitude of this downturn reflects more than pandemic-related volatility – it signals a fundamental shift in the investment climate.

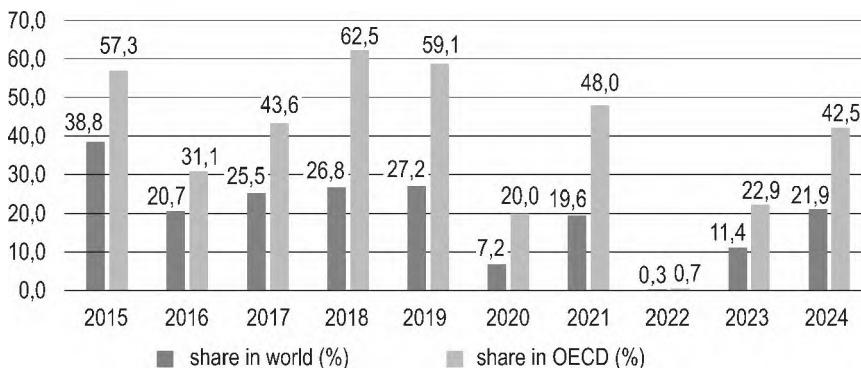


Fig 2 EU share of global and OECD FDI inflows (2015-2024, %)

Source: OECD

Fig. 2 further highlights the erosion of the EU's global position. The EU's share of global FDI inflows collapsed from 39% in 2015 to just 7.2% in 2020, with a modest recovery to 22% by 2024. Within the OECD, the Union's share

¹⁴ Witkowska, J. (2020). The European Union's screening framework for foreign direct investment: Consequences for external relations. Comparative Economic Research. Central and Eastern Europe, 23(1), 19-36.

plunged from over 60% in 2018-2019 to less than 1% in 2022, before recovering to 42.5% in 2024. These relative declines suggest that the EU is not just receiving less investment but also falling behind its peers in attracting it.

This decline in investment has occurred as regulatory scrutiny has increased, reflected in the growing formalisation of screening processes. In 2023, EU Member States handled 1,808 FDI-related cases, of which 56% were formally screened, up from 21% two years earlier. Of those screened, 85% were approved without conditions, 10% with mitigating measures, 1% were blocked, and 4% were withdrawn by investors, reflecting both increased caution and regulatory reach.¹⁵

Nowhere are these shifts more evident than in the case of China. Under the current EU screening framework, which came into force in October 2020, an estimated 83% of Chinese M&A transactions in 2018 would have triggered a review.¹⁶ Although the regulation does not explicitly mention China, it was motivated by the challenges posed by Chinese capital flows. Chinese investment has raised a cluster of interrelated concerns, including the risk of technological leakage in strategic sectors, foreign control over critical infrastructure, opaque ownership structures that obscure state influence, and a persistent asymmetry in market access between Chinese and EU firms.¹⁷

Fig. 3 illustrates the sharp decline in Chinese outbound investment to the EU, which coincided with the introduction of the screening mechanism. Chinese investment surged in the second half of the 2010s, peaking at \$10.1 billion in 2020. Between 2016 and 2020, annual flows averaged around \$8 billion. However, after 2020, investment volumes declined sharply, falling to just \$5.6 billion by 2023 – a cumulative contraction of nearly 45% over three years.

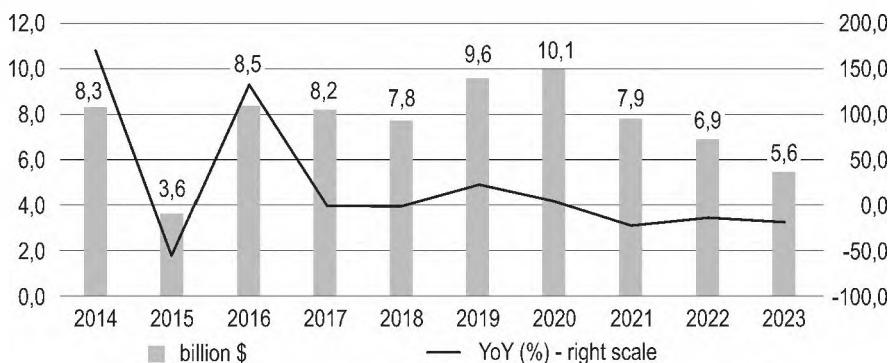


Fig. 3 Chinese Outbound Investment to the EU
(2014-2023, USD billions and year-on-year % change)

Source: Bruegel

¹⁵ European Commission. (2024). *Fourth annual report on the screening of foreign direct investments into the Union (COM(2024) 464 final)*. Brussels. p.12

¹⁶ Witkowska, J. (2020). The European Union's screening framework for foreign direct investment: Consequences for external relations. *Comparative Economic Research. Central and Eastern Europe*, 23(1), p.32

¹⁷ van Zon, W. (2023). The application of Regulation 452/2019 in response to Chinese foreign direct investment. *Legal Issues of Economic Integration*, 50(2), 129-164

In response to the increased scrutiny, Chinese investors have reoriented toward greenfield investments. By 2023, nearly four out of five Chinese FDI projects in the EU were greenfield in nature – up from just 2% in 2017.¹⁸ These investments are increasingly concentrated in high-growth strategic sectors such as electric vehicles (EVs) and battery manufacturing. Chinese firms, such as BYD, CATL, and Geely, have established production facilities in Hungary, Germany, and France, thereby integrating themselves into European supply chains and circumventing the regulatory constraints associated with acquisitions.

The proposed 2024 reform to the EU's FDI screening framework acknowledges this strategic shift. For the first time, greenfield investments are explicitly included within the scope of examination. This expansion reflects a broader EU policy evolution: from passive openness to active gatekeeping. While security concerns may warrant closer oversight in some cases, there is growing debate over whether screening greenfield projects – especially in politically benign sectors – risks deterring the very investment needed for Europe's green and digital transitions.¹⁹

Fragmentation and Internal Tensions in the EU's FDI Screening Architecture

While the EU's FDI screening framework has taken shape around a shared recognition of external risks, its internal architecture remains fractured. Designed as a coordination platform rather than a harmonised regulatory regime, the system reflects persistent asymmetries in institutional capacity, strategic priorities, and political will across Member States. These divergences limit the coherence and effectiveness of screening efforts at the Union level, despite mounting pressures for a more integrated approach.

Member States have adopted widely varying screening mechanisms, with differences in legal scope, administrative sophistication, and sectoral coverage. As of 2024, 23 Member States had implemented national regimes, but these differ significantly in how comprehensively they cover sectors such as critical infrastructure, dual-use technologies, and data security.²⁰ While countries like France, Germany, and Italy have developed robust regimes with broad mandates and dedicated screening bodies, others have narrower frameworks or rely heavily on inter-ministerial discretion. Smaller states, in particular, often lack the institutional resources to conduct detailed risk assessments or monitor indirect ownership structures effectively.²¹

¹⁸ Ballestracci, E. (2025). The European screening mechanism and its implications for Chinese FDI. IAI Commentaries, 25(07). <https://www.iai.it/en/pubblicazioni/european-screening-mechanism-and-its-implications-chinese-fdi>

¹⁹ Ibid.

²⁰ European Commission. (2024). Proposal for a regulation on the screening of foreign investments in the Union (COM(2024) 23 final). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52024PC0023>

²¹ Moiseeva, D. E., & Kulich, A. D. (2024). New architecture of FDI regulation in the European Union. MGIMO Review of International Relations, 17(5), 80-99.

These disparities mirror deeper political-economic asymmetries within the EU. Member States with advanced technological sectors or greater exposure to state-linked foreign investors – especially Chinese – have generally supported more restrictive screening.²² Conversely, Member States with fewer strategic assets or higher dependence on inward investment have expressed concern about the potential chilling effects of tighter scrutiny.²³ In some cases, political alignment with particular external actors has shaped the openness or caution of national screening decisions, complicating efforts to present a unified strategic posture.

This unevenness is compounded by legal ambiguity and institutional limits. Regulation (EU) 2019/452 allows Member States wide discretion in defining what constitutes a threat to security or public order, without offering a common risk typology. While the regulation establishes a cooperation mechanism requiring information sharing, the Commission's role remains advisory. It can issue non-binding opinions on transactions that may affect Union-wide interests, but it lacks enforcement authority. This legal asymmetry creates a patchwork of national gatekeeping practices, allowing firms to exploit regulatory arbitrage by structuring investments to avoid stricter jurisdictions.²⁴

Coordination has improved since 2020, but it remains inconsistent. In 2023, seven Member States (notably Austria, France, Germany, Italy, Spain, Denmark, and Romania) accounted for 85% of notifications to the EU cooperation mechanism. Meanwhile, several Member States with screening regimes in place did not submit a single case in 2023, highlighting persistent gaps in enforcement and coordination.²⁵

The proposed 2024 reform aims to reduce this fragmentation by requiring all Member States to establish national screening regimes and comply with minimum procedural and substantive standards. It also introduces explicit coverage of greenfield investments and indirect control, seeking to close loopholes that have allowed strategic investors to bypass existing rules. Yet these proposals have reignited tensions. Some Member States fear that expanded obligations will impose disproportionate burdens, while others view the reforms as creeping centralisation at odds with national sovereignty.²⁶

²² Chan, Z. T., & Meunier, S. (2022). *Behind the screen: Understanding national support for a foreign investment screening mechanism in the European Union*. The Review of International Organizations, 17, 513-541.

²³ Witkowska, J. (2020). The European Union's screening framework for foreign direct investment: Consequences for external relations. Comparative Economic Research. Central and Eastern Europe, 23(1), p.31

²⁴ Bian, C. (2021). Foreign direct investment screening and national security: Reducing regulatory hurdles to investors through induced reciprocity. Journal of World Investment & Trade, 22(4), 561-595.

²⁵ European Commission. (2024). *Fourth annual report on the screening of foreign direct investments into the Union (COM(2024) 464 final)*. Brussels. p.14

²⁶ Chan, Z. T., & Meunier, S. (2022). *Behind the screen: Understanding national support for a foreign investment screening mechanism in the European Union*. The Review of International Organizations, 17, 513-541.

Despite these tensions, investment screening also presents strategic opportunities, particularly for smaller Member States. Enhanced coordination at the EU level can strengthen their analytical and institutional capacities, provide access to shared intelligence, and improve their negotiating leverage vis-a-vis large multinational firms or foreign state-backed investors. Crucially, screening can also support more assertive industrial and innovation policy by enabling governments to shape the terms of market entry. When embedded in a broader strategic framework, investment controls may help extract greater local value from foreign capital through performance requirements, technology-sharing commitments, and linkages to domestic supply chains. In this way, the mechanism can complement, not merely constrain, national development ambitions.

The question now is whether the EU can move beyond a „minimum common denominator“ model to a more coherent, rules-based approach capable of addressing systemic vulnerabilities. Such a shift would not require full centralisation but would depend on narrowing interpretive gaps, strengthening institutional support, and building mutual trust. In an increasingly contested global investment environment, strategic convergence within the EU is not merely desirable; it is essential.

Conclusion

The European Union’s turn to investment screening marks a fundamental reappraisal of foreign direct investment – from a vehicle for growth and competitiveness to a potential source of strategic exposure. This redefinition reflects a broader shift in the Union’s external economic policy, away from liberal globalism and toward a more security-oriented model of „open strategic autonomy.“

This paper has examined the evolution of the EU’s FDI screening framework within this changing context. Declining investment inflows have coincided with heightened concerns over strategic dependencies, particularly regarding Chinese state-affiliated capital. These developments have prompted significant institutional change, from the establishment of the 2019 cooperation mechanism to the 2024 proposal mandating screening and promoting greater harmonisation. Screening now forms a central component of the EU’s economic security agenda, aligning closely with broader industrial policy priorities, such as technological capacity, supply chain integrity, and control over critical sectors.

More broadly, the institutionalisation of investment screening reflects how EU economic governance is being recalibrated in response to a more contested global environment. It raises unresolved questions about the cohesion of the single market, the limits of regulatory convergence, and the Union’s capacity to act as a coherent geopolitical actor. In this context, the long-term success of the screening regime will depend on the EU’s ability to reconcile national diversity with effective collective oversight, ensuring that investment control serves not as a fragmented patchwork of national filters, but as a coordinated and legitimate instrument of strategic economic governance.

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THE PERILS OF ATTRACTIVENESS: NATO'S EASTERN FLANK COUNTRIES FACING AMERICAN UNCERTAINTY

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Abstract:

This study examines the evolving national security strategies of four NATO eastern flank countries – Bulgaria, the Czech Republic, Estonia, and Latvia – amid growing uncertainty surrounding U.S. commitment to European defense, particularly during and after the Trump administration. Prompted by Russia's 2022 invasion of Ukraine, each nation has revised its strategic posture, emphasising NATO's central role while downplaying the EU's capacity as a standalone security guarantor. Despite similarities in threat perception and the prioritization of deterrence, notable differences exist in strategic focus, procurement policies, and levels of domestic consensus. All four countries remain heavily reliant on U.S. military presence and funding, with limited investment in hedging strategies or EU-based security alternatives. This dependency exposes them to heightened vulnerability should U.S. foreign policy shift away from European commitments. The paper concludes that without diversified security frameworks, these states risk deepening strategic insecurity, underscoring the limitations of their current „logic of attractiveness“ toward the United States.

Keywords: NATO; Russia; Autonomy; Deterrence, Threats.

Introduction

The arrival of Trump in the White House represents a major challenge to the security approach of the countries on NATO's eastern flank. While these countries have begun to review their strategic priorities following the Russian aggression against Ukraine, they are now facing concerns about the future of American commitment to their security and a rapprochement between the United States and Russia. This contribution proposes to discuss these questions through a comparative study of the national security strategies adopted by four small nations on NATO's eastern flank following the Russian aggression against Ukraine in February 2022: Bulgaria, Czechia, Estonia, and Latvia.

These nations are part of the so-called Bucharest nine format of cooperation established in 2025 under a joint Polish and Romanian initiative.¹

Their selection of these countries is justified by the fact they revised their national security strategies following Russia's invasion of Ukraine. Their geographic distribution along the eastern flank also allows for an analysis through the lens of both differences and similarities in their strategic approaches.

Finally, these countries can be examined as small states in light of their military capabilities. While they are not in a position to lead strategic discussions within NATO and the European Union, their voices cannot be entirely ignored. Indeed, these countries play a role in the decision-making processes of both institutions, which operate under the rule of unanimity, and their vulnerability to external influence poses a risk to internal consensus within these bodies.

This contribution proposes, in the first part, to compare the content of these documents, and in the second part, to discuss the implications of possible changes in Trump's foreign policy direction regarding European security.

Our main argument is that these changes, if confirmed in the future, would place these small countries on the eastern flank in an extremely delicate position from a security perspective, and they currently lack a plan or credible alternatives for continued American and NATO engagement for their security. Indeed, each of the countries have followed a logic of attractiveness towards the US for their security, and have not yet address the possibility of any diversification of their security cooperation within the European Union.

National Security Strategies

The practice of releasing national security strategies is quite a recent one. It was established in USA when Congress required, since 1986, each President to publish a national security strategy.² In Europe, the practice of publishing security strategies is even less established. For example, Germany published its first ever national security strategy in 2023.³ In other countries, there is no systemic traditions of drafting national security strategies. Usually, the need for such national security strategies is triggered by some major changes at the international level. For example, the 2014 Russian-Ukrainian crisis led a number of mostly Central and Eastern European states to release national security strategies. The 2022 unprovoked Russian aggression on Ukraine was also considered as an event of sufficient importance to justify the reviewing of these national security strategies.

¹ Nagy, Th. (2024, March). The Bucharest Nine Enhancing Security on NATO's Eastern Flank, GMF. Link: <https://www.gmfus.org/sites/default/files/2024-03/The%20Bucharest%20Nine-%20Enhancing%20Security%20on%20NATO%20National%20Security%20Strategy.pdf>

² Chin, J. J., Skinner, K., & Yoo, C. (2023). Understanding National security Strategies through time, pp. 104-105. Link: <https://hdl.handle.net/2152/122025>

³ Schreer, B. (2023, June 20). Germany's first-ever National Security Strategy, Online Analysis. Link: <https://www.iiss.org/online-analysis/online-analysis/2023/06/germany-s-first-ever-national-security-strategy/>

While the relevance of national security strategies is sometimes questioned⁴, they still serve important functions⁵. The first is to provide a framework for a common understanding of national security objectives at all levels of government and bureaucracy. The second is to communicate national security priorities to both allies and potential adversaries and enemies. The third function is to share national security priorities with various non-state stakeholders, such as analysts and experts, as well as members of the academic community, with these documents rarely attract public attention.

Logic of Attractiveness vs. Logic of Hedging

Small states or as often called second-tier or small states only have limited options when it comes to their strategic autonomy. If they are part of an Alliance system supported by a patron, their default position would tend to be to align to it and to seek to attract its support for their security following a logic of attractiveness. Any other option such as hard hedging that would consist of making them autonomous from their patron is not really possible.⁶

One solution for these small states may reside in a logic internal hedging, which would consist of diversifying their security options within the US security network. Such an internal hedging offers these countries an alternative to band wagoning and balancing.

In order words, the small Eastern flank countries under consideration can decide between these different options. The choice of a logic of attractiveness may prove risky for these countries in the case of them questioning the reliability of their security patron and its commitment to the Atlantic alliance. Facing the Russian threats, they may decide, instead of a logic of attractiveness to opt for a logic of internal hedging or they may even consider mixing both, one for the short term, and the second for the long term. This logic would lead them, for example, to invest more political capital in an EU security-based system.

Comparative Analysis of National Security Strategies

The four documents analysed here, are: the Estonian National Security Concept⁷, the Czech Republic's Security Strategy⁸, the Latvian State Defence

⁴ Stein, A. (2022, November 3). The case for getting rid of the national Security strategy - war on the rocks. War on the Rocks. <https://warontherocks.com/2022/11/the-case-for-getting-rid-of-the-national-security-strategy/>

⁵ Szalai, M. (2022). Norm localisation in the process of crafting national security strategies - the case of the Visegrád countries. *European Security*, 32(2), 210-232. <https://doi.org/10.1080/09662839.2022.2124370>

⁶ Paquin, J., & Colautti-Féré, P. (2023). From attractiveness to hard hedging: US allies' response to Washington's lack of security assurance under the Obama and Trump presidencies. *Contemporary Politics*, 30(2), 221-246. <https://doi.org/10.1080/13569775.2023.2268880>

⁷ National Security Strategy Concept of Estonia (2023). Link: https://www.kaitseministeerium.ee/sites/default/files/eesti_julgeolekupoliitika_alused_eng_22.02.2023.pdf

⁸ Security Strategy of the Czech Republic (2023). Link: https://mzv.gov.cz/file/5161068/Security_Strategy_of_the_Czech_Republic_2023.pdf

Concept⁹, and the Bulgarian National Defence Strategy¹⁰. The Estonian National Security Concept adopted in 2023 follows the previous one adopted in 2017. The Latvian State Defense Concept also dates from 2023, while the Bulgarian National Defense Strategy was published in March 2025. Except for the Bulgarian case, where the strategy has not yet been debated in parliament, these documents were adopted by a large majority in the different countries' assemblies.

The four national security strategies share many similarities but also significant differences in their understanding of security, the identification of threats, security assumptions, and the importance given to NATO and the European Union for their security.

All four strategies adopt a holistic approach to security, recognizing its military, political, economic, social, and informational dimensions. They acknowledge that security is not solely a military matter but requires a holistic response involving the entire government and society. Each strategy emphasizes the importance of collective defense through alliances and partnerships. As small countries, it is not surprising that they prioritize international cooperation over power projection as the main objective of their security.

NATO is systematically presented as an essential pillar of security for the four countries, with a strong emphasis on collective security commitments and interoperability with allied forces. References to Article 5 are present in the Czech and Estonian documents, while the Bulgarian defense strategy also mentions Article 3¹¹ that calls for the NATO member states to maintain and develop their individual and collective capacity and the Latvian document makes no specific reference to Article 5 but mentions the importance of the Alliance as the framework for its defense policy.

The four documents also emphasize the importance of strengthening national resilience in the face of various threats and crises. This includes strengthening critical infrastructure, cybersecurity, civil protection, and societal preparedness. Finally, the four documents agree on maintaining an international order based on rules, respecting international law, and the peaceful settlement of disputes.

Differences and Threat Identification

In terms of threat identification, all four strategies identify Russia as the most significant threat. It is seen as a direct threat to the Czech Republic, Estonia, and Latvia, affecting the European security architecture, while Bulgaria mentions the possibility of a confrontation between Russia and NATO. In second place, the Czech, Estonian, and Latvian strategies cite China, but well behind Russia, while the Bulgarian strategy only mentions China's actions in the Indo-Pacific

⁹ The State Defense Concept (2023). Link: <https://www.mod.gov.lv/sites/mod/files/document/The%20State%20Defence%20Concept%202023-2027.pdf>

¹⁰ Национална отбранителна стратегия [National Defense Strategy of the Republic of Bulgaria] (2025). Link: <https://pris.government.bg/document/a310e4caadd9170d0eadb6d7b6893135>

¹¹ National Defense Strategy of the Republic of Bulgaria (2025), para 155.

region and its influence in the Western Balkans. The Bulgarian document also highlights the risk of confrontation in the Black Sea. Other threats mentioned include cyber threats (Czech Republic), migration and terrorism (Estonia, Bulgaria, Latvia), proliferation of weapons of mass destruction (Bulgaria), risks to economic security (Czech Republic), and economic dependence on authoritarian states (Estonia). Latvia also cites the hybrid threat.

Regarding the pre-eminence of threats, the four security strategies agree on the predominance of conventional threats over hybrid ones, although with some nuances. While hybrid threats are acknowledged in the Bulgarian strategy, it prioritizes military preparedness, collective defense within NATO, and the development of national armed forces. The Czech strategy highlights the danger of armed conflict while also emphasizing the persistent threat of cyber warfare, requiring a multifaceted and comprehensive approach to security. In the Estonian case, military and hybrid threats are considered equally important, although the document acknowledges both the immediate danger of military aggression and the persistent disruptions caused by hybrid tactics. For Latvia, military threats are prioritized over hybrid ones even though they are viewed as part of Russian tactic. That being said, the Latvian strategy mentions the threat of a sudden military attack by Russia aimed at seizing territories, which could be followed by nuclear threats to deter NATO for responding. As mentioned in the Latvian document: „sudden military attack by Russia to seize a certain territory that may be followed by threats to use nuclear weapons, aiming to deter involvement of NATO reinforcements“.¹²

Roles of US, NATO and EU

While all four strategies emphasize the importance of NATO and the EU for their security, NATO is prioritized as the main source of deterrence. The EU's role is considered largely secondary, with only the Czech¹³ and Bulgarian¹⁴ strategies mentioning the EU's Strategic Compass for security and defense.

All four national strategies consider the partnership with the United States to be particularly important for their security. This importance is primarily manifested through their membership in NATO and the significance of the transatlantic bond. Latvia's strategy particularly emphasizes its bilateral strategic partnership with the United States, including the need for a continued American military presence. Bulgaria and Estonia also highlight the crucial role of the United States within NATO and in ally cooperation. The Czech Republic emphasizes broader transatlantic unity within NATO and the EU as vital to its security interests.

As far as deterrence is concerned, each of the four strategies emphasized the deterrence provided by NATO over the one provided by the EU. In relation

¹² The State Defense Concept, para 19.

¹³ Security Strategy of the Czech Republic (2023), para 2.

¹⁴ National Defense Strategy of the Republic of Bulgaria (2025), para 3.

to that, the presence of NATO troops on their territory, all four national security strategies agree on their importance. Only the Latvian strategy further emphasizes the importance of the presence of American troops on its territory.

All four strategies insist on the need to increase military spending, with some stating specific targets (Czech Republic¹⁵: 2% in 2024 and higher afterwards, Estonia: at least 3% of GDP¹⁶, Latvia¹⁷: 2,5% by 2025 and 3% by 2027). These figures were further reviewed in some cases. Czechia announced that it will increase its spending to 3% by 2030, Estonia announced in March 2025 that its defense spending will reach to 5% in terms of GDP by 2026¹⁸, and Latvia 4% by next year.¹⁹

Only Bulgaria was first reluctant to provide specific figures. The challenge for the country is to reconcile its public deficit objectives that would allow it to join the Eurozone, and any ambitions in terms of significant increase in its defense spending. In this context, the new government headed by Rossen Jeliazkov mentioned the figure of 2,5% as an objective to be fulfilled by 2028.²⁰

Strategic Autonomy and Dependence

Although strategic autonomy has been a central theme in the EU's discourse on defense and security since 2020²¹, none of the four countries fully embrace this concept in their national strategies.

The Czech Republic and Estonia instead emphasize reducing their dependence on authoritarian states, particularly in the economic and energy sectors. Bulgaria focuses on energy diversification and independence, while Latvia highlights economic resilience and the development of its defense industry.

When it comes to military procurement, Bulgaria and Latvia show a stronger preference for U.S.-made weapons over those produced in Europe, due to their strategic partnerships and financial assistance programs. In 2024, for instance, Latvia received a total of 80 million U.S. dollars for the purchase of military equipment, including HIMARS systems and Black Hawk heli-

¹⁵ Security Strategy of the Czech Republic (2023), para 88.

¹⁶ National Security Strategy Concept of Estonia (2023), p. 10.

¹⁷ The State Defense Concept (2023), p. 5.

¹⁸ Savage, O. (2025, April 3). Estonia boosts defence spending to 5% of GDP. DSEI 2025. <https://www.dsei.co.uk/news/estonia-boost-defence-spending-5-gdp>

¹⁹ Defence Industry Europe. (2025, February 22). Latvia to increase defence budget to 4% of GDP in response to NATO requirements. Defence Industry Europe. <https://defence-industry.eu/latvia-to-increase-defence-budget-to-4-of-gdp-in-response-to-nato-requirements/>

²⁰ Nikolov, K., & Mandilara, S. (2025, February 4). Bulgaria rejects Trump's call for sharp increase in military spending. *Euractiv.com* <https://www.euractiv.com/section/politics/news/bulgaria-rejects-trumps-call-for-sharp-increase-in-military-spending/>

²¹ European Parliament (2022) EU strategic autonomy 2013-2023: From concept to capacity. Link: [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2022\)733589](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2022)733589)

copters²², in addition to acquiring coastal defense missile systems worth 105 million dollars.²³ Bulgaria is not far behind. In 2019, it acquired eight F-16 Block 70 fighter jets for its air force. More recently, in March, the Bulgarian parliament approved the purchase of Javelin anti-tank missiles worth 82 million U.S. dollars.²⁴

For Estonia and the Czech Republic, no single option is explicitly prioritized. In Estonia's case, the country has stood out for its greater diversification of military purchases. In 2024, Germany was the top arms supplier to the country, far ahead of the United States and France.²⁵ In the Czech Republic's case, the national security strategy emphasizes domestic defense production while recognizing the importance of interoperability of acquired equipment.

Implications of a Shift in the American Approach to Security in Europe

The statements and positions adopted by the Trump administration regarding the future of NATO, the American presence in Europe, and the resolution of the war in Ukraine have created a major shock in the countries on NATO's eastern flank²⁶. The consequences must be examined at two levels: the strategic level and the level of domestic policy.

At the strategic level, the importance given to NATO and, secondarily, to the United States as the cornerstone of their security places small countries on the eastern flank in front of a considerable challenge. Trump's positions not only cast doubt on NATO's nuclear deterrence but also the potential concessions made within the framework of the resolution of the war in Ukraine could lead to a withdrawal of American and NATO presence in these countries. The need to maintain good relations with the United States, especially in the case of Estonia and Latvia²⁷, could place them in a position of having to choose their allegiance in the event of diametrically opposed policy and strategic choices.

²² English, L. (2025). USA to continue military funding in Baltic states. LSM.LV. <https://eng.lsm.lv/article/society/defense/12.03.2025-usa-to-continue-military-funding-in-baltic-states.a591204/>

²³ Vadim, K. (2023, December 10). Latvia, U.S. finalize \$105M deal for NSM coastal defense systems. Militarnyi. <https://militarnyi.com/en/news/latvia-u-s-finalize-105m-deal-for-nsm-coastal-defense-systems/>

²⁴ Reuters (2025, March 26). Bulgarian lawmakers approve purchase of U.S. Javelin missiles. Link: <https://www.reuters.com/business/aerospace-defense/bulgarian-lawmakers-approve-purchase-us-javelin-missiles-2025-03-26/>

²⁵ Err. (2024, March 19). Germany replaces USA as Estonia's biggest arms supplier. ERR. <https://news.err.ee/1609286886/germany-replaces-usa-as-estonia-s-biggest-arms-supplier>

²⁶ Stezycki, K., Laizans, J. and Charlish, A. (2025, February 19) On NATO's eastern flank, US policy shift stokes security fears, Reuters. Link: <https://www.reuters.com/world/natos-eastern-flank-us-policy-shift-stokes-security-fears-2025-02-19/>

²⁷ Allik, H. (2025, March 10). Trump positioning leaves Baltics walking a tightrope. dw.com. <https://www.dw.com/en/trump-positioning-leaves-baltics-walking-a-tightrope/a-71869374>

Conversely, the deterrence provided by the European Union is not considered sufficient or able to replace that provided by NATO. The EU is recognized for its contribution to security, but its role is generally considered complementary to that of NATO. Its strengths lie in its ability to address a wide range of security threats through civilian and military means, promote regional stability, and encourage cooperation between member states.²⁸

However, Trump's policy influence is felt not only strategically but also domestically as national cohesion on security issues is far from solid.

In Latvia, support for Ukraine has exposed internal divisions between the Latvian majority and the Russian-speaking minority.²⁹ In Estonia, the new right-wing populist party EKRE has taken ambivalent positions on the war in Ukraine, adopting rhetoric inspired by Russia.³⁰ In the Czech Republic, research suggests that the dominant European and international orientation showed between 1990 and 2013 is no longer consensual and accepted.³¹ For example, the party ANO of the former prime Minister Andrej Babis, adopted the Trump rhetoric concerning the resolution of the war in Ukraine.³²

In Bulgaria, the situation is more complex. Although the country has shifted its policy toward Russia since 2021³³, this shift remains fragile and is not reflected in public opinion. Furthermore, recent statements and declarations by leading political figures indicate greater support for views defended by Trump than for those defended in Paris and Berlin.³⁴

In the Czech Republic, research shows that the previously dominant European and international orientation between 1990 and 2013 has been less consensual and widely accepted since 2014. For example, the ANO party of

²⁸ Braghieri, S. (2025, February 16) The Baltic states in the era of Trump's insecurity. Opinion. Link: <https://news.err.ee/1609616342/stefano-braghieri-the-baltic-states-in-the-era-of-trump-s-insecurity>

²⁹ Rostoks, T., & Kanasta, K. E. (2023). Foreign and Domestic Policy Implications of Latvia's Reaction to Russia's Aggression against Ukraine. *journalonbalticsecurity.com*. https://doi.org/10.57767/jobs_2023_005

³⁰ Jakobson, Mari-Liis & Kasekamp, Andres. (2023). „The impact of the Russia-Ukraine War on right-wing populism in Estonia.“ In: The Impacts of the Russian Invasion of Ukraine on Right-wing Populism in Europe. (eds). Gilles Ivaldi and Emilia Zankina. European Center for Populism Studies (ECPS). March 8, 2023. Brussels. <https://doi.org/10.55271/rp0017>

³¹ Kaniok, P., & Hloušek, V. (2023). Czech political parties and the war in Ukraine: continuity of foreign policy stances. *East European Politics*, 40(3), 395-411. <https://doi.org/10.1080/21599165.2023.2295888>

³² Sybera, A. (2025, March 12). The battle for Czech voters: Manipulation and propaganda at the gates. *Visegrad Insight*. <https://visegradinsight.eu/the-battle-for-czech-voters-manipulation-and-propaganda-at-the-gate>

³³ Crombois, J. F. (2025). Bulgarian foreign policy and the war in Ukraine: moving towards a more assertive pro-western foreign policy? *Cambridge Review of International Affairs*, 1-23. <https://doi.org/10.1080/09557571.2025.2465889>

³⁴ Crombois, Jean F. (2025, April 2). Le fragile soutien bulgare à l'Ukraine - Euro Créative. *Euro Créative*. <https://eurocreative.fr/le-fragile-soutien-bulgare-a-lukraine/>

former Prime Minister Andrej Babiš has adopted rhetoric similar to Trump's regarding how to resolve the war in Ukraine.

Conclusion

The small countries of the Eastern flank of NATO are particularly exposed to the risk of a shift in the American approach to European security. All share a sense of a direct Russian military threat that could only benefit from an American disengagement and a weakening of the Atlantic Alliance. This shows the limits of their strategic choice of relying almost exclusively on both NATO and the US for their security. At the same time, and as reflected in their respective strategies, none of these countries, with perhaps the exception of Estonia, has yet contemplated the possibility of internal hedging within the US security network. Such internal hedging would, for example, take the form of a greater political investment in an EU based security system.

As reflected in their national strategies, none of these countries view the European Union as a viable option to ensure their security in place of NATO, but only as a complementary entity. Furthermore, it is uncertain whether these countries would be able to fully support plans to strengthen a European based defence system, especially if those plans were to diverge from the United States in terms of its main objectives. In other words, any alternative in the event of an American withdrawal from European security and a weakening of NATO is currently considered by these small Eastern flank countries as likely to place them in a position of increasing insecurity vis-a-vis Russia. This, very much, shows the perils of the logic of attractiveness that these countries have so far adopted for their security.

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STRATEGIES FOR STRENGTHENING RELATIONS BETWEEN THE EUROPEAN UNION AND LATIN AMERICA: THE ROLE OF URUGUAY

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Abstract:

This paper focuses on the EU's position in Latin America in the context of rising global tensions and rivalries. The increase economic presence of China and the disinformation campaigns of Russia are pushing and endangering the European Union (EU) standing in the continent. Furthermore, Latin American countries are facing a wide range of local challenges, which additionally obstruct the cooperation between the EU and Latin America. To maintain a stable and productive relationship, the EU should navigate these waters carefully. In this context, Uruguay's political and economic stability provides a reliable and secure environment for international negotiations and agreements. Although a relatively small country for the region, Uruguay, could act as a bridge between the EU and Latin America and play a crucial mediating role in strengthening relations between the European Union and Latin America.

Keywords: Latin America and the EU, Uruguay, cooperation, XXI challenges

Despite the deep historical and cultural ties between the European Union and South America, a number of emerging challenges threaten the close relationship between the two regions. These include political instability and economic inequality within South America, the emergence of new global players and climate change, among others. The focus of the study is on the key issues that promote or hinder relations between Latin America and the European Union, and on Uruguay's potential role as a stable and reliable bridge between the two regions.

1. EU – Latin America

Relations between the European Union (EU) and Latin America have a rich and varied history, marked by cooperation in a wide range of areas: While the

European Union is one of Latin America's most important trading partners and a major source of foreign direct investment, the relationship is also based on shared values, including democracy, human rights and sustainable development.

From its inception, the European Economic Community (EEC), the forerunner of the EU, began to establish trade and cooperation agreements with Latin American countries. These agreements focused on trade and development assistance. In the 1980s, the EEC's involvement in the Central American peace process marked a turning point. It was the first time that Latin America featured prominently on the EEC's agenda. During the 1990s, several association agreements were signed between the EU and Latin American countries, including Mexico and Chile. These agreements covered not only trade but also political and social cooperation and left their mark on the newly formed European Union.

Since 1999, regular summits have been held between the EU and Latin America and the Caribbean (EULAC) to strengthen bi-regional relations. The attempt to reformulate the historical relationship between Europe and Latin America and the proposal of a new „Atlanticism“, now „integrative“, were on the agenda. Meanwhile, in the old continent, the Community project was progressing reasonably and consistently, based on sustained and vigorous economic growth, an element that was the backbone of a European imaginary that fuelled the new European projection across the Atlantic. However, the new millennium brought new challenges for the EU. A new path of eastward expansion opened up, pushing Latin America and the Caribbean (LAC) to the bottom of the European agenda. The rapprochement of both regions was subject to the impetus of the EC presidency, provided it was Spain, Portugal, or, to some extent, France. The Guadalajara Declaration of 2004 highlighted social cohesion as a fundamental pillar of this relationship. Since 2010 and in recent years, the EU has launched initiatives such as the Global Gateway Strategy, which aims to increase the EU's geopolitical relevance and promote cooperation in areas such as sustainability and digitalisation.

In short, EU-Latin America relations have evolved and strengthened over the decades and cover a wide range of areas of cooperation.

2. Modern challenges

Rising geopolitical tensions and the current assault on the post-Cold War geopolitical order, combined with the European Union's need for diversified supplies of critical raw materials to manage the clean and digital transformation of its economy, have made Latin America a highly strategic region. South America is particularly rich in lithium and copper, which are essential for renewable energy technologies and the production of lithium-ion batteries used in laptops, smartphones and hybrid and electric vehicles.

Nevertheless, EU-Latin America relations today face numerous obstacles. Despite general economic progress in most countries of the region, significant socio-economic disparities remain between countries. This makes it difficult

to implement coherent policies and effective cooperation in areas such as education, health and sustainable development. The competition for resources and strategic alliances also complicates relations and bi-regional cooperation. For its part, the EU has had a very volatile relationship with the region over time. It seems to regain interest each time others extend their reach on the continent. This irregularity does not help the development and depth of the relationship. Only recently has the Russian aggression against Ukraine prompted the EU to step up its efforts to improve relations with Latin America.¹ However, the growing influence and ambitions of other global actors, such as China and Russia, in Latin America pose a challenge to the EU.

In just two decades, China has gone from being a small player to exerting a predominant economic influence in Latin America, rivalling established actors such as the United States (US) and the EU.² In 2018, China expanded the scope of its ambitious global infrastructure development strategy, known as the Belt and Road Initiative, to include Latin America.^{3,4}

China's ever-increasing presence in LA is particularly worrying from an EU perspective, given the EU's urgent need for a (diversified) supply of critical raw materials (CRMs) to manage the clean and digital transition of its economy.^{5,6} China accounted for 34 % of the Latin Americas' mineral exports in 2023.⁷

Russia is another of Europe's geopolitical rivals on the continent. Its economic presence in Latin America is limited, especially when compared to China, the US and the EU, but Russia has been successful in using disinformation, economic coercion, overt and covert political action in Latin America. In this way, Moscow has 'sown anti-Western sentiment and weakened democratic institutions, while shaping the behaviour of Latin American governments in Russia's favour.⁸ Not surprisingly, Russia's traditional allies are the authoritarian regimes: Nicaragua, Cuba (both of which received substantial economic

¹ Jütten, M., (2023). *Strengthening ties: A new agenda for the EU's relations with Latin America and the Caribbean*, EPRS, European Parliament.

² Barrios, R., Rios, K., China's Engagement with Latin America and the Caribbean, Congressional Research Service, 2023.

³ Delisante, V. Bonilla, J. (2013), *Europa América Latina, ¿quién se aleja de quién?* en Roy J. Después de Santiago. Integración Regional y Relaciones Unión Europea América Latina. The Jean Monnet Chair, University of Miami. Miami-Florida European Union Center

⁴ Roy, D.(2025), *China's Growing Influence in Latin America*, Council on Foreign Relations.

⁵ Ragonnaud, G.(2023), *Securing Europe's supply of critical raw materials: The material nature of the EU's strategic goals*, EPRS, European Parliament.

⁶ Sierocińska, K. and Michalski, B.(2024), *Latin America's Critical Raw Materials and the Economic Security of the European Union*, Polish Economic Institute, Warsaw.

⁷ Roy, D.(2025), *China's Growing Influence in Latin America*, Council on Foreign Relations.

⁸ Farah, D., & Ortiz, R. D. (2023). Russian influence campaigns in Latin America. Washington, DC: United States Institute of Peace.

and military support from the Soviet Union during the Cold War) and Venezuela.⁹

China and Russia were particularly successful in undermining the European Union's reputation during the COVID-19 pandemic. While China was one of the first suppliers of vaccines to Latin America and the Caribbean (the Russian Federation was the other), the EU lagged behind both China (and the United States) in vaccine donations. In addition, aggressive Russian and Chinese propaganda efforts have sown distrust of the EU among local populations.

Nevertheless, the EU still has some advantages as it seeks to reassert its influence in the face of the growing presence of China and, to a lesser extent, Russia. Despite the best efforts of Russian propaganda, there has been a shift in the perception of Russia in Latin America, largely as a result of its war of aggression against Ukraine. In addition, analysts have noted a growing sense of caution in Latin America about China's foreign economic policy: the presence of debt traps; the flooding of the market with cheap goods and its impact on domestic producers; the question of sustainability; and the issue of raw material exports to fuel Chinese demand.¹⁰

Europe is perceived as having less influence or even weakness in areas such as science and education, military power, and technological development and that Europe's economic power in Latin America is perceived as being less than that of China or the US.¹¹ However, Europe is viewed by many Latin Americans as a desirable partner. Europe's leadership in areas such as the environment, human rights, peace, poverty reduction, and humanitarian aid is acknowledged by Latin Americans.

The EU and Latin America are at different stages of development in terms of digitisation and the green transition. The EU wants to accelerate these transitions in Latin America, but technology and infrastructure gaps can be a significant challenge. Latin America is particularly vulnerable to the effects of climate change. The EU and Latin America must work together to address these challenges, but implementing sustainable policies can be complicated by differences in priorities and economic capacity. In this context, some Latin American countries face political and social instability, which can hinder cooperation and the implementation of joint projects. The EU must navigate these waters carefully in order to maintain stable and productive relations. EU's strict environmental standards (especially on deforestation and sustainability) clash with Latin American agricultural exporters.

⁹ Walker, C., Masoud, T., & Dobson, W. J. (2023). 4 The Kremlin Playbook for Latin America. In *Defending Democracy in an Age of Sharp Power* (pp. 65-80). Johns Hopkins University Press.

¹⁰ Jütten, M., (2025). Strengthening ties: A new agenda for the EU's relations with Latin America and the Caribbean, EPRS, European Parliament, p.8.

¹¹ Johnston, K. (2025), *China, Latin America, and the United States. Geopolitical Impacts and New Challenges*, Konrad-Adenauer-Stiftung USA.

The lack of cohesion and coordination among Latin American countries can be an obstacle to relations with the EU. Regional integration is key to effective cooperation, but political and economic differences between countries in the region complicate this process.

The crisis of integration and interregionalism in Latin America and the decline of liberal democracy pose additional challenges. The EU must find ways to support democracy and stability in the region while promoting mutual cooperation. These challenges require a strategic and coordinated approach to strengthen relations and take advantage of cooperation opportunities between the EU and Latin America.

The planned EU-Mercosur partnership agreement could represent a significant development in EU-LAC relations. The EU reached a political agreement on 6 December 2024, but its implementation remains uncertain due to some EU Member States, such as France and Poland, having expressed reservations. In contrast, China, which the EU increasingly perceives as a competitor and systemic rival, is poised to further strengthen its economic ties with Latin America, particularly with Mercosur.

The partnership agreement will serve as a litmus test for the bloc's commitment to deepening its partnership with Latin America through the conclusion of this treaty.

3. Uruguay within Latin America.

Uruguay has historically been one of the countries with the best social indicators in the region, because of the welfare state, which serves as a cornerstone of its political identity. Uruguay's social policies, established during the early 20th century, sought to address issues of inequality, poverty, and access to essential services.

The country is located in a geographic context which, despite its 176.000 km², is of little importance. Its small dimension not only refers to territorial aspects, but also to its demographic and economic indicators. It has just over 3 million inhabitants, of whom 46% live in the capital, Montevideo, the smallest of its 19 departments. 38% live inside the city and only 16% in rural areas.

In the Latin American landscape, it is a country that historically stands out for its equal income distribution, the strength of its democracy, and its level of social integration.¹²

Uruguay benefited economically from the Second World War (especially as an exporter of meat and wool), which led to its being identified as „the Switzerland of America.“ However, by the 1950s, it slowly but steadily entered a decline that has brought it, even today, closer to the parameters of its Latin

¹² <https://hir.harvard.edu/uruguays-democracy-a-model-for-stability-in-latin-america/>

American context.¹³ Despite this, it continues to stand out for its institutional strength, legal certainty, and a strong republicanism that prevents extremists from entering its political system. Uruguay's political system is characterised by a robust multiparty democracy; wherein diverse political voices are represented. The country has cultivated a reputation for its pragmatic approach to governance, which emphasises consensus-building and collaboration among political parties. This model of governance offers significant insights into the effective functioning of democratic systems, even in the context of political polarisation.

Uruguay is a country that can be compared to the region and celebrate the difference in the quality of its democracy, a country with solid political institutions, a cohesive society, without (or with little) racial, ethnic, or religious problems, and without significant geographical and climatic challenges.¹⁴

Furthermore, Uruguay's foreign policy has been characterised by its commitment to regional solidarity and multilateralism. The country frequently assumes a prominent position in international forums, where it advocates for issues such as human rights, sustainable development, and environmental protection. The nation has assumed a pivotal function in fostering regional collaboration through a range of organisations and accords, prominently exemplified by the Mercosur.

4. Uruguay and EU

The geopolitical context of Uruguay, a small country surrounded by two powerful nations, underscores the pivotal role that foreign policy played in securing national independence and autonomy.

The relationship between Uruguay and the European Union is characterised by a long-standing history of cordiality, cooperation, and mutual democratic values, human rights, multilateralism, and shared trade interests. The issue of climate change is a matter of significant concern that is widely recognised. The European Union has played a key role in promoting sustainable development initiatives in Uruguay, with a particular emphasis on renewable energy sources. Uruguay has established itself as a regional leader in wind and solar energy, a development that has been supported by the EU. Relations with the European Union were formalised with the presence of the European Commission in the country when the Delegation in Montevideo opened its doors as a diplomatic mission in 1990. This relationship intensified following the signing of the Framework Cooperation Agreement in 1992, which strengthened political and economic dialogue.¹⁵

¹³ Delisante, V. Tagliani, A. (2010), *Género, seguridad humana y violencia: el caso uruguayo*. SGIR 7th Pan-European Conference on IR Stockholm - Sweden

¹⁴ Isern, P; Mazzina, C. (2024). *Argentina y Uruguay. El jardín de los senderos que se bifurcan*. Ed. Biblos. Buenos Aires

¹⁵ EEAS https://www.eeas.europa.eu/uruguay/la-union-europea-y-uruguay_es?s=194

The Framework Cooperation Agreement involves regular meetings through a Joint Committee to share information and discuss issues of interest. The 13th European Union-Uruguay Joint Committee took place in Brussels in October 2023. Both parties reiterated their shared commitment to continue working together and deepen the close bilateral relationship, based on the shared principles of democracy, the rule of law, respect for human rights, multilateralism, and international cooperation. Regarding bilateral relations, both parties welcomed the growth of European investment in Uruguay, which accounts for almost 40% of total foreign investment in the country. The European Union and Uruguay highlighted the recent signing of the energy memorandum of understanding, which emphasises the production of green hydrogen and renewable energy, an area that offers enormous opportunities for investment and growth. Regarding digital issues, both parties expressed satisfaction with the signing of the EU-LAC Digital Alliance and discussed the next steps, as well as Uruguay's accession to the Latin American and Caribbean E-Skills Hub.

Bilateral relations took on a new dimension with the conclusion of negotiations between the EU and Mercosur announced in Montevideo in December 2024 by the President of the European Commission, Ursula Von der Leyen, and her counterparts from the four Mercosur countries, Javier Milei (Argentina), Lula da Silva (Brazil), Santiago Pecá (Paraguay) and Luis Lacalle Pou (Uruguay), for an innovative partnership agreement that - in addition to trade - will intensify political and cooperation relations between the two blocs.¹⁶

5. The Role of Uruguay: reliable partner

Uruguay is often considered as a European minded country situated in South America. Indeed, it could be argued that Uruguay is one of the countries in Latin America that best embodies the values of the European Union, if not the most prominent one. Its stable democracy, progressive policies and commitment to human rights make it a respected and influential player in shaping regional norms and values.

Although Uruguay may not be a dominant geopolitical force in Latin America, it exerts soft power through progressive policies as the abolition of the military draft, the legalisation of same-sex marriage and the pioneering regulation of cannabis have positioned it as a forward-thinking nation. These policies have attracted international attention and respect, thereby enhancing Uruguay's reputation on the global stage. Furthermore, Uruguay is known for its political and economic stability in a region often marked by political turbulence. This stability provides a reliable and secure environment for international negotiations and agreements. Confidence in Uruguayan institutions can facilitate dialogue between the EU and other Latin American countries.

In this context, Uruguay can act as a bridge between the EU and Latin America and play a crucial mediating role in strengthening relations between

¹⁶ EEAS https://www.eeas.europa.eu/uruguay/la-union-europea-y-uruguay_es?s=194

the European Union (EU) and Latin America. At the same time, Uruguay has maintained a neutral stance in many regional and international conflicts, allowing it to function as an impartial mediator. Its active diplomacy and commitment to multilateralism enhance its ability to facilitate conversations and resolve disputes.

Additionally, Uruguay has experience in negotiating trade agreements and international treaties, both bilaterally and multilaterally. This experience can be valuable in mediating negotiations between the EU and Latin America, ensuring that the interests of all parties involved are considered.

Furthermore, Uruguay has been a leader in adopting sustainable policies, especially in renewable energy. This leadership can serve as an example and a point of collaboration for joint projects between the EU and Latin America, promoting sustainable development in the region.

It is evident that the Uruguay approach is not without its limitations. It could be argued that the influence of Uruguay is of a moral and institutional nature rather than strategic or economic. While the country is held in high esteem, its approach is not universally adopted. However, while autocratic regimes, such as those currently in power in Cuba and Venezuela, could serve as entry points for undemocratic global powers in Latin America, a country with a well-established democratic system in place could be a conduit for the European Union. Hence, Uruguay can act as a facilitator in regional dialogues, organising summits and meetings that bring together leaders from the EU and Latin America. These platforms can be essential for discussing and resolving common interests, from trade to cooperation in science and technology. This mediating role could materialise through the organisation of an EU-Latin America summit in Montevideo, where Uruguay would function as host and mediator, facilitating discussions on trade, investment, and cooperation in sustainability.

Concluding remarks

Deglobalisation, rising geopolitical tensions, the transition to green energy and digital technologies are increasing Latin America's economic and political importance.¹⁷ The European Union must find a successful strategy to maintain or improve its relations with the countries of the continent in the context of fierce competition with China, Russia and also the United States. This will require a multi-directional effort, including political and, above all, economic aspects. One possible approach is to collaborate with reliable partners on the continent. Established democracies like Uruguay share the core values of the European Union and could be the perfect link between Europe and Latin America.

The EU's positive image in Latin America could be an advantage in the fierce economic rivalry with China and Russia and, to a lesser extent, the US, and Uruguay could be the perfect conduit for this relationship.

¹⁷ Cattafi, C., & Papp, R. (2025). *Can Latin America play a more influential role in a shifting world order?* Frontiers in Political Science, 6, 1527715.

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BLUE DIMENSIONS OF THE EUROPEAN GREEN DEAL – THE WAY FORWARD

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Abstract:

Over the past ten years, the European economy has faced a number of challenges: Britain's exit from the EU, the COVID 19 pandemic, Russian aggression in Ukraine that escalated into war, the struggle for energy independence on the continent, the migration flow, and the increasing influence of far-right political movements. This line of events, however, is accompanied by one fundamental goal of the Union, namely sustainable development. A key instrument for achieving this is the so-called Green Deal, which has acquired a new blue hue in recent years. The aim of this study is to analyse how the blue economy contributes to the European Green Deal objectives, as oceans and seas cover a vast area of the EU territory and around two thirds of the Earth's surface.

Keywords: Blue economy, Green Deal, EU, sustainable, climate change

Introduction

In the past decade, the European Union has navigated a period marked by profound political, economic, and social upheaval. Events such as Brexit, the global COVID-19 pandemic, Russia's military aggression in Ukraine, growing energy insecurity, and heightened migratory pressures have tested the EU's institutional resilience and strategic priorities. Concurrently, the rise of far-right political movements has posed new challenges to democratic governance and policy continuity across the continent. Amid these turbulent dynamics, the European Green Deal has emerged as one of the central policy frameworks aimed at guiding the EU towards a sustainable and climate-neutral future. Within this transformative agenda, increasing attention is being given to the so-called „blue dimensions“ of sustainability, recognising the vital role that oceans, seas, and coastal ecosystems play in supporting environmental, economic, and social resilience.

This report seeks to explore the intersection between the European Green Deal and the Blue economy, with particular emphasis on the evolving contri-

bution of marine and maritime sectors to the Union's climate and sustainability goals. The central thesis of this study is that the blue economy is not merely a peripheral component of the European Green Deal, but a foundational pillar without which the EU's broader environmental and economic objectives cannot be fully realised. Given that marine areas constitute over 65% of the EU's territory and 71% of the Earth's surface, their strategic importance in the fight against climate change, biodiversity loss, and resource depletion is indisputable.

The purpose of this report is therefore to analyse the current state, policy integration, and future potential of the Blue economy within the framework of the European Green Deal. To achieve this, the report employs a multidisciplinary qualitative approach. Key EU documents, including the European Commission's communications, legislative proposals, and sectoral strategies, are examined in order to evaluate the coherence and effectiveness of the blue policy agenda. Furthermore, the report considers the geopolitical and socio-economic context in which blue economy policies are being developed, including external shocks and internal governance challenges.

Through this analysis, the report aims to contribute to a deeper understanding of how marine resources, ocean governance, and maritime innovation can be leveraged to advance decarbonisation, foster inclusive growth, and strengthen ecological resilience. It also highlights areas where policy integration remains insufficient or fragmented, proposing pathways for more effective alignment between green and blue objectives. In doing so, the study positions the blue economy not as an ancillary aspect of EU sustainability, but as a dynamic and indispensable vector of long-term transformation.

Defining the Blue Economy

To begin, it is essential to delineate the principal dimensions of the blue economy within a structured analytical framework. In this context, the concept should be examined along three interrelated axes. First, attention must be given to the conceptual foundations and historical evolution of the term „blue economy“. Second, the analysis should encompass the key economic sectors that constitute the operational core of the blue economy, including but not limited to fisheries, aquaculture, maritime transport, marine renewable energy, and coastal tourism. Third, the examination should address the critical role of ecosystem services and the economic valuation of marine natural capital, acknowledging their importance in shaping sustainable maritime policy and informing the broader objectives of the European Green Deal.

The concept of the „blue economy“ emerged from international discourses that sought to link the use of marine resources with the broader goals of sustainable development. It marked a paradigmatic shift from a narrow focus on resource extraction to more integrated frameworks that consider both economic growth and environmental stewardship. Initially articulated in the early

2000s, the blue economy has evolved through the influence of global institutions such as the United Nations, the World Bank, and the Organisation for Economic Co-operation and Development (OECD), which collectively promoted the alignment of ocean-based economic activities with sustainability principles.

Within the European Union, the concept gained significant policy traction following the European Commission's 2012 Communication on „Blue Growth“, which emphasised the untapped potential of the seas and oceans to contribute to Europe's economic recovery and long-term growth. This initiative was later embedded in broader strategic instruments, including the Integrated Maritime Policy and the Common Fisheries Policy, thereby institutionalising the blue economy across multiple EU governance frameworks. The 2025 EU Blue Economy Report further highlights how this concept is being employed to align marine economic activities with the European Green Deal's overarching goals, including resilience, sustainability, and competitiveness in the face of climate change and global uncertainty.¹

The blue economy reframes marine ecosystems as dynamic arenas of economic opportunity rather than zones designated solely for conservation. This reconceptualisation reflects a broader trend in public policy toward the use of „nature-based solutions,“ where ecological integrity is seen not as a constraint on development but as a foundational asset.² In this context, marine spatial planning emerges as a key governance tool for balancing competing sectoral interests while maintaining ecosystem health. The EU's Marine Strategy Framework Directive plays a critical role in operationalising this vision by linking the sustainable use of marine resources to the achievement of „Good Environmental Status“ in European waters.³

Over time, the scope of the blue economy has expanded to include not only the direct outputs of marine sectors such as fisheries, aquaculture, and tourism but also the indirect economic impacts and the valuation of ecosystem services like carbon sequestration, coastal protection, and nutrient cycling. This evolution represents a significant departure from earlier extraction-based models, replacing them with regenerative, innovation-driven approaches to marine governance. The blue economy is now viewed as a strategic framework that connects economic innovation with environmental preservation. As such, it functions as a bridge between the EU's ecological and economic agendas, and plays a significant role in the successful implementation of the European Green Deal.

¹ European Commission (2025). *The EU Blue Economy Report. 2025*. Publications Office of the European Union. Luxembourg

² Official web site of UNEP, *The Mediterranean Action Plan (MAP)*, available at: <https://www.unep.org/uneppmap/>

³ Official web site of European Commission, *Marine environment*, available at: https://environment.ec.europa.eu/topics/marine-environment_en

According to the EU Blue Economy Report 2025, the core sectors of the blue economy including marine living resources (fisheries and aquaculture), maritime transport, marine renewable energy, port activities, shipbuilding and repair, and coastal tourism employed approximately 4.82 million people across the European Union in 2022. Among these, coastal tourism remained the dominant employer, accounting for 53% of total blue economy employment. This subsector alone generated €82 billion in gross value added (GVA) and €30 billion in profits, representing 33% of the overall GVA in the blue economy that year.⁴

The marine living resources sector, encompassing both fisheries and aquaculture, contributed -€37.9 billion in GVA in 2022, employing over 1.09 million individuals. The average annual wage in this sector was €22,300, reflecting both the labour-intensive nature of the work and the challenges of wage competitiveness within primary marine production. Maritime transport experienced significant growth in 2022, generating €61.8 billion in GVA an increase of 39% compared to the previous year and employed nearly 393,000 individuals. Notably, the average annual remuneration in this sector reached €45,700, making it one of the higher-paying segments within the blue economy.⁵

Marine renewable energy, driven primarily by offshore wind development, also showed strong performance. In 2022, its GVA increased by 42% to €5.3 billion, while profits rose by an impressive 56% from 2021, reaching €4.1 billion. This expansion is indicative of the sector's critical role in advancing EU climate goals, particularly through the decarbonisation of maritime industries. Meanwhile, shipbuilding and repair, along with port activities and emerging subsectors such as marine biotechnology and digital maritime services, demonstrated solid growth between 2015 and 2022.⁶ Over this period, GVA increased by 54% in shipbuilding, 11% in port operations, and further documented rises in ancillary and innovation-driven segments.⁷

In aggregate, these established and emerging blue economy sectors generated a total turnover of €890.6 billion in 2022. This economic activity translated into €250.7 billion in direct GVA and €120.6 billion in gross operating surplus, underscoring the sector's strategic importance to the EU economy.⁸ While maritime transport's growth reflects increased global demand and efficiency gains, its employment share remains lower compared to labour-intensive industries such as tourism. Conversely, the rapid rise of marine renewable energy signals a transformative shift toward sustainability, with clean energy becoming increasingly embedded in ocean-related industries. Collectively, these trends

⁴ European Commission (2025). *The EU Blue Economy Report. 2025*. Publications Office of the European Union. Luxembourg

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

highlight the scale, diversity, and resilience of the European blue economy as it aligns more closely with the objectives of the European Green Deal.

The economic analysis presented in the EU Blue Economy Report 2025 offers a comprehensive quantification of the direct contributions of key maritime sectors to the Union's gross value added and employment. While the report estimates a direct GVA of €250.7 billion and approximately 4.82 million jobs in 2022, it explicitly acknowledges that these figures do not capture the full economic footprint of the blue economy. When indirect and induced effects are included – such as upstream and downstream economic linkages and multiplier effects – the total impact could exceed €350 billion in GVA and support over six million jobs across the European Union.⁹ These extended estimates underscore the systemic importance of the blue economy in contributing not only to coastal regions but also to the broader EU economic framework.

Incorporating natural capital accounting into policy frameworks fundamentally alters the economic rationale for environmental investments. For instance, research by the Joint Research Centre (JRC) and the European Commission has demonstrated that nature-based coastal flood protection yields returns exceeding costs by a factor of more than 3.5, illustrating the economic efficiency of ecosystem-based approaches.¹⁰ The integration of these values also directly supports key biodiversity targets under the EU Biodiversity Strategy for 2030. Recognition of the economic value of ecosystem services is also driving the development of innovative governance models, such as Blue Parks and marine restoration missions under Horizon Europe.

Further institutional support is provided through initiatives like the European Marine Observation and Data Network (EMODnet) and marine spatial planning, both of which incorporate ecosystem data into spatial and economic planning models. These instruments facilitate a more holistic assessment of marine space and its uses, enabling policy coherence across environmental, economic, and social objectives. As such, the inclusion of ecosystem service valuation and natural capital metrics into national accounts and regional development strategies enables a more sustainable and economically rational allocation of public and private resources within the blue economy. This shift marks a fundamental transformation in the Union's strategic economic policy, wherein the health of marine ecosystems is no longer treated as an externality but as a core economic asset vital to long-term prosperity and resilience.

Integration of Blue Economy Objectives within EU Policy Frameworks

This section of the analysis will explore the integration of Blue Economy objectives within the broader framework of European Union policy, focusing

⁹ Ibid.

¹⁰ Ibid.

on three key dimensions. First, it will undertake a critical examination of major strategic documents, including the EU Biodiversity Strategy, the Blue Growth Strategy, and the Mission Ocean initiative under Horizon Europe, assessing their relevance and alignment with Blue Economy principles. Second, it will analyse the institutional mechanisms designed to promote policy coherence across sectors and governance levels, highlighting the role of cross-sectoral coordination and regulatory integration. Third, the discussion will evaluate the financial instruments and innovation support mechanisms – such as Horizon Europe and the European Maritime, Fisheries and Aquaculture Fund – that facilitate the implementation of Blue Economy initiatives, with particular attention to research funding, technological advancement, and capacity building.

The **EU Biodiversity Strategy for 2030** outlines ambitious and legally binding targets to protect and restore at least 30%¹¹ of both terrestrial and marine environments within the European Union. This overarching commitment to halting and reversing biodiversity loss has profound implications for the governance of Blue Economy sectors, directly influencing how marine resources are accessed, managed, and conserved. The policy imperative to rehabilitate degraded marine ecosystems mandates a reorientation of economic activities such as coastal tourism, fisheries, and offshore energy toward more sustainable, ecosystem-sensitive models of growth.

Complementing this, the **Blue Growth Strategy**, originally launched in 2012, seeks to unlock the economic potential of marine and maritime sectors while maintaining alignment with ecological integrity under the broader umbrella of the EU's Integrated Maritime Policy. It promotes sustainable development by identifying five key areas of growth – offshore renewable energy, aquaculture, maritime tourism, blue biotechnology, and seabed mining – encouraging innovation within the bounds of marine environmental limits. This strategic vision is further operationalised through the **Mission Ocean and Waters**, one of the EU's Horizon Europe missions, which has earmarked €120 million in 2025 for targeted investments in marine restoration, pollution reduction, and circular economy innovations within the maritime domain.

Collectively, these instruments articulate a vision of interdependence between economic development and environmental protection. They emphasise that biodiversity targets, climate resilience in coastal tourism, decarbonisation of marine transport, and expansion of renewable energy infrastructures are mutually reinforcing, not contradictory. In this context, the strategies maintain coherence with other pillars of the European Green Deal, including the **Circular Economy Action Plan**, the **Farm to Fork Strategy**, and the **Renovation Wave**.¹²

This convergence reflects an intentional effort by EU institutions to embed environmental priorities at the core of maritime economic planning. It also

¹¹ Ibid.

¹² Ibid.

fosters increased participation and consultation among stakeholders through advisory bodies, research consortia, and cross-national coordination mechanisms, thereby enhancing the inclusivity and responsiveness of policy frameworks. The strategic synergy between **Blue Growth** and **biodiversity restoration** offers a replicable governance model that integrates ecological goals into mainstream economic planning. As a result, the EU policy architecture now systematically incorporates Blue Economy imperatives within the broader framework of the European Green Deal, ensuring that marine-based economic development is consistent with long-term environmental sustainability and resilience objectives.

The integration of Blue Economy objectives within EU policy frameworks is underpinned by a robust institutional and financial architecture aimed at aligning economic development with environmental sustainability. Central to this architecture are legislative instruments such as the Integrated Maritime Policy (IMP), the Marine Strategy Framework Directive (MSFD), and the Maritime Spatial Planning Directive, which collectively promote coherence across marine sectors while ensuring the achievement of Good Environmental Status. At the supranational level, the Directorate-General for Maritime Affairs and Fisheries (DG MARE), alongside inter-institutional cooperation with DG ENV, DG CLIMA, and others, facilitates coordinated policy implementation and stakeholder engagement. Financial instruments such as Horizon Europe, the European Maritime, Fisheries and Aquaculture Fund (EMFAF), the LIFE Programme, and European Investment Bank funding collectively mobilise billions of euros to support marine innovation, biodiversity restoration, and sustainable maritime infrastructure. Altogether, this multi-level, interlinked policy and investment system enhances the EU's capacity to promote a resilient, competitive, and ecologically integrated Blue Economy in line with the European Green Deal.

Contribution of the Blue Economy to Green Deal Pillars

The focus in this point will be on analysing the contribution of the Blue Economy to Green Deal Pillars through the prism of mitigation of and adaptation to climate change, circular economy and sustainable resource use and marine spatial planning and sustainable ocean governance.

Marine renewable energy, particularly offshore wind, has experienced significant expansion in recent years, positioning itself as a cornerstone of the European Union's climate and energy transition. According to the EU Blue Economy Report 2025, gross value added from the marine renewable energy sector reached €5.3 billion in 2022¹³, representing a 42% increase compared to 2021. Profits in the sector also grew substantially, rising to €4.1 billion in the same year. This rapid growth underscores the strategic importance of offshore energy infrastructures in decarbonising the maritime domain and reducing dependence on fossil

¹³ Ibid.

fuel imports. The sector's expansion is aligned with the EU's broader commitment to achieving climate neutrality by 2050, a central objective of the European Green Deal.

Parallel trends in emission reductions across other maritime sectors reinforce this trajectory. Emissions per tonne of coastal freight declined by 10% between 2013 and 2022¹⁴, while the EU's fishing fleet has achieved a 31% reduction in carbon dioxide emissions since 2009. Fuel consumption by this fleet has also decreased by 17% over the same period, reflecting technological innovations and increased operational efficiency. These data points illustrate the climate mitigation potential embedded within maritime sectors through clean energy deployment and improved resource use.

In addition to technological solutions, nature-based approaches are increasingly recognised for their dual environmental and economic benefits. Coastal habitat restoration – such as the rehabilitation of wetlands, mangroves, and seagrass meadows – not only sequesters atmospheric carbon but also reduces the risk of coastal flooding. According to European Commission analysis, the benefit-to-cost ratio for such interventions exceeds 3.5¹⁵, making them both ecologically and economically effective. These ecosystems serve as natural carbon sinks and buffer zones, protecting coastal infrastructure and communities from sea-level rise and storm surges.

The contribution of the Blue Economy to climate adaptation is thus as vital as its mitigation functions. Enhanced coastal resilience lowers economic damages from climate-induced disasters, which currently cost the EU around €1 billion per year. Without significant intervention, projections suggest that such damages could escalate to between €137 billion and €814 billion annually by 2100, depending on the severity of climate scenarios. By fostering the expansion of offshore renewables and integrating ecosystem restoration into spatial planning, the Blue Economy simultaneously enhances Europe's energy security and environmental resilience.

This dual contribution – reducing emissions and increasing adaptive capacity – demonstrates the Blue Economy's pivotal role in realising the climate objectives enshrined in the European Green Deal. In the context of recent geopolitical instability and growing urgency around climate action, the strategic alignment of maritime economic activities with sustainability and resilience goals offers not only ecological dividends but also a foundation for long-term economic stability and independence.

The Blue Economy plays a critical role in supporting the principles of the circular economy by fostering practices that reduce waste, enhance resource efficiency, and promote sustainable industrial transformation across maritime sectors. In particular, sustainable fisheries and low-impact aquaculture systems

¹⁴ Ibid.

¹⁵ Ibid.

increasingly incorporate circular processes, such as waste minimisation and the reuse of materials, including feed and water. The shipbuilding and repair industries are progressively integrating recycling protocols for construction materials and components, thereby reducing raw material input and environmental impact. Marine energy infrastructure, including offshore wind installations, and port operations are also embracing circular approaches, such as component reuse and the recovery of energy from maritime waste. The European Marine Litter Toolbox, developed under Horizon Europe initiatives, offers operational guidance to authorities for combating marine plastic pollution across aquatic systems, from rivers to coastal waters. In parallel, the European Investment Bank has channelled approximately €881 million toward wastewater treatment and marine pollution reduction infrastructure, reflecting strong financial support for circular maritime systems. These efforts are closely aligned with the EU's Circular Economy Action Plan, which prioritises waste prevention, resource efficiency, and sustainable product design across all industrial sectors. Horizon-funded sustainable aquaculture technologies further exemplify this alignment, reducing chemical usage and improving feed efficiency in line with ecological sustainability. Under the Blue Deal and the LIFE Programme's „Circular Economy and Quality of Life“ sub-portfolio, ports are being modernised to reduce emissions, recycle water, and minimise operational footprints. Ultimately, the incorporation of circular economy principles into the Blue Economy not only mitigates ecological pressures but also advances the European Green Deal's aim of establishing a regenerative, closed-loop economic model across all marine and coastal domains.

The Maritime Spatial Planning Directive (2014/89/EU) marks a pivotal shift in EU maritime governance by institutionalising spatial planning as a tool to mitigate conflicts among competing marine uses such as fisheries, maritime transport, energy infrastructure, and biodiversity conservation. By mandating an integrated approach to spatial allocation, Marine Spatial Planning (MSP) facilitates cross-sectoral coordination that aligns economic activities with environmental sustainability, thereby advancing both development and ecological protection objectives. This is reinforced by the Marine Strategy Framework Directive, which requires member states to systematically assess anthropogenic pressures and work toward achieving Good Environmental Status (GES), embedding ecological thresholds into legal and policy frameworks. These data-driven tools enhance the capacity for spatial planning to balance economic growth with the preservation of marine ecosystem integrity, in accordance with the objectives of the European Green Deal.

Moreover, MSP supports transboundary cooperation across shared sea basins, promoting policy coherence and strategic alignment among EU member states. The participatory architecture of both MSP and the MSFD, which mandates stakeholder engagement throughout planning processes, fosters transparency, inclusivity, and legitimacy in marine governance. Taken together, these mechanisms signify a structural evolution from fragmented, sector-specific regulation toward a holistic, ecosystem-based management model

that enhances the resilience of maritime sectors. Ultimately, spatial planning and integrated governance frameworks not only prevent spatial conflicts but also serve as critical instruments for embedding Blue Economy objectives within the institutional fabric of the Green Deal.

Conclusion

This study demonstrates that the blue economy is a strategic pillar within the European Green Deal, not an ancillary subset. Data from Eurostat and the EU Blue Economy Report confirm that the blue economy exhibited substantial growth in 2022 – with nearly 4.82/million jobs, €890.6 billion turnover, and €250.7 billion GVA – and continued to expand in 2023 and onwards. Despite this momentum, structural fragmentation, unequal national capacities, and sensitivity to external shocks remain significant hurdles. Emerging sectors, including offshore wind and biotechnology, offer compelling avenues for sustainable innovation, but require stronger integration in policy, finance, and regional strategy. In light of geopolitical instability, migration pressures, and climate hazards, the study underlines the urgency of aligning blue economy development with the Green Deal's decarbonisation, circularity, biodiversity and resilience objectives. The empirical evidence affirms that sustainable investment in blue sectors enhances economic growth, regional competitiveness, and ecological integrity. Accordingly, policy recommendations include: strengthening institutional coordination across EU, national, and local levels; increasing dedicated climate finance via instruments like the EIB; promoting skills, gender equity and stakeholder inclusion; and fostering crossborder collaboration and innovation ecosystems.

In conclusion, the Blue-Green transition constitutes not merely a policy preference but a structural imperative for the European Union. The comprehensive integration of the Blue Economy within broader sustainability frameworks is fundamental to achieving the EU's strategic objectives of climate neutrality, enhanced resource efficiency, and long-term socio-economic resilience. Rather than representing an isolated sectoral initiative, the Blue Economy must be understood as a critical vector for systemic transformation toward sustainable prosperity.

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STRENGTHENING EU LEGITIMACY THROUGH SELF-ORGANIZING GOVERNANCE

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Abstract:

The European Union (EU) faces interconnected legitimacy challenges stemming from perceptions of a democratic deficit and the strain of recurring crises. While existing research has documented these challenges, less attention has been paid to how network dynamics within EU institutions could address them. This paper proposes a novel analytical framework based on self-organizing network theory to examine how decentralized, adaptive governance patterns can strengthen legitimacy and improve crisis responses within the EU's multi-level governance system. By comparing how the EU has responded to different crises, the paper investigates the mechanisms through which distributed authority architectures, metagovernance feedback loops, and emergent polycentric coordination may enhance multi-level governance, bridge representation gaps, and reinforce institutional resilience. The paper's findings suggest that incorporating self-organizing network principles into institutional design could help the EU better balance flexibility and stability in crisis management while strengthening democratic legitimacy. This research contributes to ongoing debates on EU governance by offering practical insights into how institutional design can adapt to polycrisis conditions.

Keywords: EU Legitimacy, Self-Organizing Governance, Multi-Level Governance, Polycentric Coordination, Crisis Management

1. Introduction

The EU faces a polycrisis of mutually reinforcing shocks from the sovereign-debt crisis (2009-2012) to COVID-19 and Russia's war against Ukraine, testing the Union's problem-solving capacity and democratic legitimacy as crises spill over territorial, administrative and sectoral borders (Cabane & Lodge 2024; Boin & Rhinard 2023). Because authority in the EU is shared among local, national and supranational actors, crisis managers must coordinate horizontally across member states and vertically with EU institutions. This produces a chronic

tension: centralisation promises swift, uniform action, yet decentralisation is indispensable for harnessing context-specific knowledge and sustaining local ownership. Repeated experience shows that neither pole is sufficient by itself; instead, hybrid, network-like arrangements emerge in practice.

Mainstream accounts of EU crisis governance still focus on legal competences and intergovernmental bargains. They under-explain how day-to-day coordination actually materialises when time is short, information incomplete and formal mandates contested. To close this gap the present paper asks: How can principles of self-organising networks strengthen EU legitimacy while improving crisis performance? This question is pursued through a three-step research design: (i) development of a self-organising network framework that identifies distributed authority, metagovernance feedback and polycentric coordination as key mechanisms; (ii) comparative process-tracing of the Eurozone, refugee and COVID-19 crises; and (iii) assessment of output- and input-legitimacy effects across the cases.

2. Conceptual Framework: Self-Organizing Networks and EU Legitimacy

This paper advances a framework for understanding self-organizing processes in EU multi-level governance, explaining how stable interaction patterns emerge among autonomous actors under varying institutional conditions.

2.1. Self-Organizing Network Theory: Foundations and Relevance

Self-organizing systems emerge where autonomous actors interact without central control, producing adaptive, stable patterns in complex policy environments (Anzola et al. 2017; Ansell et al. 2023, 2024). Decentralised feedback makes such systems agile and prone to hybrid re-organisation (Ansell et al. 2023). Self-organization involves processes unfolding without central control, with coordination emerging organically among policy actors through resource exchange and trust (Yi 2018; Börzel & Panke 2007). Organic, trust-based exchange lets actors retain autonomy while overcoming collective-action dilemmas (Yi 2018; Feiock & Scholz 2010).

The principles of self-organizing systems, particularly adaptability and decentralized coordination, are increasingly visible at multiple governance levels. Emergent behaviours shape networks and policy approaches responding to challenges. The extant EU crisis management literature highlights the importance of mobilizing resources through effective crisis management systems, involving coordinated yet flexible actor responses (Boin & Rhinard 2023; Christensen et al. 2016b). These studies demonstrate how self-organizing systems can facilitate rapid, context-sensitive solutions when formal structures are overburdened or unresponsive.

This paper applies self-organizational principles to analyse EU crisis responses and proposes their integration into the EU's institutional design. It explores three

core concepts: (a) distributed authority architectures, (b) metagovernance feedback loops, and (c) polycentricity.

Distributed authority architectures disperse decision-making across multiple autonomous actors, enabling flexible, bottom-up responses that differentiate network governance and polycentric systems from traditional hierarchical structures (Krogh & Triantafillou 2024). Metagovernance feedback loops create a dynamic cycle where metagovernors coordinate governance modes, receive feedback on outcomes, and adjust their strategies accordingly, establishing testable predictions for governance evolution. Polycentricity represents a specific distributed authority architecture with semiautonomous decision centres that coordinate through self-organizing processes, generating stable, overlapping authority structures across policy arenas (Ansell et al. 2024). Transnational networks and partnerships among governance levels and actors serve as coordination mechanisms within polycentric contexts (Börzel & Panke 2007). Effective coordination requires robust information and communication flows, knowledge sharing, and clearly defined norms for interactions among autonomous actors (Mérand et al. 2011).

Self-organization can complement top-down EU structures, providing alternative coordination, problem-solving, and policy implementation mechanisms that emerge organically among actors rather than through central directives (Schout & Jordan 2005). However, the theory also specifies boundary conditions, such as the need for adequate resource exchange and the presence of trust; in the absence of these, self-organization may yield suboptimal or unstable outcomes. The EU's inherent diversity and complexity often limit the effectiveness of uniform policies; self-organizing networks, however, enable context-sensitive, tailored solutions (Schout & Jordan 2005; Mastenbroek & Martinsen 2018). Self-organizing networks can often be more agile and adaptable, allowing for quicker responses to emerging issues or crises (Schrama et al. 2024). Importantly, self-organizing networks reduce the policy coordination and implementation burden on central EU institutions, potentially mitigating democratic deficits and increasing legitimacy through broader interest representation and nuanced accountability mechanisms (Gjaltema et al. 2020; Börzel & Panke 2007).

2.2. Addressing Current Theoretical Gaps

Self-organized network theory extends neo-functionalism and intergovernmentalism by emphasizing emergent, bottom-up dynamics and horizontal interactions among diverse actors, rather than top-down institution-building or state-centric bargaining. Unlike managerial network theories,¹ the focus here

¹ According to Börzel & Panke (2007), network governance involves public and private actors collaboratively making and implementing binding decisions through voluntary, non-hierarchical coordination. Martinsen et al. (2022) summarize research on European Administrative Networks (EANs) and agencies that support the Commission in policy implementation and enforcement.

stays on bottom-up dynamics moderated – but not overridden – by meta-governors.² The key contribution of self-organized network theory is to show how flexible micro-level collaboration complements macro-level integration logics.³ In so doing, it broadens our understanding of EU governance as an emergent process shaped by dynamic, decentralized actor interactions, rather than as a product of hierarchical structures or state-centred negotiations.

3. Methodology

This study employs comparative case study analysis of three major crises – Eurozone, refugee, and COVID-19 – selected for their variety in causes, policy spheres, and institutional responses to assess how self-organizing processes contribute to effective EU governance in diverse yet impactful crises.

The research used official EU documents (Commission communications, Council conclusions, Parliament reports) to identify formal policy decisions and institutional arrangements during crisis responses. Process tracing methodology reconstructed decision sequences and interactions to evaluate whether different centres acknowledged and integrated each other's actions. These indicators assessed the emergence of self-organization patterns in each crisis and their contribution to observable policy outcomes.

4. Crisis Response Analysis

This section compares how self-organizing governance mechanisms operated in the European Union's institutional framework across three major crises – the Eurozone debt crisis, the 2015 refugee crisis, and the COVID-19 pandemic – using a comparative case study and process tracing approach. Each case examines the emergent networks of actors, the interplay of formal and informal coordination, and the implications for EU's legitimacy.

4.1. Eurozone Financial Crisis

The Eurozone crisis saw a complex interplay of governance mechanisms. The Eurozone crisis demonstrated distributed authority with no single EU body controlling responses – authority dispersed among the European Council,⁴ ECB (through OMT), the Commission, and international actors like the International Monetary Fund (IMF). The Troika of the European Commission, ECB, and IMF was formed as an ad hoc authority to manage bailout programs in debtor states. Lacking a clear treaty basis, the Troika exemplified self-

² See for more details Swrensen & Torfing 2007 and Gjaltema et al. 2020.

³ See Ferrara & Kriesi 2022 for a model incorporating analytical insights from neofunctionalism, intergovernmentalism, postfunctionalism, and federalism to interpret crisis-led policymaking processes and integration outcomes in the EU.

⁴ The European Council became a central decision-making body during the crisis, indicating a shift in the locus of authority and coordination (Fabbrini 2015).

organization by three institutions that jointly negotiated adjustment programs for Greece, Ireland, Portugal, and Cyprus. The European Parliament was excluded from the Troika's bailout negotiations, prompting the EP to investigate the Troika's accountability.

Ad-hoc meta-steering enabled quick policy fixes but blurred accountability, illustrating self-organisation's legitimacy trade-off. The European Council President played a meta-coordinating role by convening the Van Rompuy Task Force in 2010 to recommend economic governance reforms.⁵ Informal governance networks among member state leaders also emerged to steer crisis management. A striking example was the „Merkozy“ duumvirate – the tight Franco-German coordination between Chancellor Angela Merkel and President Nicolas Sarkozy, which operated beyond traditional EU Treaty frameworks (Schoeller 2018). These feedback loops sometimes responded to crisis learning: when ordinary EU procedures proved too slow, leaders created parallel processes (a feedback adaptation) to steer outcomes. However, the effectiveness of these metagovernance efforts had limits. They worked to impose stricter fiscal discipline,⁶ but the informal governance mechanisms had no easy way to incorporate broader stakeholder voices. The „failing forward“ pattern of the feedback loops often resulted in incomplete and incremental reforms rather than fundamental overhauls, indicating limitations in the effectiveness of these loops in achieving optimal outcomes (Cabane & Lodge 2024).

In terms of polycentric coordination, the Euro crisis response was polycentric by necessity: multiple semi-autonomous centres of decision-making had to cooperate. This polycentric architecture fostered „decentralized bargaining“ innovations, like the Frankfurt Group⁷ and informal ministerial meetings, which did yield agreements more rapidly than the cumbersome EU legislative process. However, this coordination was often not embedded in a stable, well-defined polycentric system (Vogler 2020). The strengthening of centralized authority in some areas, like banking supervision, also arguably moved the system away from a purely polycentric model towards a more hierarchical one in those specific domains (De Rynck 2016).

The reliance on self-organizing networks in the Euro crisis had ambivalent effects on the legitimacy of EU crisis governance. On one hand, this mode enabled swift action (improving output legitimacy by stabilizing the Eurozone's finances), but on the other hand it often bypassed conventional accountability and participation channels, undermining input legitimacy. Trust in EU institutions eroded markedly in countries hardest hit by austerity (Biten et al. 2023).

⁵ See for more details Strengthening Economic Governance in the EU. Report of the Task Force to the European Council. Brussels, 21 October 2010, available at: <https://www.consilium.europa.eu/media/27405/117236.pdf>

⁶ E.g., the Six-Pack and Two-Pack regulations were passed to institutionalize lessons from the crisis (Thygesen et al. 2019).

⁷ See for more details Schild 2013.

In summary, the Eurozone crisis demonstrated that self-organizing governance in the EU can mobilize diverse centres of authority to address urgent problems, but ensuring coherence and legitimacy in such a distributed, polycentric system required continual meta-steering that the EU institutions only gradually developed as the crisis progressed.

4.2. Refugee Crisis

The 2015 refugee influx tested EU coordination capacity in humanitarian, migration and border security policies, initially unfolding through decentralized, uncoordinated member state actions. The refugee crisis revealed polycentric governance challenges, with authority defaulting to national governments making independent decisions on refugee policies, while no single authority could compel unified action.⁸ The European Commission, for instance, could propose relocation quotas, but lacked implementation powers without member state consent.⁹ However, distributed authority also enabled innovation at different levels: cities and regional governments in some areas found ways to integrate refugees, and some national courts (e.g. in Germany) stepped in to uphold refugee rights, functioning as checks on executive actions.

To navigate this environment, the European Commission and European Council had to exercise metagovernance, seeking to steer and coordinate the various centres of action. The Commission held weekly videoconferences among interior ministry officials, and liaison officers from other member states were deployed in Greece and Italy. These efforts created feedback loops that added new coordinating mechanisms when gaps arose (e.g., chaotic Balkan migration routes).¹⁰ Legal rulings also played a role: when states resisted burden-sharing, the European Court of Justice upheld the relocation scheme in 2017,¹¹ though it did not immediately change policies, highlighting limits of metagovernance in a politically charged context (Duszczyk et al. 2020). Meanwhile, increasing politicization of migration often pushed states to adopt more restrictive national approaches rather than greater EU-level coordination (Zhelyazkova 2024).

Polycentric coordination was most effective when few pivotal actors could agree and then network outward. Initially marked by decentralized, unilateral actions, the refugee crisis soon prompted a turn toward central coordination.

⁸ See for more details Zaun 2017 on how different asylum systems and priorities of EU member states explain the EU's lack of initiative in responding to the crisis. For an early assessment of the deficiencies of border security policies prior to the refugee crisis see Georgiev 2014.

⁹ Even after the adoption of mandatory refugee relocation by the Council (Council Decision 2015/1523 of 14 September 2015), the poor performance level of the scheme, due mainly to technical difficulties, demonstrated the lack of determination among many of its official supporters (Duszczyk et al. 2020).

¹⁰ A special meeting of Balkan route countries was convened in October 2015 to agree on managing flows. See for more details: https://ec.europa.eu/commission/presscorner/detail/en/ip_15_5904

¹¹ Judgment of the Court (Grand Chamber) of 6 September 2017 - Slovak Republic (C-643/15) and Hungary (C-647/15) v Council of the European Union (Joined Cases C-643/15 and C-647/15).

The implementation of the EU-Turkey agreement¹² is illustrative: it leveraged NATO ships, Greek asylum services, Frontex debriefers, Turkish coast guard, and others in a multi-level effort that drastically cut arrivals by spring 2016 (Ovacik et al. 2024). After the peak, governance settled into a hybrid approach, combining certain centralized policies (e.g., a reformed Frontex) with differentiated responses (some states accepting refugees, others prioritizing border financing). This experience showed that in the EU's multi-level system, self-organizing governance requires strong metagovernance and shared norms of solidarity - otherwise, fragmentation ensues.

The refugee crisis posed acute legitimacy challenges for the EU, touching solidarity, security, and values. Deep trust deficits among member states limited solidarity, amplifying legitimacy strains. The initial reliance on crisis management rather than crisis governance reflected a reactive approach that did not necessarily foster structured and resilient coordination mechanisms. However, it could be argued that by 2016-2017 the EU integrated feedback from frontline states: self-organization offered some legitimacy gains in that it allowed pragmatic solutions.¹³

While immediate measures addressed uncontrolled migration, they often bypassed higher scrutiny, eroding democratic legitimacy. The relocation scheme's failure (only 34,700 people relocated) signalled a lack of solidarity, fuelling populist narratives. This polycentric, divergent response underlined a tension between central and decentralized governance, triggering repeated shifts and raising further legitimacy questions.

In conclusion, while the 2015 refugee crisis saw elements of self-organizing governance emerge within the EU, driven by distributed authority and urgent needs on the ground, the lack of robust metagovernance and insufficient polycentric coordination hindered a coherent, legitimate, and sustainable response. The crisis highlighted the tensions inherent in the EU's multi-level governance system when faced with transboundary challenges requiring both distributed action and centralized coordination.

4.3. COVID-19 Pandemic Response

COVID-19 created unprecedented challenges, initially prompting uncoordinated national responses including lockdowns and travel bans that disrupted supply chains (Boin & Rhinard 2023). This demonstrated distributed authority in practice but lacked effective mechanisms for interaction in the early stages (Beaussier & Cabane 2020). Different national administrative cultures contribu-

¹² See for more details EU-Turkey statement, 18 March 2016, available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>

¹³ For example, the EU-Turkey agreement significantly cut dangerous illegal border crossings, viewed by many as vital for saving lives and restoring order. Meanwhile, the Integrated Political Crisis Response (ICPR) framework (Moraczewska 2024) united all relevant actors under the Council presidency, forming a key element of EU refugee crisis management.

ted to divergent responses (Roos & Schade 2023). Recognizing these challenges, EU institutions quickly intervened to facilitate and coordinate responses, despite having limited formal powers in health.

To prevent negative spillovers (e.g. one country's policy undermining another's), distributed authority had to be coupled with coordination at the EU level. The Commission quickly moved to a „co-ordinated-decentrality“ model (Behnke 2024), including common guidelines, joint vaccines procurement, shared borrowing, tempered by continuous member state feedback. The EU also provided meta-coordination through metagovernance feedback loops, with the Commission and Council continuously gathering data on the pandemic and adjusting policies. One example is the evolving vaccine strategy: early 2020 contracts lacked protections, causing supply shortfalls in early 2021. Subsequent contracts included stricter delivery schedules and local production requirements, illustrating how the EU adapted mid-crisis. Another mechanism involved task forces¹⁴ that acted as network managers, linking national authorities and private stakeholders to resolve bottlenecks.

During the COVID-19 crisis, polycentric coordination largely prevailed: multiple centres¹⁵ aligned through EU facilitation. The EU embraced a global, multi-layered approach (e.g., co-leading COVAX) while coordinating internally, extending governance beyond its borders. This approach helped achieve relatively uniform vaccine coverage and enabled ground-breaking common borrowing within a decentralized budgetary system. Unlike the refugee crisis, the COVID pandemic was a shared threat, prompting even sovereigntist states (Poland and Hungary) to cooperate, with each actor contributing to its domain.¹⁶ The Commission and Council's metagovernance proved effective, though tension arose,¹⁷ ultimately resolved through quick feedback and consultation. The pandemic spurred new EU-level metagovernance feedback mechanisms, such as the Recovery and Resilience Facility,¹⁸ tying national plans to EU priorities and embedding EU oversight in decentralized spending.¹⁹ Early over-centralization by individual states (e.g., blanket border closures) briefly hindered coordination, but Commission guidelines and EU Integrated Political Crisis

¹⁴ E.g., the Commission's Vaccines Task Force, the Clearing House for medical equipment. See for more details

¹⁵ Including national health systems, EU agencies, EU Council committees and working groups, and global initiatives like COVAX.

¹⁶ National health administrations focused on running vaccinations, while the European Commission was overseeing vaccine procurement and approval.

¹⁷ Such as the distribution of vaccine quotas among member states and the proposal for EU vaccine export controls. See for more details Arroyo et al. 2024.

¹⁸ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0241-20240301>

¹⁹ See Angelou 2025 for a detailed review on how the European Commission shaped its proposals on conditionality-based lending during the negotiation of National Recovery and Resilience Plans (NRRPs).

Response (IPCR)-led information sharing soon curtailed unilateral actions. In summary, this shows how polycentric governance, guided by central coordination, can bolster crisis resilience.

The EU's flexible, multi-centre approach proved crucial. Initially criticized, the EU's inclusive and responsive coordination boosted public approval by late 2020, enhancing its legitimacy relative to purely national or centralized approaches. Maintaining transparency, especially around vaccine procurement and restrictions, remained key to sustaining this trust. By 2021, emergency measures evolved into more routine processes (e.g., joint vaccine procurement, a stronger Health Union), suggesting these coordinating mechanisms could become permanent. The crisis showed that distributed authority can remain orderly when metagovernance feedback loops and polycentric coordination are employed, turning potential fragmentation into cohesive self-organization. In conclusion, this self-organizing governance, anchored by trust and accountability, enhanced the EU's legitimacy in crisis management relative to purely national or centralized approaches.

6. Conclusion

Across crises, EU governance oscillates between hierarchy and self-organisation; legitimacy improves when metagovernors steer transparently and embed stakeholder feedback. The three comparative case studies confirm this pattern in distinctive ways. In the Eurozone case, ad-hoc coalitions such as the Troika and the „Merkozy“ axis delivered rapid financial backstops, yet their opaque bargaining blurred accountability and fed perceptions of technocratic over-reach. During the refugee crisis, generous discretion for frontline states revealed the limits of solidarity; weak meta-steering failed to align national measures, deepening inter-state distrust and rule-of-law tensions. By contrast, the pandemic triggered an initially fragmented response that was gradually knitted together through joint vaccine procurement, IPCR information-sharing and the Recovery and Resilience Facility – illustrating how iterative feedback can convert dispersed capacities into coherent, legitimate action. Together, these findings indicate that *self-organisation is not a binary alternative to central control; rather, EU crisis management fluctuates along a continuum where legitimacy gains depend on timely meta-coordination and transparent feedback.*

The paper advances current debates on the EU's democratic deficit, rule-of-law tensions and crisis governance in three respects.

- 1. Reframing legitimacy** – Decentralised networks can satisfy both input- and output-legitimacy criteria when metagovernors steer crisis management transparently.
- 2. Extending governance theory** – The findings complement neo-functional accounts (which stress institutional spill-overs) by revealing the micro-mechanisms that make such spill-overs workable in turbulent settings, challenge pure intergovernmentalist views that locate decisive power solely

in national executives, and refine networkgovernance scholarship by specifying when endogenous coordination suffices and when formal meta-steering becomes indispensable.

3. Clarifying ruleoflaw implications – The contrast between the Eurozone and refugee cases highlights that self-organisation can *either* circumvent legal safeguards *or* be harnessed to uphold them, depending on how openly feedback is channelled into collective policymaking scrutiny.

Overall, the self-organising perspective thus bridges functional and normative strands of EU scholarship by tying crisis problem-solving directly to evolving legitimacy standards. Future work should (i) test the framework on potential energy, digital and climate shocks, (ii) trace network metrics from crisis onset to recovery, and (iii) examine when codification of crisis management procedures stabilises or stifles adaptive capacity. Pursued together, these avenues would deepen our understanding of how self-organising governance can move from an improvised crisis response to a durable feature of the EU's multilevel constitutional order.

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NAVIGATING CHANGE: THE NEW EUROPEAN PARLIAMENT, EUROSCEPTICISM, AND THE GLOBAL POLITICAL LANDSCAPE

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Abstract:

This paper examines the interplay between the newly constituted European Parliament (EP), the rise of Euroscepticism, and the evolving global political landscape. An analysis is presented herein of how Eurosceptic sentiment, originating in socioeconomic discrepancies, cultural concerns, and perceived democratic deficit, influences EP's debates. The initial phase of the research involves constructing a conceptual framework encompassing the ideologies of the EP's political groups. The principal hypothesis is substantiated by a content analysis of EP debates. By adopting an integrated analytical lens, the paper offers a comprehensive understanding of how internal political dynamics and global pressures converge to shape the EU's trajectory in an era of uncertainty. By analysing stenographic records of parliamentary speeches, the study identifies three dominant rhetorical patterns: (1) agenda shifting through thematic reframing, (2) strategic avoidance of participation in politically sensitive debates, and (3) the deployment of emotionally charged, populist rhetoric alongside pragmatic critiques. Drawing on discourse theory and typologies of Euroscepticism, the analysis reveals how parties from across the Eurosceptic spectrum engage with EU policy in ways that both challenge and adapt to the institutional context of the EP.

Keywords: European Parliament, Euroscepticism, Global political dynamics, 2024 European elections

Introduction

The growing presence of Eurosceptic parties within the institutional framework of the European Union (EU), particularly in the European Parliament (EP), has significantly altered the nature of intra-European political discourse. Once considered marginal actors, Eurosceptic parties now exert influence from within

the very institutions they seek to criticize or transform. This paradox – opposition from within – has drawn scholarly attention how these actors use institutional platforms not only to legislate but to communicate ideological dissent¹. While typologies of Euroscepticism have been well-established², less is known about the discursive strategies these parties deploy in parliamentary debates. This article seeks to address that gap by examining how three relatively or more targeted Eurosceptic groups – the Europe of Sovereign Nations Group (ESN), Patriots for Europe (PfE), and The Left Group – engage in rhetorical practices across six plenary debates in the EP between 2024 and 2025. Within a Laclau and Mouffe³ inspired discourse analytical framework, this research discerns three primary strategies: (1) redirection of criticism toward the EU through strategic reframing of debate topics (2) strategic non-participation in debates; and (3) the use of emotional, populist rhetoric alongside pragmatic critiques of policy. These strategies suggest that Euroscepticism within the EP is not a monolithic expression of rejection, but a strategically heterogeneous discourse shaped by topic, audience, and party ideology. Through an examination of communicative patterns, this research contributes to a more nuanced understanding of the articulation, modulation, and amplification of opposition to European integration within established institutional contexts. The hypothesis is: Eurosceptic parties in the EP adopt strategically differentiated rhetorical approaches – such as agenda-shifting, selective participation, and emotional appeals – depending on the political sensitivity of the debate topic.

Literature Overview

Academic discussions on Euroscepticism have evolved significantly over the past two decades. Scholars such as Taggart and Szczerbiak⁴ categorize Euroscepticism into „hard“ and „soft“ varieties. This is one of the most influential concepts in their work is the distinction between hard and soft Euroscepticism, first elaborated in the early 2000s. „Hard Euroscepticism refers to a principled opposition to the EU and European integration“⁵. Parties or individuals that adopt this stance believe that their country should withdraw from the EU or that the EU project is flawed. Soft Euroscepticism indicates a conditional or qualified opposition⁶. These actors do not reject the EU outright but are critical of specific policies or aspects of its functioning – such as opposition to further integration or dissatisfaction with specific treaties. Taggart and Szczerbiak emphasize that Euroscepticism is not binary but exists on a spectrum. Different political actors may oppose European integration for various reasons – economic, political, sovereignty-based, cultural, or ideolo-

¹ Brack, N., 2018; Usherwood, S., Startin, N., 2013.

² Taggart, P., Szczerbiak, A., 2002; Kopecká, P., Mudde, C., 2002.

³ Laclau, E., Mouffe, C., 1985.

⁴ Taggart, P., Szczerbiak, A., 2002; Taggart, P., Szczerbiak, A., 2004.

⁵ Taggart, P., Szczerbiak, A., 2008.

⁶ Ibid.

gical⁷. Another key point in their theory is that Euroscepticism is often strategic⁸. Parties may adopt Eurosceptic rhetoric not out of deep ideological conviction but to differentiate themselves in the political landscape or to appeal to voter segments critical of the EU. This paper builds on this dual foundation, connecting internal political developments in the EU to broader global transformations, and asking how one domain influences the other.

Research design and debates in the EP

This study provides a comprehensive analysis of all stenographic records pertaining to the specified topics. The research is based on 4 indicators: Keyword; MEP position – affirmative, negative, posing a problem; MEP attitude – positive, neutral, negative; Building the argumentation – rational-logical, emotional-figurative. The rational arguments are characterized by statistical evidence, policy analysis, or logical reasoning, whereas emotional appeals might utilize metaphors, vivid imagery, or charged language. This study draws on the Discourse-Historical Approach within Critical Discourse Analysis to examine how Euroscepticism is constructed in parliamentary debates. Combining this with principles from Argumentation Theory, it analyses the rhetorical strategies and argumentation structures used by MEPs to affirm, critique, or problematize the European project. Through systematic analysis of keywords, speaker positions, attitudes, and modes of argumentation, the study aims to uncover the underlying ideological and discursive patterns that characterize the contemporary political contestation of European integration.

The first debate is based on the topic „EU support for a just, sustainable and comprehensive peace in Ukraine“ (2025/2685(RSP))⁹. The principal keywords and phrases derived from the statements of the PfE group include: „the failure of the European strategy“¹⁰, „If you really want peace, you have to sit at that table“¹¹, „accelerated Ukrainian accession to the EU with catastrophic economic consequences“¹², „the EU has become a prisoner of its own strategy“¹³, and „stronger diplomatic efforts“¹⁴. Across the seven statements made by PfE members during the debate, the prevailing sentiment was critical of the EU’s current approach. Five of the seven statements expressed a clearly negative position, while two MEPs articulated more neutral perspectives. In terms of argumentative strategy, PfE members employed emotional appeals in four instances and relied on rational-logical reasoning in three, revealing a

⁷ Ibid.

⁸ Ibid.

⁹ https://www.europarl.europa.eu/doceo/document/CRE-10-2025-05-07-ITM-003_EN.html

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

discourse that blends affective rhetoric with policy-focused critique. Lexical choices signal discursive strategies of delegitimization. The contrast between emotional appeals and rational argumentation reflects strategic framing aimed at both mobilizing public sentiment and criticizing institutional inefficacy. Emotional appeals like the criticism of von der Leyen's actions reflect pathos-driven rhetoric, designed to foster identification and emotional disapproval. Logical arguments, on the other hand, such as warnings about economic consequences, fall under logos, reflecting an attempt to maintain credibility and rational persuasion.

The primary keywords and phrases identified within the ESN statements are: „foreign policy driven by illusions“¹⁵, „the EU has not come up with a single peace initiative“¹⁶, „toxic anti-Russian hysteria“¹⁷. The four statements made by ESN during the debate reflected a wholly negative stance toward the EU policy. Their argument comprised two statements supported by rational argumentation and two by emotional. This dual approach often serves to reinforce the underlying negative narrative by ensuring that both cognitively rigorous and instinctive responses are engaged. The specific choice of language and metaphors can be analysed as part of a broader pattern of delegitimizing the EU's actions. These keywords and phrases not only signify the negative stance but also highlight the rhetoric used to delegitimize EU policy. The specificity of phrases provides clear evidence of the discourse's emotive and ideologically charged nature.

The discourse of The Left during the debate is characterized by keywords and phrases such as: „But you have done absolutely nothing for peace, and your aid is also poisonous. It's just loans“¹⁸, „Europe's great hypocrisy“¹⁹, and „we need a diplomatic strategy“²⁰. Of the six statements made by MEPs from The Left, three expressed a negative stance toward the EU's actions, two were neutral, and one conveyed a positive view. In terms of argumentation, four statements relied on emotional appeals, while two were grounded in rational reasoning. This distribution reveals a predominantly critical tone, though more balanced than that of other groups, combining moral condemnation with some calls for diplomatic engagement. Some of the used keywords signal moral-emotive criticism, employing delegitimizing metaphors and accusatory tone.

The second analysed debate is „A united EU response to unjustified US trade measures and global trade opportunities for the EU (2025/2657(RSP))“²¹. The PfE group made seven contributions to the debate on US trade taxes, all of which expressed a negative stance on the EU's policies. Key expressions

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ https://www.europarl.europa.eu/doceo/document/CRE-10-2025-05-06-ITM-003_EN.html

included: „strategic autonomy of nations“²², „Green Deal – Green Disaster“²³. Other statements framed the EU as a self-inflicted obstacle, accusing it of „industrial and geopolitical suicide“²⁴ and „climate-fanatic hypocrisy“²⁵. Several statements rejected core elements of EU policy frameworks, including the 2030 Agenda, climate policy, and regulatory standards, characterizing them as ideologically driven and economically harmful. Of the seven statements, five relied on emotional-figurative rhetoric, while two employed rational-logical arguments. Although all statements maintained a negative orientation, some framed their critique by posing problems rather than solely assigning blame, suggesting a discourse not only of opposition but of systemic alarm. Some of the used phrases undermine the credibility and rationality of EU actors and institutions. Ideological polarization is evident in the contrast drawn between strategic autonomy of nations and the suicidal bureaucratic burden imposed by the EU. The EU is framed not just as ineffective, but as self-destructive, having „handed our automotive future to China“²⁶, blending geopolitical critique with nationalist protectionism. The rhetoric evokes fear, frustration, and outrage through figurative metaphors. Rational elements (logos) are present but limited, e.g. quantifying bureaucratic costs or highlighting market reform needs.

The ESN group contributed two statements to the debate on US trade taxes. The principal keywords and phrases included: „no trade alternatives and no negotiating power“²⁷, „EU establishment isolated economies because of arrogance“²⁸, „The EU must stop interfering in the internal affairs of nations“²⁹, and „We must end the Green Deal and smash the bureaucratic monster that is Brussels“³⁰. Both statements reflected a distinctly negative stance toward the EU and relied exclusively on emotional and figurative argumentation. The rhetoric emphasized blame, delegitimization, and national sovereignty, positioning the EU as a central obstacle rather than a solution in trade-related matters. Lexical choices like reflect delegitimizing strategies, painting the EU as both ineffective and harmful. The call for sovereignty and the rejection of EU interference aligns with nationalist discourse strands commonly seen in Eurosceptic rhetoric. The exclusive use of emotional-figurative argumentation shows a highly rhetorical and populist mode of expression, centred on evoking anger, fear, or resentment. No rational-logical arguments are offered-instead, metaphors serve to simplify and vilify.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

In the debate on US trade taxes, The Left made seven statements, exhibiting a more balanced tone than either the ESN or PfE. Notable keywords and phrases include: „the Commission is in political denial“³¹, „no strategy“³². The group also advocated for more autonomous and progressive economic approaches, such as: „broaden trade ties“³³, „strengthen the internal market“³⁴. Of the seven statements, three were negative toward the EU’s current trade policy, while four were more neutral in tone. Argumentation styles were predominantly rational, with the remaining three drawing on emotional appeals. The Left also focused more on posing structural problems and suggesting alternative strategies, rather than merely expressing opposition. This makes their discourse stand out as critical yet constructive, engaging with the substance of policy while incorporating ideological and economic concerns. The Left accuses the EU of „political denial“ and „lack of strategy“, while also prescribing reindustrialization, fair trade, and digital taxation. Rational-logical appeals dominate. Emotional appeals appear in phrases is used to stress urgency and injustice.

The third debate is based on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy – „Dramatic situation in Gaza and the need for an immediate return to full implementation of the ceasefire and hostage release agreement (2025/2644(RSP))“³⁵. During the debate on the situation in Gaza, the PfE group made three statements. Departing from its stance in prior debates, PfE adopted a neutral approach to the EU, instead directing criticism toward ideologically opposed groups. Key phrases included: „The far-left refuses to see the truth“³⁶, „refuses to label Hamas as terrorists, spreads its hateful propaganda, and justifies the unjustifiable“³⁷. All three statements posed problems, focusing on the broader geopolitical complexity of the conflict and the perceived bias of certain political factions. Only one statement employed emotional-figurative language, while the remaining two were framed in more analytical or observational terms. This suggests a rhetorical shift from systemic EU critique to ideological contestation and conflict framing. Only one emotional appeal is clearly present. The other two statements reflect problem-posing, aiming to shift the conversation from unilateral blame to wider contextual understanding. The absence of direct EU critique marks a rhetorical departure from the PfE’s usual discourse pattern.

The ESN group’s failure to issue statements during the Gaza debate represents a significant data point, a strategically employed silence admitting several

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ https://www.europarl.europa.eu/doceo/document/CRE-10-2025-04-01-ITM-016_EN.html

³⁶ Ibid.

³⁷ Ibid.

interpretations. The multifaceted nature of the Gaza conflict involves deeply polarizing geopolitical, religious, and humanitarian elements. Gaza's multifaceted moral and political dimensions exceed the capacity of conventional binary frameworks (such as „EU = undesirable,“ „Nation = favourable“). Unlike trade, green policy, or the Ukraine war – topics they can easily link to EU failure or national decline – the Gaza conflict doesn't easily serve Eurosceptic narratives: the EU has limited direct control over the conflict, making it hard to portray it as an „EU failure“.

In this debate, The Left made six statements, all of which expressed a strongly negative stance toward the EU's role in the conflict. The group employed highly charged and accusatory language, with key phrases such as: „this genocide is being carried out with European weapons“³⁸, „The EU has blood on its hands“³⁹. Other notable calls to action included „suspend all agreements with Israel“⁴⁰ and „enforce the arrest warrants“⁴¹, urging the EU to detain Israeli Prime Minister Netanyahu. These statements reflect an unambiguous moral indictment of the EU's foreign policy, emphasizing complicity, passivity, and hypocrisy. Only one of the six statements employed rational-logical argumentation; the remainder relied on emotional and figurative rhetoric. The EU is not simply failing but is cast as a complicit actor in genocide, marking one of the harshest critiques of the entire dataset. Some of the used phrases evoke collective moral failure and align with accusatory, justice-centred discourse. Calls to action function as prescriptive arguments driven by ethical imperatives rather than technocratic reasoning.

The fourth debate is based on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy - „Crackdown on democracy in Turkey and arrest of Ekrem İmamoğlu (2025/2642(RSP))“⁴². In the debate, the PfE group made two statements, both of which conveyed a negative stance toward the EU rather than Türkiye itself. Key phrases such as „Europe look as much like Turkey as possible“⁴³ and „Democracy is not only in danger in Turkey, but also in danger right here“⁴⁴ reflect a rhetorical redirection: PfE leveraged the foreign policy issue to accuse EU institutions of eroding democracy internally. The group also criticized EU leaders' continued partnership with Erdoğan, with emotionally charged lines like „You are not democrats, but aristocrats“⁴⁵. Both statements relied on emotional-figurative rhetoric, emphasizing perceived elitism, hypocrisy, and the collapse of democratic legitimacy within the EU itself. PfE uses the external

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² https://www.europarl.europa.eu/doceo/document/CRE-10-2025-04-01-ITM-015_EN.html

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

crisis in Türkiye not to critique Erdopan per se, but to project criticism back onto EU institutions, particularly the Commission leadership. The phrase „make Europe look like Turkey“ uses analogical reasoning to equate EU governance with authoritarian drift – a potent delegitimization strategy. The EU is framed not as a promoter of democracy abroad, but as a hypocritical actor eroding it at home. Use of „you are not democrats, but aristocrats“ taps into classic populist binaries: people vs. elites, democracy vs. technocracy.

ESN's non-participation in two foreign policy debates – Gaza and Türkiye – contrasts with their active and emotionally charged contributions in debates on the topics about Ukraine/Peace and US Trade Taxes. This shows a discursive selectivity. The explanations might be: 1) Openly criticizing Erdoğan might risk alienating segments of their nationalist base, especially given how some right-wing populist parties in Europe have adopted a pragmatic admiration for authoritarian „strongmen“; 2) Engaging in this debate might require the ESN to align with liberal democratic values they usually contest – e.g., defending judicial independence, human rights, minority rights.

In the debate on the democratic crackdown in Türkiye and the arrest of Ekrem İmamoğlu, The Left group delivered three statements, all of which conveyed a strongly negative stance toward both the Erdogan regime and the EU's response. The rhetoric employed was entirely emotional-figurative, reflecting moral urgency and frustration. Key phrases included „Erdoğan has you in his hands“⁴⁶, „Stop the dirty deals with the Erdogan regime!“⁴⁷, and „Concerned words are no longer enough“⁴⁸. These statements criticized the EU's perceived complicity with authoritarianism in Türkiye, denouncing what The Left sees as hypocritical or passive behaviour by the Commission and EU member states. There was a strong normative appeal to human rights and press freedom, particularly in the demand for the release of Swedish journalist Joakim Medin. In sum, The Left framed the EU-Turkey relationship as a moral failure rooted in strategic cynicism and a betrayal of democratic values. They employ negative evaluation of both Erdogan's regime and EU leaders, positioning themselves as guardians of moral coherence. The Left's version of populism targets elites for failing to uphold transnational values.

The last debate is based on the Council and Commission Declarations on the political crisis in Serbia (2025/2554(RSP))⁴⁹. In the EP debate on the political crisis in Serbia, the PfE group made three statements, all of which conveyed a negative attitude toward the EU's role. However, the tone and strategy showed some variation from other debates. While the group continued to criticize the EP as hypocritical and overreaching, two of the three statements employed rational-logical argumentation, indicating a more moderated rhetorical approach.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ https://www.europarl.europa.eu/doceo/document/CRE-10-2025-02-11-ITM-015_EN.html

Key phrases included: „The EP is once again demonstrating its hypocrisy“⁵⁰, „EU must also respect the sovereignty of the candidate countries“⁵¹. The statements emphasized the principle of non-interference, portraying the EU as meddling, biased, and selectively concerned, depending on its political interests. This framing aligns with the PfE’s broader sovereigntist narrative, but with a more formal and measured tone than in other debates. The rhetoric frames the EU’s involvement as a breach of sovereignty – a sovereigntist defence consistent with populist narratives. Unlike in debates, here, the critique focuses on process and legitimacy. The accusation of EU double standards (silence on Kosovo⁵² vs. loudness on Serbia) reaffirms a core populist claim that the EU acts opportunistically and ideologically, rather than objectively or consistently.

In this debate, the ESN group made only one statement, but its content reveals a sharp, emotionally charged Eurosceptic and conspiratorial worldview. The keywords „globalist network“⁵³, „obedient vassals“⁵⁴, and „independent nations“⁵⁵, reflect a strong anti-EU stance, framing the EU as part of a transnational elite system seeking to subjugate sovereign states like Serbia. While Serbia is portrayed as committed to EU accession, the ESN emphasizes its relations with Russia and China as a positive marker of independence. The argument is emotional-figurative, relying heavily on populist tropes of „the people vs. the globalist elite“ and fears of supranational control. The framing of Serbia as independent, non-compliant, and attractive to „foreign investment“ positions it as a model of national sovereignty – in direct contrast to the „vassal“ EU states.

The Left made only one statement in the debate on the political crisis in Serbia. This statement was negative toward the EU, specifically targeting the EU’s lack of concrete engagement and leadership in the Western Balkans. The criticism was grounded in rational argumentation, with no emotional or figurative rhetoric. Key phrases such as „indecisive“⁵⁶ and „content with barren statements“⁵⁷ frame the EU as ineffective and passive, failing to uphold its responsibilities in guiding Serbia toward meaningful reforms. Unlike far-right groups that accuse the EU of overreach, The Left criticizes the EU for doing too little: abandoning Serbia, not engaging sufficiently on democratic and economic reforms, and not supporting integration effectively. The absence of emotional rhetoric and the presence of concrete policy references (rule of

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ECJ Opinion on the Kosovo Declaration of Independence.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

law, economy, reforms) underscore The Left's preference for policy-based critiques over ideological confrontation.

All three groups construct „Us vs. Them“ frontiers – PfE: people vs. bureaucrats, ESN: nations vs. globalist elites, The Left: citizens vs. corporate-EU complex. This shows how Euroscepticism is not a monolith, but a field of competing hegemonic projects challenging liberal-centrist EU discourse from both right and left. This study contributes to the understanding of how Euroscepticism is discursively constructed and diversified within the EP. Rather than a binary opposition between „pro-EU“ and „anti-EU“ actors, the analysis reveals a pluralistic field of critique, shaped by distinct ideologies and argumentative strategies.

Conclusion

This study examined the rhetorical strategies and argumentative patterns of three Eurosceptic groups in the EP – the ESN, PfE, and The Left – across six topical debates: Ukraine/Peace, US Trade Policy, the situations in Gaza, Türkiye and Serbia. The analysis of plenary debates reveals three distinct rhetorical and strategic approaches employed by Eurosceptic political groups within the EP. These strategies reflect both ideological positioning and calculated political communication tactics aimed at shaping public perception, avoiding reputational risk, and maximizing rhetorical impact. One prominent strategy observed is the intentional reframing or diversion of debate topics. Instead of directly engaging with the debate's central issue, these groups shift the focus to overarching ideological frameworks that serve their political goals. This aligns with Laclau and Mouffe's theory of antagonism⁵⁸, where discourse seeks to construct a political frontier – transforming external topics into opportunities to oppose the EU elite and consolidate in-group identity through „us vs. them“ dichotomies. A second observable strategy is little or no participation at all in delicate debates. This tactic appears to be intentional silence, likely to avoid internal fragmentation, reputational damage, or electoral risk. Avoidance reflects a form of calculated discursive minimalism, consistent with theories of strategic ambiguity, where silence is used to preserve ideological coherence or dodge accountability. This behaviour suggests that Euroscepticism, particularly in its hard-line forms, is not merely oppositional but also tactically cautious – selectively engaging only when discursive conditions are favourable. The third and most consistent strategy across all groups is the blend of pragmatic grievances with emotionally charged language. While PfE and ESN rely more heavily on emotional-figurative rhetoric, The Left alternates between rational argumentation and moral appeals, depending on the topic. This emotional-pragmatic duality aims to mobilize public discontent while also presenting policy-based objections. The strategies of topic reframing, selective participation, and populist-emotional rhetoric reflect the multifaceted nature of Euroscepticism in the EP.

⁵⁸ Laclau, E., Mouffe, C., 1985.

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DEMOCRATISATION ON THE MOVE: MOBILE CITIZENS AS A FACTOR FOR POLITICAL STABILITY AND QUALITY OF DEMOCRACY IN THE EU

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Abstract:

The migration phenomenon has consistently accompanied European civilization's development. Today, the processes of globalization and European integration are intensifying the impact of migration across the European continent. These processes increase the scale of migratory flows, diversify migratory patterns, and stimulate new forms of identity, connectivity, and solidarity. These new forms of relationships between the country of origin, migrants, and the country of destination bring valuable resources for social, economic, and political development.

This analysis¹ is dedicated to examining the potential of mobile EU citizens to enhance political stability and the quality of democracy, both within their home countries and throughout the European Union. The findings reveal an intriguing paradox. Despite the considerable potential for contribution, mobile citizens appear to face disadvantages concerning one of the most noticeable aspects of democratic participation at the EU level—European Parliament elections.

Keywords: free movement of people; migration and democratisation; new citizenship; EU elections

Introduction

People often think of migration as a recent phenomenon. However, migration has been a feature of human existence for centuries. This is also valid for the European continent, which has a long migration history and experience. The historical context is important because it helps understand some of the most recent dynamics both in the migration flows and their management attempt.

¹ This article presents some of the results of the project Connectivity and solidarity with Bulgaria of mobile Bulgarian citizens in the EU: values, innovation, activism (2023-2026) funded by the Fund for Scientific Research, 2023 Fundamental Research Fund competition.

Migration is a priority topic for the EU. It is a complex topic, which comes with opportunities and challenges². Understanding migratory movements and how they evolve is essential for effective migration management but also affects the political stability and democracy within the EU. The phenomenon of migration within the European Union, particularly concerning EU mobile citizens, presents a multifaceted dynamic with the potential to significantly influence both political stability and the quality of democracy across the entire EU³. The free movement of people, a cornerstone of the EU project, has facilitated unprecedented levels of intra-EU migration, leading to a complex interplay of social, economic, and political factors that warrant thorough examination⁴.

Increased mobility appears to foster political participation, knowledge exchange, and democratic resilience, providing opportunities to enhance governance and stability at both national and subnational levels. These effects are noticeable in both the countries of origin and destination. This is primarily associated with the development of new transnational identities and solidarity (See Vertovec 2001; Gould 2007), as well as the transfer of knowledge, remittances, and innovation. The next level of context is crucial. The European Union, particularly through its concept of European citizenship, played a role in stimulating and facilitating these processes.

In the following parts of the text, through the prism of the concept of European citizenship and more specifically the right to free movement and residing in another EU country, the link will be made to the opportunities this holds as a potential for political stability and quality of democracy. Such an effort is worthwhile, especially at the background of the citizen trust in governments and the institutions across EU which is at an all-time low, while nearly half of EU citizens claim they are unsatisfied with the way democracy works in the EU. With populist and nationalistic parties gaining ground in Europe, it seems that the fostering citizens' participation in the European democratic process has become more crucial than ever.

The free movement and democracy in EU

„EU citizenship is the crown jewel of European integration. It is to Political Union what the euro is to our Economic and Monetary Union. Today's Citizenship Report places EU citizens centre stage,“ said in 2013 Viviane Reding, the EU's Commissioner for Justice, Fundamental Rights and Citizenship (European Commission, 2013). The creation of European citizenship strengthens the EU, giving it greater legitimacy and internal security. To some extent, it also provides a solution to the democratic deficit facing the Community. It is citizenship that makes the EU a political and not just an economic entity. At the heart of the

² Chiaramello and all, 2024

³ Estevens, 2018

⁴ Simionescu, 2019

architecture of citizenship of the Union, which can be seen through the classical conceptualization describing it as consisting of the elements of: legal status; rights; and collective identity, lies civic activism⁵.

Free movement is a fundamental right of EU citizens and a cornerstone of European citizenship. As an individual right, mobility is expected to extend opportunities and choices for European citizens beyond national boundaries (Seubert, 2019). The experience of free movement within the EU is considered one of the successful elements of the European ideal. It also has received positive feedback from politicians and citizens, compared to the international migration of third-country nationals. A 2017 Eurobarometer survey showed that support for intra-EU mobility was increasing, with 63% of respondents having a positive view of immigration from other EU countries⁶. Another survey indicates that freedom of movement is regarded as the most significant benefit of the EU for Europeans⁷. Attitudes toward free movement vary across countries, with Eastern European countries generally having more positive views⁸.

In 2019, it was estimated that around 17 million EU citizens lived in an EU Member State of which they were not nationals; 14 million of them were of voting age. Following the UK's departure from the EU, the number of mobile EU citizens went down to 13.3 million, 11 million of whom were of voting age⁹. This group could have an impactful role in shaping political stability and the quality of democracy both in migrants' countries of origin and across the entire Union. Recognizing this importance involves understanding several interconnected dimensions.

Migration within the EU enables individuals to participate actively in different political environments. Mobile citizens often experience diverse political systems and civic practices, which can enhance their understanding of democratic processes. This exposure may lead to increased engagement, advocacy for democratic reforms, and a sense of political agency that transcends national boundaries. Moreover, by gaining democratic experience during mobility, returning citizens can be agents of positive change and transfer of experience in their countries of origin.

Mobile citizens have the potential to establish transnational networks that contribute to democratic sustainability. Migrants, as transnational actors, can form networks that support democratic principles across borders. These networks facilitate information exchange, mobilize collective action, and promote democratic values, thus enhancing democratic resilience in both their countries of origin and host nations.

⁵ Staykova, 2025

⁶ Darvas, 2017

⁷ Garton, Macfarlane, Snow, 2021

⁸ Meltzer and all, 2018

⁹ Corlig and Mentzelopoulou, 2024

Mobile citizens often acquire skills, knowledge, and innovative ideas during their migration experience. When they maintain social and professional ties with their countries of origin, they can contribute to institutional strengthening and democratic reforms there, potentially reducing governance deficits and corruption.

Inclusive policies that recognize mobile citizens' rights – such as voting in local and European elections – can enhance democratic legitimacy, foster trust in institutions, and encourage political participation among diverse groups.

Mobile Europeans are very often known to be Europhile. Compared with the non-mobile population, Europeans with (past) transnational experiences feel more European, and they are more likely to favour redistributive solidarity with EU citizens and other immigrants in their country¹⁰.

European migrants are also very often not only pro-European, but they are also unlikely to vote for populist radical right parties¹¹, which are a current threat to the democratic consensus in the EU.

Considering the points above, the subsequent sections of the text will offer an overview of the tools available for citizen participation at the EU level, with a particular focus on the most renowned and widely recognized tool – elections.

European Parliamentary elections – can or cannot vote

This part of the text focuses on perhaps the most visible element of European citizenship and a tool for the democratic participation of mobile Europeans. The European Parliamentary elections, a fundamental aspect of the European Union's democratic framework serve as a crucial mechanism for citizens to directly influence the trajectory of European policy and legislation. Since 1979 when the first elections were held the elections have offered citizens from member states a chance to elect representatives to the European Parliament¹². These elections embody the principle of representative democracy on a transnational scale, enabling the selection of Members of the European Parliament who will subsequently advocate for their constituents' interests and contribute to the formulation of EU-wide policies¹³. A unique aspect of those elections is the right of the EU citizens to vote even out of their country of origin. Participation in the electoral process is a product of two interconnected factors; first, eligibility to vote; and second, the ability to access the ballot in practice¹⁴. In the 2024 European elections, there was the highest voter turnout in 30 years, with 50.97%

¹⁰ Witte and Deutschmann, 2024

¹¹ Visconti, 2023

¹² König & Luig, 2017

¹³ McElroy & Benoit, 2006

¹⁴ Hutcheson and Ostling, 2021

of the 357 million eligible citizens participating¹⁵. This is a slight increase compared to the 2019 elections (50.66%).

Based on data from 2020, the share of mobile EU citizens in the overall voting population varies greatly between EU countries. It is by far the highest in Luxembourg (40.4%) and the lowest in Poland (0.09 %). In Cyprus, Ireland, Belgium, Austria, and Malta, the share of non-national EU citizens of voting age is also considerable, corresponding to between 7 and 14% of the electorate¹⁶.

On the eve of the last elections to the European Parliament elections, pundits expected a big change on the right. In such a situation - when the stakes are high - it seems important that everyone who is eligible to vote can do so without difficulty. However, recent research shows that there are significant obstacles for mobile Europeans who reside outside their country of origin¹⁷.

In contrast to non-mobile Europeans, who usually do not have to become proactive until election day, many mobile Europeans have to actively register beforehand to be able to cast their votes. And they have to do so very early on, often several months before the election.

Based on official EU information, the cited research shows the prerequisites for mobile Europeans who want to vote in the upcoming election. It reveals several major obstacles: First, the registration options and deadlines differ a lot between EU member states. For example, Swedish citizens residing in Belgium had to decide if they wanted to register to vote in Sweden by 16 May, while if they wanted to vote in Belgium the deadline was 29 February. Many mobile EU citizens have a choice between voting for candidates in their origin country or in their residence country. But there are exceptions: Slovaks abroad, for example, cannot vote in Slovakia. This multiplicity of rules creates a need to actively search for the conditions that apply in each particular case¹⁸.

Against this backdrop, the legal and practical arrangements for voting in the European elections for citizens who live or are temporarily outside their home Member State vary greatly between the Member States. Most allow voting at embassies or consulates abroad, several allow citizens living abroad to vote by post, a few allow voting by proxy, and one (Estonia) allows electronic voting. On the other hand, Czechia, Ireland, Malta and Slovakia do not permit their citizens to vote in the European elections from abroad¹⁹.

Free movement of European citizens is hailed as a fundamental right. It is bad news for democracy if those who enjoy this fundamental right encounter obstacles to exercising their electoral rights. Free European mobility and Euro-

¹⁵ Armangau, 2024

¹⁶ European Parliament, 2022

¹⁷ Witte and Deutschmann, 2024

¹⁸ Witte and Deutschmann, 2024

¹⁹ Corlig and Mentzelopoulou, 2024

pean electoral rights should not be mutually exclusive, but current bureaucratic hurdles (including early registration deadlines and country-specific opt-in registration systems) seem to create practical trade-offs between the two. This could reduce turnout among mobile Europeans²⁰.

Conclusion

Analysis reveals several preconditions and areas where mobile European citizens could bolster political stability and democracy at the European level. While methods for precisely measuring this influence are still under development, the potential is evident. A key finding is that despite the theoretical democratic potential of mobile citizens, their participation in European Parliament elections – a traditional avenue for influencing the democratic process – faces practical barriers. There's a lack of statistical tracking of their electoral activity, and harmonization of regulations across member states to facilitate their participation is lacking²¹. This is concerning, especially given the democratic potential these citizens possess due to their mobility. The obstacles to political participation among mobile EU citizens include their non-citizen status in their country of residence and external status relative to their country of citizenship.²²

European mobile citizens mainly use passive and non-institutional channels to impact democratic quality and stability.

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²⁰ Witte, N. and Deutschmann, E., 2024

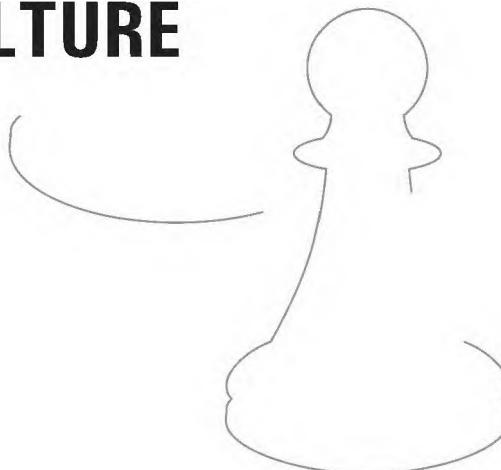
²¹ Hutcheson and Ostling, 2021, p. 2-3

²² Hutcheson and Ostling, 2021, p.2-3

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Second panel:

**EUROPEAN IDENTITY,
ENLARGEMENT, SKILLS
AND CULTURE**



THE SHOCK IMPACT OF PRESIDENT TRUMP'S RHETORIC ON EUROPEAN IDENTITY

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Abstract:

This paper examines the impact of President Donald Trump's rhetoric on European identity during his first term (2017-2021). Traditionally, the European Union (EU) has aligned its foreign policy and cultural identity closely with the transatlantic partnership, sharing values such as democracy, liberalism, and the rule of law. However, Trump's „America First“ policy and disruptive rhetorical style marked a significant shift, transforming the EU's perception of the US from a reliable partner to a „problematic other.“

The paper concludes that Trump's presidency acted as a discursive turning point in transatlantic relations, challenging long-standing principles of cooperation and legitimacy. This crisis evolved into an opportunity for the EU to define its role more clearly in the 21st century, asserting itself as a global actor committed to multilateralism, responsibility, and shared values.

Keywords: Trump's disruptive rhetoric, EU identity, identity construction, strategic narratives

Introduction

Traditionally, the European Union has built its foreign policy and cultural identity in close connection with the transatlantic partnership. Shared values – democracy, liberalism, rule of law, and a commitment to multilateral institutions – have long formed the foundation of the alliance between the EU and the United States. In this sense, the US has served as a „significant other“ – a term used by Jürgen Habermas to describe those external actors that play a key role in shaping a subject's normative self-reflection.¹ Thus, the US has historically been a validator and legitimizer of the EU's liberal identity.

¹ Habermas, J. (1998). *The Inclusion of the Other: Studies in Political Theory*. Cambridge, MA: MIT Press.

However, with the election of Donald Trump and the rhetoric of his first term, this model began to shift. Many of his statements and actions transformed how the EU perceived the US – not as a reliable partner, but as a „problematic other“ that caused institutional, strategic, and moral destabilization. Here, reflective identity construction occurs through distinction – both in language and policy. This results in a re-articulation of the EU’s identity, much like Ian Manners described the EU’s „normative power“ – the ability to define itself through ethical and value-based distance from others.²

Trump’s inaugural speech („From this day forward, it’s going to be only America First, America First.“ – January 20, 2017) marked not just a retreat from global leadership, but also a symbolic break from the shared transatlantic narrative.³ From a reflective identity standpoint, this statement has a dual function: it asserts a self-centred American identity while simultaneously forcing the EU to reimagine itself as a global actor following a different path.

In this context, we will highlight some of Donald Trump’s most significant and expressive statements regarding Europe and transatlantic relations. Through these, we will explore how his rhetoric influences the European Union’s self-perception and strategies, and how mutual identity formation between the two sides takes shape in conditions of both confrontation and cooperation. As Thomas Diez argues, identity is not a fixed essence but rather „an effect of practices of differentiation“.⁴ Trump’s rhetoric represents precisely such a discourse of differentiation – one that pushes the EU toward a renewed effort of self-definition.

Donald Trump’s presidency is marked by a disruptive rhetorical style that challenged long-standing diplomatic norms, particularly in transatlantic relations. His rhetoric – often nationalist, transactional, and sceptical of multilateral institutions – sent shockwaves throughout Europe, forcing a re-evaluation of European identity, security, and global positioning. This analysis examines how Trump’s disruptive rhetoric destabilized European unity, affected nationalism, reinvigorated debates over strategic autonomy, and reshaped perceptions of the U.S.-Europe alliance.

Words and Deeds

Statements such as „The EU is basically a vehicle for Germany“ (January 25, 2017) aim to delegitimize the EU as an integration project.⁵ These kinds of messa-

² Manners, I. (2002). *Normative Power Europe: A Contradiction in Terms?* Journal of Common Market Studies, 40(2), 235-258

³ Time. (2017, January 20). Read the full transcript of President Donald Trump’s inauguration speech. <https://time.com/4640707/donald-trump-inauguration-speech-transcript/>

⁴ Diez, T. (2019). The European Union and the politics of identity: Reflective othering and constructive difference. Journal of European Public Policy, 26(7), 1019-1038.

⁵ Gove, M., & Diekmann, K. (2017, January 16). Donald Trump interview: Full transcript. The Times. <https://www.thetimes.co.uk/article/donald-trump-interview-full-transcript-europe-nato-uk-brexit-5mfx06r7v>

ges provoke not just institutional responses but also a need for self-affirmation, highlighting Europe's political diversity and unity. As Habermas argues, the legitimacy of the EU is based on a shared communicative rationality – and Trump's rhetoric undermines this foundation by suggesting that the EU is dysfunctional and dominated by one country.⁶

In the same vein, Trump's assertion that „The European Union has been terrible to the United States on trade“ (March 10, 2018) reframes the EU from a strategic ally to an economic adversary.⁷ The EU's normative self-conception as a fair and rules-based economic actor is placed under rhetorical attack, triggering both a defensive and proactive discursive repositioning by the EU.

Trump's populist rhetoric and anti-EU stance emboldened right-wing nationalist movements in Europe, such as France's National Rally and Germany's AfD. Trump's disdain for multilateralism accelerated debates about European sovereignty, pushing some toward greater EU cohesion while others embraced nationalist isolationism.⁸

Trump's transactional approach to NATO and trade created anxiety among European leaders. His „America First“ policy forced Europe to reconsider its dependency on U.S. security guarantees, leading to discussions about strategic autonomy and defence integration (e.g., PESCO).⁹ Furthermore, Trump's election exacerbated existing fractures in the EU, particularly regarding migration and sovereignty. His alignment with anti-immigrant leaders (e.g., Hungary's Orban) deepened divisions between Eastern and Western Europe, challenging the notion of a unified European identity.¹⁰

Trump's withdrawal from the Paris Climate Agreement and his critical stance on the EU's climate policies were not merely political decisions but discursive attacks on the EU's normative identity. Environmental policy is one of the cornerstones of the EU's global presence, and the EU responded not by mimicking US actions, but by actively distinguishing itself as a climate leader. This is a case of reflexive differentiation: asserting one's role precisely because the „other“ has rejected it.¹¹ Trump's climate scepticism and withdrawal from the Paris Agreement pushed the EU to assert itself as a global leader in green policies. European identity was reshaped in opposition to Trump's anti-globalism, reinforcing the EU's commitment to multilateralism.¹²

⁶ Habermas, J. (1998). *The Inclusion of the Other: Studies in Political Theory*. Cambridge, MA: MIT Press.

⁷ CNN. (2018, March 10). Trump hits EU on trade days after imposing new tariffs. <https://www.cnn.com/2018/03/10/politics/trump-twitter-tariffs/index.html>

⁸ Ash, T. G. (2018). „Europe's Trumpian Turn.“ *Journal of Democracy*, 29(1), 5-19.

⁹ Kundnani, H., & Parello-Plesner, J. (2018). „Trump and the Crisis of the West.“ *The Washington Quarterly*, 41(1), 73-85.

¹⁰ Krastev, I. (2017). *After Europe*. University of Pennsylvania Press.

¹¹ Shear, M. D. (2017, June 1). Trump will withdraw U.S. from Paris climate agreement. The New York Times. <https://www.nytimes.com/2017/06/01/climate/trump-paris-climate-agreement.html>

¹² Tocci, N. (2021). *A Green and Global Europe*. Polity Press.

Trump's statements criticizing NATO and accusing European countries of being strategically dependent on Russia further increased the EU's motivation to promote new political narratives, such as „strategic autonomy“ and „sovereign Europe.“ In 2018, he stated: „Germany is totally controlled by Russia because they are getting 60 to 70% of their energy from Russia“ (July 11, 2018).¹³ These ideas, once marginal, gained legitimacy through conflict – a clear example of how a negative external image can trigger internal identity mobilization.¹⁴

This rhetoric had a double effect. On the one hand, it exposed the EU's symbolic, military, and economic dependencies. On the other hand, it encouraged a process of identity formation based on contrast with the American „other.“ This is a classic example of „reflective othering,“ which Thomas Diez describes as central to EU identity construction.¹⁵

Trump's claims about unfair trade and that „The EU was formed to take advantage of the United States“ (June 28, 2018) not only delegitimized the historical basis of the partnership but also create space for the EU to reframe itself – no longer simply as a „partner of the US,“ but as a regulatory superpower with its standards and global influence.¹⁶ The EU's responses – from launching a European Defence Fund to advancing the Green Deal – can be understood as forms of reflective agency, where actions are taken in response to challenges posed by the „other.“ In Habermas's terms, this is a moment of „communicative autonomy“ – the EU emerges as an actor capable of defining legitimacy internally, rather than relying on external validation.¹⁷

In addition to highlighting the differences between the US and the EU, these remarks provide important indications of broader transformations in the international arena. According to the logic of reflective identity construction, such changes act not only as shifts in policy but also as mirrors through which political actors – in this case, the EU – recognize and redefine themselves.¹⁸

Donald Trump's second term deepens the tensions between the EU and the US, giving the transatlantic relationship a new character – not just as political disagreement but as a mutual identity-building process (reflective identity con-

¹³ Reuters. (2018, July 11). Trump lashes Germany over gas pipeline deal, calls it Russia's captive. <https://www.reuters.com/article/markets/currencies/trump-lashes-germany-over-gas-pipeline-deal-calls-it-russias-captive-idUSKBN1K10VH>

¹⁴ Diez, T. (2019). The European Union and the politics of identity: Reflective othering and constructive difference. *Journal of European Public Policy*, 26(7), 1019-1038. <https://doi.org/10.1080/13501763.2019.1605201>

¹⁵ Ibid.

¹⁶ Galindo, G. (2018, June 28). Trump: EU was 'set up to take advantage' of US. *Politico*. <https://www.politico.eu/article/donald-trump-eu-was-set-up-to-take-advantage-of-us-trade-tariffs-protectionism/>

¹⁷ Habermas, J. (1998). *The Inclusion of the Other: Studies in Political Theory*. Cambridge, MA: MIT Press.

¹⁸ Diez, T. (2019). The European Union and the politics of identity: Reflective othering and constructive difference. *Journal of European Public Policy*, 26(7), 1019-1038. <https://doi.org/10.1080/13501763.2019.1605201>

struction), where the EU increasingly sees itself in contrast to the American approach to global affairs.¹⁹

Trump's rhetoric in his second term reinforces the image of the US not as a „significant other“ but as a „negative other,“ through which the EU strengthens its value-based, strategic, and institutional autonomy. As Thomas Diez emphasizes, European self-definition often happens through „constructive difference“ – a conscious distancing from an external reference point that presents a challenge.²⁰

Statements like „Europe treats us worse than China“ (June 26, 2019) or „They are very, very protectionist. The European Union is possibly as bad as China, just smaller“ (July 1, 2018) do not simply express political criticism – they participate in a discursive process that frames Europe as dependent, ungrateful, and inefficient.²¹ This negative external definition stimulates internal reassessment and institutional restructuring. In line with Habermas, who sees the public sphere and inter-institutional communication as key to shaping political identity, we can interpret this period as a transnational communicative moment in which Europe begins to define itself through a new language of sovereignty, responsibility, and autonomy.²²

This language materializes in increasingly concrete initiatives: expanding PESCO, strengthening the European Defence Agency, establishing the European Alliance for Critical Technologies, and planning a European AI agency. All of these are part of a broader process of normative response – a concept developed by Ian Manners, who describes the EU as a unique kind of international actor. According to Manners, the EU exercises influence not through military or economic coercion, but through the diffusion of norms and values such as human rights, environmental sustainability, multilateralism, and the rule of law.²³

Trump's confrontational style and rejection of these very norms – especially his isolationist, transactional, and often anti-institutional rhetoric – effectively served as a catalyst for the EU to deepen its commitment to this normative identity. In contrast to Trump's „America First“ doctrine, the EU's emphasis on cooperative global governance and multilateral solutions appeared not just as a continuation of previous strategies, but as an active repositioning: a deliberate choice to distinguish itself as a responsible global actor.²⁴

¹⁹ Ibid.

²⁰ Ibid.

²¹ Axios. (2018, July 1). Trump on trade: The EU „is possibly as bad as China, just smaller“. <https://wwwaxios.com/2018/07/01/donald-trump-interview-china-eu-trade-war-tariffs-fox-news>

Dallison, P. (2019, June 26). Trump: 'Europe treats us worse than China'. Politico. <https://www.politico.eu/article/trump-europe-treats-us-worse-than-china/>

²² Habermas, J. (1998). *The Inclusion of the Other: Studies in Political Theory*. Cambridge, MA: MIT Press.

²³ Manners, I. (2002). *Normative Power Europe: A Contradiction in Terms?* Journal of Common Market Studies, 40(2), 235–258

²⁴ Ibid.

This differentiation is not merely discursive. It is institutionalized through new policy frameworks such as the Green Deal, the Digital Services Act, and the Strategic Compass, which outline the EU's ambition to shape global standards in areas ranging from climate policy to digital governance. These initiatives reflect what Manners calls the „diffusion of norms through policy practice“ – a process by which the EU projects its identity outward while simultaneously reinforcing it inward.²⁵

In this sense, Trump's rhetoric and policies unintentionally contributed to strengthening the EU's self-perception as a normative power. By acting as a „negative mirror,“ the US under Trump forced the EU to confront its strategic vulnerabilities, redefine its goals, and reassert its values on the global stage. This is not to say that the EU's identity emerged purely in opposition – but rather that confrontation acted as a moment of clarification, a space in which European political discourse could rearticulate itself with renewed purpose.²⁶

Risse applies social identity theory to argue that Trump's „othering“ of Europe (e.g., calling the EU a „foe“) paradoxically strengthened European identity among pro-EU citizens while alienating Eurosceptics who saw Trump as an ally against Brussels.²⁷ Trump's disruptive policies (e.g., Iran nuclear deal withdrawal, trade wars) pushed Europe toward „strategic sovereignty,“ including initiatives like the European Defence Fund. Trump's presidency was a wake-up call for greater EU autonomy.²⁸ Though Trump's legacy persists in lingering doubts about U.S. reliability, pushing Europe toward more independent foreign policies, it is yet far from certain whether his presidency permanently damaged transatlantic trust.²⁹ What is definite is that his presidency acted as a shock to European identity, accelerating both fragmentation and attempts at unity. It is worth considering individual EU countries' responses to Trump.

How Individual EU Countries' Respond to Trump's Rhetoric

Different EU countries have varying responses - ranging from alignment and admiration to resistance and strategic distancing - across key EU member states.

Germany: The Reluctant Challenger

Germany, under Merkel, positioned itself as a defender of multilateralism, leading EU efforts to uphold the Iran nuclear deal and the Paris Agreement

²⁵ Ibid.

²⁶ Diez, T. (2019). The European Union and the politics of identity: Reflective othering and constructive difference. *Journal of European Public Policy*, 26(7), 1019-1038. <https://doi.org/10.1080/13501763.2019.1605201>

²⁷ Risse, T. (2020). „European Identity in Times of Crisis: The Role of the 'Other'.“ *European Security*, 29(3), 275-294.

²⁸ Leonard, M., & Shapiro, J. (2019). Strategic Sovereignty: How Europe Can Regain the Capacity to Act. ECFR.

²⁹ Niblett, R. (2020). *America's Great Divorce: The EU After Trump*. Chatham House.

despite U.S. withdrawal. Szabo analyses Angela Merkel's cautious but firm opposition to Trump's policies on NATO, trade, and climate.³⁰

German elites and the public perceived Trump as a threat to the liberal international order. Germany's push for European strategic autonomy (e.g. PESCO, increased defence spending and scepticism toward U.S. leadership) might be considered as a direct response to Trump's unpredictability.³¹ Stelzenmüller argues that Trump's presidency accelerated European debates about reducing reliance on the U.S., particularly in security and technology (e.g., Huawei 5G debates).³²

France: The Opportunistic Leader

French President Emmanuel Macron leveraged Trump's disruptive behaviour to position France as the EU's de facto leader. Macron's calls for a „European army“ and scepticism toward NATO reflected a desire to reduce dependence on the U.S.³³ Thus, Macron revived Gaullist ideas of European sovereignty, using Trump's „America First“ stance to advocate for EU independence in defence and technology.³⁴

United Kingdom: The Troubled Ally

The UK's dilemma is about balancing its „special relationship“ with the U.S. against fears that Trump's isolationism weakened Western solidarity.³⁵ Theresa May and Boris Johnson navigated Trump's presidency amid Brexit. While Johnson embraced Trump's populist rhetoric to secure a U.S. trade deal, British elites remained wary of Trump's NATO scepticism and divisive politics.³⁶

Poland and Hungary: The Populist Allies

Poland and Hungary's right-wing governments (PiS and Fidesz) admired Trump's nationalism, anti-immigration stance, and criticism of EU elites. Both leaders used Trump's rhetoric to justify their own illiberal policies.³⁷ While Poland and Hungary embraced Trump, the Czech Republic and Slovakia remained more cautious, fearing damage to EU cohesion.³⁸

³⁰ Szabo, S. (2019). *Germany, Trump, and the Future of the West*. Brookings Institution.

³¹ Daehnhardt, P. (2020). „Germany and the Trump Shock: From Disbelief to Strategic Adaptation.“ *German Politics*, 29(2), 223-240.

³² Stelzenmüller, C. (2019). „The Impact of Trump on German and European Foreign Policy.“ Brookings Institution.

³³ Mérand, F. (2018). „Macron's Europe: The Case for Strategic Autonomy.“ European Council on Foreign Relations (ECFR)

³⁴ Niblett, R. (2020). „France's Response to Trump: A Gaullist Revival?“ *International Affairs*, 96(3), 675-693.

³⁵ Wallace, W. (2020). „The UK Between Trump and Europe.“ Chatham House.

³⁶ Oliver, T. (2018). „Brexit and Trump: Populism and the Special Relationship.“ *Journal of Common Market Studies*, 56 (S1), 141-153.

³⁷ Krastev, I. (2018). „The Eastern European Love Affair with Trump.“ *Foreign Policy*.

³⁸ Szucs, J. (2020). „Trump and the Visegrad Four: A Marriage of Convenience?“ *Europe-Asia Studies*, 72(5), 789-807.

Italy: From Populist Enthusiasm to Disillusionment

Italy's Five Star Movement and Lega initially praised Trump but later clashed with his administration over trade and sanctions against Russia.³⁹ Italian populists' alignment with Trump backfired domestically as his erratic policies alienated moderate voters.⁴⁰ In 2017, 55% of Lega voters approved of Trump, but by 2020, his COVID-19 handling and trade wars dropped support to 32% (Ipsos).⁴¹

Sweden and the Nordics: Resistance and Pragmatism

Nordic countries (Sweden, Denmark, Finland) publicly opposed Trump's rhetoric on climate and migration but quietly cooperated on security (e.g., increased defence spending).⁴² Sweden's diplomatic balancing act – criticizing Trump's policies while avoiding direct confrontation to preserve transatlantic ties.⁴³

Spain: Resistance and Strategic Caution

Spain showed cautious opposition to Trump's policies, particularly on climate change and migration. Despite historical U.S. ties, Spain - under both conservative (PP) and socialist (PSOE) governments - aligned with EU multilateralism, criticizing Trump's withdrawal from the Paris Agreement and his hardline immigration stance.⁴⁴

Trump's rhetoric on „strong borders“ and national sovereignty resonated with Spanish right-wing parties (Vox), which used his discourse to oppose Catalan separatism. Vox supporters were three times more likely to approve of Trump than PSOE voters, mirroring U.S. partisan divides (CIS 2020 data).⁴⁵ However, mainstream Spanish leaders avoided direct alignment with Trump to maintain EU cohesion.⁴⁶

Greece: Pragmatism Amid Geopolitical Tensions

Greece's Syriza government navigated Trump's presidency while managing relations with Russia and the EU. Greece welcomed U.S. investment (e.g.,

³⁹ Carbone, M. (2019). „Italy's Love-Hate Relationship with Trump.“ **Italian Politics*, 34 (1), 45-62.

⁴⁰ Newell, J. (2020). „Trump and the Italian Right: A Failed Romance?“ *West European Politics*, 43 (3), 732-751.

⁴¹ Tarchi, M. (2021). „From Salvini's Trumpmania to Disillusionment.“ *Contemporary Italian Politics*

⁴² Mouritzen, H. (2021). „Nordic Responses to Trump: Between Values and Interests.“ *Cooperation and Conflict*, 56 (2), 163-180.

⁴³ Bergman, A. (2020). „Sweden's Silent Struggle with Trump.“ *Scandinavian Political Studies*, 43 (4), 312-330.

⁴⁴ Molina, I. (2020). „Spain and the Trump Effect: Between Atlanticism and Europeanism.“ *Elcano Royal Institute*.

⁴⁵ Turnbull-Dugarte, S. (2021). „Vox Voters and the Trump Effect in Spain.“ *South European Society and Politics*

⁴⁶ Rodriguez, J. C. (2019). „Trump, Catalonia, and Spanish Nationalism.“ *South European Society and Politics*, 24 (3), 399-421.

energy projects) but resisted Trump's anti-EU rhetoric due to its dependency on Eurozone stability.⁴⁷

Trump's unpredictable stance on Turkey forced Greece to strengthen EU and NATO ties. While Greece appreciated Trump's occasional criticism of Turkey, his overall transactional approach to NATO created anxiety.⁴⁸

Eastern Europe (Baltic States, Romania, Slovakia): Security Fears and Selective Alignment

Estonia, Latvia, and Lithuania feared Trump's NATO scepticism but appreciated increased U.S. military presence as a deterrent against Russia. Baltic leaders publicly praised Trump's defence spending demands while privately lobbying Congress for continuity in U.S. commitments.⁴⁹

Romania positioned itself as a loyal U.S. ally, hosting a Trump-friendly government and supporting his hardline stance on China (e.g., Huawei bans). However, Romania avoided overt anti-EU rhetoric to preserve its EU integration benefits.⁵⁰

Slovakia's Smer party and President Čaputová diverged in their responses: while some populists admired Trump's style, Slovakia's pro-EU civil society and leadership resisted his influence.⁵¹

Bulgaria: Between Pro-Trump Populism and EU Dependence

Bulgaria's GERB party and President Radev cautiously avoided antagonizing Trump, given Bulgaria's reliance on U.S. security guarantees (e.g., Black Sea defence). However, Bulgaria remained firmly pro-EU, fearing Trump's rhetoric could weaken Western cohesion.⁵²

While Bulgaria's nationalist parties (e.g., VMRO, Revival) admired Trump's anti-immigration stance, mainstream leaders avoided open alignment due to Bulgaria's economic dependence on EU funds.⁵³

⁴⁷ Tsardanidis, C. (2018). „Greece's Balancing Act Between Trump, Russia, and the EU.“ Hellenic Foundation for European & Foreign Policy (ELIAMEP).

⁴⁸ Kouskouvelis, I. (2020). „Trump, Erdogan, and Greece's Security Dilemma.“ *Mediterranean Politics*, 25 (4), 521-540.

⁴⁹ Kasekamp, A. (2021). „The Baltic States and Trump: NATO Anxiety and Reassurance.“ *International Security*, 45 (3), 89-115.

⁵⁰ Stan, L. (2020). „Romania's Strategic Courtship of Trump.“ *Communist and Post-Communist Studies*, 53 (1), 45-63.

⁵¹ Gyárfášová, O. (2019). „Slovakia's Populists and the Trump Effect.“ *Slovak Foreign Policy Affairs*, 20 (2), 78-95.

⁵² Ganev, V. (2019). „Bulgaria's Ruling Elite and the Trump Phenomenon.“ *East European Politics*, 35 (2), 234-252.

⁵³ Krastev, I. (2020). „Why Eastern Europe's Right-Wing Loved (and Feared) Trump.“ *Journal of Democracy*, 31 (1), 58-72.

General European Trends: Declining Trust and Polarization

Pew's multinational survey (2016-2018) found that trust in U.S. leadership plummeted across Europe under Trump, with only 30% of Germans, 25% of French, and 14% of Spaniards expressing confidence in him (vs. 80%+ under Obama). Eastern Europe (Poland, Hungary) showed slightly higher approval.⁵⁴

Krastev and Leonard discussed the generational divide: younger Europeans (18-35) viewed Trump as a threat to democracy, while older, nationalist-leaning voters in Italy, Poland, and Hungary saw him as a defender of „Western values“ against immigration.⁵⁵

German media (e.g., *Der Spiegel*, *Bild*) initially treated Trump as a spectacle but later framed him as a danger to democracy, influencing public opinion. By 2019, 85% of Germans viewed him unfavourably (ARD-DeutschlandTrend).⁵⁶

In France there are polarized reactions. Marine Le Pen's supporters (40% of her base) admired Trump's nationalism, while Macron voters (90% unfavourable) saw him as a destabilizing force.⁵⁷

While 70% of Greeks distrusted Trump, many conceded his tough stance on Turkey was beneficial - showing pragmatic ambivalence.⁵⁸

In Poland 56% of PiS voters viewed Trump positively, seeing him as a counterweight to EU liberalism. Opposition voters (80% negative) feared NATO erosion.⁵⁹ In Hungary government-controlled media portrayed Trump as an ally against „Soros-style globalism,“ leading to 48% approval among Fidesz voters.⁶⁰

In Bulgaria only 22% of Bulgarians approved of Trump, but nationalists (Revival party) used his rhetoric to attack EU elites.⁶¹ Romanian public remains pro-American but anti-Trump. Despite strong U.S. ties, 65% of Romanians disapproved of Trump, fearing NATO unpredictability.

Over 90% of Swedish voters viewed Trump negatively, uniting left and right in defence of multilateralism.⁶² In the Baltic states while the majority

⁵⁴ Stokes, B. (2018). „European Public Opinion Toward Trump: A Crisis of Confidence.“ Pew Research Center.

⁵⁵ Krastev, I., & Leonard, M. (2020). „The Crisis of American Power: How Europeans See Trump's America.“ ECFR.

⁵⁶ Pausch, M. (2019). „German Media's Framing of Trump: From Amusement to Alarm.“ *International Journal of Press/Politics*

⁵⁷ Shields, J. (2020). „Le Pen, Trump, and the French Far Right's Love Affair.“ *French Politics*

⁵⁸ Dimitras, P. (2020). „Greek Public Opinion on Trump: Between NATO Reliance and Disdain.“ University of Athens

⁵⁹ Szczerbiak, A. (2019). „Why Poles Loved Trump (and Why It Mattered).“ *Poland in Europe*

⁶⁰ Bozóki, A. (2020). „Manufacturing Consent: How Fidesz Sold Trump to Hungarians.“ *Political Quarterly*

⁶¹ Kotzev, V. (2021). „Bulgaria's Quiet Rejection of Trumpism.“ *European Politics and Society*

⁶² Demker, M. (2020). „Trump and the Swedish 'Liberal Consensus'.“ *Scandinavian Political Studies*

disliked Trump, many acknowledged his administration's increased military support against Russia.⁶³

Undermining Transatlantic Trust and the Crisis in European Dependence

Trump's rhetoric frequently portrayed Europe as a free rider on U.S. security and economic power, most notably through his criticism against NATO. His repeated attacks on NATO allies for insufficient defence spending (calling them „delinquent“) fuelled fears of U.S. abandonment, forcing Europe to confront its military reliance on Washington. By framing international relations in zero-sum terms, Trump eroded the post-WWII liberal order that Europe had long embraced, creating anxiety over whether the U.S. could still be trusted as a guarantor of collective security.

This had immediate impact on European leaders, particularly French President Emmanuel Macron, who began advocating for „strategic autonomy“ - a push for greater EU defence independence - reflecting a crisis of confidence in the transatlantic partnership.

Populist Resonance and the Fracturing of European Unity

Trump's rhetoric emboldened right-wing populist movements across Europe, which mirrored his anti-immigration, anti-globalist, and Eurosceptic messaging. Political figures like Matteo Salvini (Italy) and Marine Le Pen (France) echoed Trump's scepticism of the EU, amplifying internal divisions. Trump's attacks on the media, judiciary, and multilateralism provided ideological ammunition for European populists, weakening the EU's cohesion. While mainstream European leaders largely rejected Trumpism, his rhetoric deepened ideological fault lines, complicating EU consensus on issues like migration and rule of law.

Economic Nationalism and the Strain on EU - U.S. Relations

Trump's transactional approach to trade disrupted the economic pillar of transatlantic relations. His imposition of steel/aluminium tariffs and threats against European automakers forced the EU to prepare for a more adversarial economic relationship.

Trump's vocal support for Brexit („They called it ‘the Independence Day’“) reinforced Eurosceptic narratives, further destabilizing the EU's political landscape. Europe was pushed to diversify economic partnerships (e.g., strengthening ties with China, advancing EU trade deals) while reassessing its dependency on U.S. market access.

⁶³ Laurinavičius, M. (2021). „Latvia's Trump Dilemma: Fear vs. Gratitude.“ Foreign Policy Research Institute

Reinforcing European Identity Through Resistance

Paradoxically, Trump's rhetoric also galvanized a counter-mobilization of European identity. Polls showed rising support for the EU in response to fears of U.S. withdrawal and global instability. The French president positioned the EU as a defender of multilateralism, climate action, and democratic values in contrast to Trump's unilateralism. Angela Merkel's 2017 remark that Europe could „no longer rely“ on the U.S. marked a turning point in European strategic thinking.

In effect, Trump's disruption accelerated European integration in defence (PESCO) and economic resilience, though divisions persisted.

Conclusion: A Lasting Shock to European Consciousness

Trump's presidency forced Europe into an uncomfortable reckoning - exposing vulnerabilities in its security architecture, economic model, and political unity. While his rhetoric strained transatlantic ties, it also spurred Europe to assert itself more independently. The long-term effects include substantial debate over strategic autonomy (e.g., EU army proposals and increased defence spending), a more fragmented but resilient European identity, balancing between U.S. ties and self-reliance, and a legacy of persisting mistrust, as Europe prepares for potential future U.S. retreats. Ultimately, there is an ambiguous effect of Trump's rhetoric which acted as a stress test for European identity - one that revealed both divisions and unexpected strengths in the face of geopolitical upheaval.

To conclude, Donald Trump's presidency functioned as a discursive turning point in transatlantic relations. His administration's rhetoric, which challenged long-standing principles of cooperation, legitimacy, and institutional trust, contributed not only to political tensions but also to a deeper process of reflective identity formation within the EU. In response to this new form of „rhetorical othering,“ the EU mobilized its institutional resources, strategic narratives, and normative frameworks to reaffirm itself as a global actor committed to multilateralism, responsibility, and shared values. Thus, what began as a crisis in the transatlantic relationship evolved into an opportunity for the European Union to more clearly define its role in the 21st century.

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IS THE EUROPEAN PROJECT IN DANGER?

*„What does this crisis mean for our social thinking? What lasting influence will the crisis have on the political balance of power?
Where do the new ideological ruptures of tomorrow lie?
This crisis will lead us into a new era, but in which one?“
(Guy Verhofstadt)*

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Abstract:

Can the simple questioning of all the premises that formed the basis of the creation of the European Union (peace, stability, prosperity and solidarity) endanger the contemporary European construction itself?

This paper seeks through exploratory research of the historiography of crises, to demonstrate that the immediate effects of recent and current crises (instability, lack of solidarity, mistrust or fear), deeply affect precisely the identity foundations of the European construction: well-being, mercy and Christian empathy, trust in institutions and peace. By means of causal demonstration, the text highlights the immediate psychological mass effects after each crisis, then seeking to highlight the connection between these effects and the objectives and values of the EU that they affect, undermine, threaten. The final purpose of the paper lies in the answer to the research question announced, namely in an initial assessment of the extent to which the period of recent European history and its crises affect the European project itself by questioning its identity elements.

Keywords: Common values, European Construction, Trust, European Solidarity, The survival of European construction.

Introduction

From whatever perspective we look at things, a careful look and evaluation shows that the last 15 years posed significant challenges for the Union, marked by crises which tested its resilience. They can be classified in different ways, one of the perspectives we also offer in a recent work. „In evaluating the mentioned period, we will resort to a classification of the crises recorded by the European Union from the perspective of their sources: we will first refer to **endogenous crises**, i.e. those whose source is internal to the Union; we will

remember them as we have already referred to them, namely the Empty Chair Crisis, the Danish rejection of the Maastricht Treaty in 1992, and the fate of the Constitutional Treaty. Subsequently, we classify **as exogenous crises**, the Oil Crisis, the Financial Crisis of 2008, the Immigrant Crisis, and the Global Pandemic of 2020, the War in Ukraine. **The first assumption proposed is that in the past 15 years the crises that have affected the Union are very often endogenous**, as we have already pointed out in another article.¹

Starting from the premise that all these crises, regardless of their source, have produced effects, we will direct our attention, throughout this work, to them.

More precisely, the effects that the crises recorded by the EU can produce changes in the collective mentality of the citizens of the Union. The institutional effects have already been addressed by us in the article already cited, emphasizing the importance of the term „resilience“ which has already entered the usual vocabulary of the Community Acquis.

The effects on the collective mentality are of interest to us, therefore, and then we will have to look for their interrelationship with the general atmosphere registered by the EU from the perspective of its own citizens' trust in the EU institutions, in their ability to deal with the times we live in and, obviously, the ultimate goal of our work, to see if these effects do not question the very foundation of the European construction and, therefore, its future.

Crises and mass psychological effects

Starting from the configurations of the term crisis, according to which „any group in which at least the leading and fluent members or active minorities are aware that the control mechanisms and their identity are subjected to a generally unforeseen test, considered transitory, dangerous, and with uncertain resolution, is in crisis“², we will insist on the four crises we have mentioned (budgetary-financial 2008, asylum seekers 2015, pandemic 2020, Russian aggression in Ukraine 2022). We will try to capture and then suggest what their effects may be in the collective mind of European citizens, *specifying that we are interested in the effects of crises from the perspective of the fundamentals (principles, objectives and values) that underpin the European construction*. More precisely, we will not look for scientific, economic, financial, institutional configurations, but we will be interested in the psychological aspects and effects on the collective mind, more precisely, which could undermine the authority and even the legitimacy of the European Union. In other words, we will seek to observe whether the successive crises registered by the EU can affect its citizens' confidence in the general course of European unification and, automatically, in its identity.

¹ Dorin Dobra, *The perpetuation of the Crisis at the level of the European Union. It's time for Resilience*, in volume *Strategic Narratives in Turbulent Times: Communication, Legitimacy and Global Stakes*, Ed. Presa Universitara Clujeana, Cluj-Napoca, 2025, p. 63.

² Larousse, *Dictionar de sociologie*, Ed. Univers Enciclopedic, Bucureşti, 1996, p. 73.

1. The financial-banking crisis of 2007 represents the first presumed event to cause damage to the trust of citizens. „The transparency and integrity of U.S. financial markets have always been a magnet for global financial flows. Much of this trust has now dissipated and will be put to the test even more difficult in the years to come. To restore credibility, U.S. officials and world finance leaders must openly acknowledge the proportions of the problem. (...) Otherwise, the costs – the loss of confidence in the U.S. markets – will be far greater than a single trillion dollar drop in assets, as painful as that may seem.”³

The „trust“ is a feeling that seems essential to us in the light of the demonstration attempted at in this paper. Because citizens’ trust, first Americans and then Europeans, in financial institutions later develops ramifications that have additional effects. „The exit from the crisis that began in 2008 will involve many measures of different natures: financial, economic, social. Things seem to be so that such measures will not be enough. The crisis is related to the way in which globalization has been practiced until today and, through this, to the „mode of development“ that has been assumed in recent decades in late modernity.“⁴

Sufficient references, therefore, to the depths of the effects of the financial-banking crisis of 2008 are necessary, because without great memory efforts we will refer to the specific issues of the period, regarding globalization, interdependence of markets and monetization of the economy. These are all the premises of what we want to emphasize in the next chapter of the paper regarding the profound effects of each crisis.

2. The Middle East Migrant Crisis which threatened the European Union in 2015-2016, was a crisis whose management underwent corresponding analyses and evaluations at the time. Not leaving emphasized the decision of German Chancellor Angela Merkel, who, in our opinion, saved the European Union in the face of a possible crisis of solidarity between states by accepting the main wave of immigration, we will draw attention to a more profound aspect: the fact that European immigration policies have been weak, uncoordinated and have not offered viable solutions to the phenomenon even today, although it is at the top of European citizens’ concerns. „For many years, throughout Western Europe, the issue of immigration has always been at the top of the list of public concerns. (...) If the reaction, beyond ignoring the concern, is to affirm that, in fact, nothing can be done to solve the problem, then radical alternative solutions will certainly begin to be woven. In the best case, such concerns will manifest themselves at the ballot box.“⁵

We will return to the term „confidence“ also underlined in the paragraphs dedicated to the financial-budgetary crisis. „The refugee crisis is ravaging Europe

³ Charles Morris, *Criza de un trillion de dolari*, Ed. Litera, Bucureşti, 2010, p. 16.

⁴ Andrei Marga, *Crisis and after the crisis*, Eikon Publishing House, Cluj-Napoca, 2009, p. 90.

⁵ Douglas Murray, *Strania sinucidere a Europei*, Ed. Corint, 2019, pp. 89-90.

because it shakes, first of all, trust. (...) Think that this „quarrel“ will be resumed with each wave of refugees. And each time we will look at the effects and turn our backs on the true causes. This is how trust is eroded.⁶ The author's projections give us enough reasons to refer again to the contents of the next subchapter of our work.

3. The Covid-19 Pandemic, a global crisis, at the level of history was only the latest in the series of pandemics that have accompanied humanity throughout its history. At the European level, however, it has configured reactions during the effort to interrupt the spread of the virus, which have registered initiatives to suspend freedom of movement (obviously affecting the Schengen Treaty) by closing national borders, as well as disparate examples of „national selfishness“ in the administration of medical resources, especially until the Health Security Committee came into force. „Pain and suffering, economic hardship and displacement have led world leaders to abandon the idea of international cooperation and stay safe, close their borders and forge their own plans for resilience and recovery.“⁷

However, the great tension created by the methods identified by governments and then supranational institutions, has brought into debate precisely the citizens' confidence in the professional capacity of the medical system, and especially in the political and administrative competence of EU representatives. From this perspective, the continuation of the investigation of the President of the European Commission regarding the contents of the direct dialogue with the representatives of the large vaccine manufacturing companies is an eloquent example.

4. The Russian aggression in Ukraine, which started in 2022, the unprovoked Russian aggression on Ukraine's sovereign territory goes on with few signs of predictable peace. By offering various configurations and creating expectations to match (Donald Trump's promises are an example in this case) the criminal campaign started by Russia puts the European Union, perhaps, in front of the greatest test in its history. The Union not only delivers solidarity in the spirit of its founding values but defends its own existence in the face of Russia that would endanger its very foundations and objectives, and, therefore, its own existence. Aware since the very beginning of the Ukrainian crisis, reconfirmed along the way, these issues are the greatest that the Union must overcome. „(8)The EU is united in its solidarity with Ukraine and will continue to support Ukraine and the Ukrainian people together with its international partners, including through additional political, financial, humanitarian and logistical support and an international donors' conference. Following the decision of the Heads of State or Government in December 2016, the European Council recognises Ukraine's European aspirations and choice of the European path, as set out in the Association Agreement.“⁸

⁶ Paul Dobrescu, *Crizele de după Criza*, Ed. Litera Bucuresti, 2016, p. 297.

⁷ Fareed Zakaria, *10 lectii pentru o lume postpandemică*, Ed. Polirom, Bucuresti 2021, p. 210.

⁸ Consilium.Europa.eu, *Concluziile Consiliului European din 24 februarie 2022*, <https://www.consilium.europa.eu/ro/press/press-releases/2022/02/24/european-council-conclusions-24-february-2022/>, accessed on 30.05.2025.

Faced with the new reality of the transatlantic relationship, the EU is currently in the process of configuring a resizing of its own defence industry. Both the fate of the war and the assessments that EU citizens make for the first time during the more-than-70-year history of the common European construction in which they have to become aware of the existence of war on the borders of the current Union depend on the speed of this process, on the Union's unity and efficiency. Having profound effects on the collective mind, the possibility of expanding the war is on the lips of many, especially in the neighbouring countries of the two belligerent states. With profound effects on the collective mind, the possibility of expanding the war is on the lips of many, especially in the neighbouring countries of the two belligerent states.

Mass psychological effects and European values threatened

We will not try to prove that the European Union has lost its purpose. What we are aiming for is in an attempt to show that a process of erosion is taking place at the foundations of the EU. More precisely, we go further with the projection of the simple assessment of the effects of the multiple crises that the EU has gone through and is still going through. For more profoundly, the direct effects (financial losses, social disorder, temporary suppression of freedoms or increase in the price of products) touch precisely the foundation of the European Union by calling into question the objectives, values and purpose of construction. In addition, this produces even more profound effects. But let us go back to the in-depth effects specific to each crisis, as we have identified them, one by one.

More than the mere evaporation of a few trillions, **the financial-budgetary crisis** of the end of the first decade affects the fundamental objective of the EU, namely „prosperity“, as announced⁹. We are talking, therefore, about the first document related to the creation of today's European Union, in which (despite being out of operation after 50 years) the first objective of the European construction is assumed, see later the Treaty on the European Economic Community, the Treaty on European Union. „Improving the standard of living“ was the main objective of supranational construction, along with „maintaining peace“, and bringing financial instability to European citizens together with the financial-banking crisis brought them to the situation of questioning this „prosperity“.

In its turn, the **Migrant Crisis** has questioned the very Christian foundation of the citizens of the Union, namely their capacity for „empathy“ or „compassion“. „Throughout this era of out-of-control immigration, what seemed to triumph consistently was compassion. (...) Of course, the question has rarely been asked of how much compassion you show when you encourage

⁹ Art. 2 Treaty establishing the European Coal and Steel Community (Paris, 18 April 1951), https://www.cvce.eu/en/obj/treaty_establishing_the_european_coal_and_st..._paris_18_april_1951-en-11a21305-941e-49d7-a171-ed5be548cd58.html, accessed on 30.05.2025.

people to travel all over the globe to reach a continent with too few homes and too few jobs, where they would be less and less wanted.”¹⁰

Without wishing to raise more questions than needed, we will mention the Constitutional Treaty on the EU which came into existence at the beginning of the millennium; we will only point out the fact that the fundamental values stemming from the Judeo-Christian identity of the European population are today put under great pressure by the immigration file on the continent and the proof is that in EU surveys, immigration ranks first in terms of threats or concerns.

The Covid-19 Pandemic has questioned another fundamental element of the European construction: Security. Provided for in the Treaty on the European Economic Community, existential security (food, health, etc.) is a fundamental objective of the EU. Moreover, in Article 3 of the Treaty of Rome, health is even provided for in paragraph 0, by which the newly established Community aims to ensure „a contribution to the achievement of a high level of health protection.”¹¹

The Russian-Ukrainian War, the result of the unprovoked Russian aggression in Ukraine, also calls into question the security of the continent, therefore precisely peace, the main initial reason for the common European construction, as it was provided for in the founding treaties and in the presentation of the project by the founding fathers. „The contribution that an organized and active Europe can make to civilization is indispensable for the maintenance of peaceful relations.”¹²

The very questioning of continental peace can certainly have effects on the conscience of European citizens and the way in which they perceive the European Union’s ability to face the most substantial threat in its entire history.

We have listed, in order, the objectives and values of the Union besieged by the four crises, trying to highlight possible profound effects of the crises on the European collective mind. Well-being, Christianity, health security and continental peace are all part of the essence of Europeanness and when the foundations are endangered, identities can disappear.

Final thoughts and evaluations

This paper started from the daytime reality available for personal evaluations. A certain social feverishness, precise political configurations (nationalist tendencies, even extremist in votes), the modification of the attitudes and opinions

¹⁰ Douglas Murray, *Ibid*, p. 405.

¹¹ Tratatul de la Roma, <https://www.europarl.europa.eu/about-parliament/ro/in-the-past/the-parliament-and-the-treaties/treaty-of-rome>, accessed on 30.05.2025.

¹² Schuman Declaration, May 9, 1950, https://european-union.europa.eu/principles-countries-history/history-eu/1945-59/schuman-declaration-may-1950_ro, accessed on 30.05.2025.

of EU citizens, and automatically, the belief that „something is happening“ at the European level at least may be even planetary, in the opinion of many. However, the present trends were announced a long time ago, J.O. Gasset being one of the many theorists who consistently referred (1930) to the current phenomena. „Democracy and law, the legal community, were synonymous. Today we are witnessing the triumph of a superdemocracy in which the masses act directly without law, imposing their aspirations and tastes through material pressures.“¹³

The way revealed by the „superdemocracy“ to which J. Gasset referred is today, it seems, more valid than ever. However, this paper tried to offer a potential cause of the weight, the contemporary consistency of the phenomenon, starting from the premise that the last almost 20 years of the EU's history have been marked by successive crises that have left deep traces in the European collective mind. And here we can also state the main conclusion of our work: **Through its effects, each crisis has eroded the confidence of European citizens in its ability to deliver and maintain objectives, values and goals such as well-being, peace or unity and solidarity.** From here, at the national level, nationalist, sovereigntist, anti-European configurations appear, somewhat natural in times of such density. „Many countries are looking for a form of civilization that would succeed in the tour de force that would consist of bringing together their own tradition and the deeply rooted values of life forms with economic progress directed in the European manner“¹⁴

Referring also to the general European atmosphere, we preferred to follow the profound effects produced by the aforementioned crises, going beyond the simple quantification of material losses or temporary suffering. Because, it seems obvious to us, over the past few years, trust in the EU seems to be weakening although the assessment of the capacities of the European institutions in the face of crises is at least acceptable, in our own opinion. However, inherently, at the level of trust, respectively, of the share capital, as Fukuyama calls it, there are obvious losses. „Share capital is a capacity given, in a certain company or in some parts of it, by the predominance of trust (...). Created and transmitted through cultural mechanisms – religion, tradition, historical custom – social capital differs in this way from other forms of human capital.“¹⁵ In line with the well-known author, we appreciate that the term „trust“ as share capital is fundamental to any company and at the EU level it is affected as a result of successive crises.

The result, theorized by another great contemporary thinker, Habermas, materializes in „the crisis of legitimacy, consisting in the difficulty of preserving the legitimacy through the classical methods of liberal democracy, taken as a normative basis, of functioning in the state, given that technically motivated

¹³ J.O. Gasset, *Revolta maselor*, Humanitas Publishing House, Bucharest 1994, p. 47.

¹⁴ Hans Georg Gadamer, *Moștenirea Europei*, Polirom Publishing House, 1999, p. 144.

¹⁵ Francis Fukuyama, *Trust*, Ed. Antet, Prahova, 1996, p. 17.

measures are promoted^{“16} and the references to the contestation of immigration policy, or to the measures adopted during the pandemic speak to us precisely about this.

Clearly, Europe is in a period of necessary transformations. It is time for new models and solutions to emerge, especially from those who run it. „Today, the descendants of those who invented sovereignty, and the nation state are being asked to devise new reforms of supranational democracy to encompass the new type of political integration already achieved.“¹⁷ Because, otherwise, the risks are obvious and the effects are visible: legitimacy, trust are lost. „A political class that is no longer moved by a project or a set of ideas is reduced to a simple management machine that makes strange laws and governs in some way. How many politicians are driven by bigger projects, by a certain fluidity of thought, anger or vocation?“¹⁸

It is already mentioned this aspect: we do not doubt the EU’s capacity to manage crises, but its power to return to consistent levels of confidence, through bold projects in times of crisis. Europe will not get lost in the tumult of damage, figures or goods, but it must demonstrate to its citizens that it can formulate new projects that reconfirm its identity, its objectives and values, its history and its future.

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¹⁶ apud Andrei Marga, *Criza și după criză (Schimbarea lumii)*, Editura Eikon, Cluj-Napoca, 2012, p. 34.

¹⁷ Loukas Tsoukalis, *Ce fel de Europă?*, Bric All, Bucharest, 2005, p. 257.

¹⁸ Wilfred Martens, *Europa: lupt și inving*, Ed. All, Bucuresti, 2011, p. 86.

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POLITICAL RIGHTS, CITIZENSHIP AND EU VALUES: NEW PERSPECTIVES FOR A EUROPEAN POLITICAL CONSCIOUSNESS

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Abstract:

This article¹ examines the compatibility of national laws in the Czech Republic and Poland – which restrict membership in political parties to nationals – with Article 22 TFEU, in light of two recent CJEU judgments. It explores the implications of these rulings for the political rights of mobile EU citizens, their participation in the democratic life of their host Member States, and the broader interconnection between citizenship, democracy, and EU values. By analysing the Court's reasoning and the underlying legal framework, the article highlights how the rulings affirm a substantive vision of Union citizenship grounded in equality and representative democracy. The conclusion offers critical reflections on the current state of political consciousness in the EU and the challenges facing the integration of mobile citizens into national political life.

Keywords: EU Values, Democracy, European identity, Political consciousness.

Introduction

The judgments in *Commission v Czech Republic*² and *Commission v Poland*³, both delivered on 19 November 2024, offer a valuable opportunity to reflect on the effective exercise of political rights in the European Union as a concrete manifestation of the principle of democracy. These cases, decided on the same day and addressing the same legal issue, concern infringement actions brought by the European Commission against the Czech Republic and Poland for

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² CJEU 19 November 2024 case C-808/21. European Commission v Czech Republic.

³ CJEU 19 November 2024 cases C-814/21 European Commission v Republic of Poland.

maintaining national legislation that restricts membership in political parties to nationals only⁴.

The Commission argued that denying EU citizens who have exercised their free movement rights (the so-called „mobile citizens“⁵) the ability to join political parties in their host Member State limits their chances to stand in municipal and European Parliament elections, thus violating Article 22 TFEU and the principle of equal treatment. The Court of Justice (CJEU), aligning with Advocate General de la Tour⁶, found that the Czech and Polish laws infringed EU law. Importantly, the Court held that the right to stand as a candidate cannot be effectively exercised unless EU mobile citizens are also permitted to become members of political parties in their Member State of residence.

While the outcome of the cases may appear predictable given the clear breach of the principles of non-discrimination and equal treatment between national and mobile EU citizens, the rulings are particularly noteworthy for the Court’s reasoning. The judgments extend beyond the narrow scope of EU citizenship and are significant for multiple reasons – not only for their interpretation of the political and electoral rights of mobile Union citizens, but also for the Court’s innovative reliance on Article 10 TEU as a vehicle for giving concrete effect to the value of democracy enshrined in Article 2 TEU.

In this respect, commentators⁷ have observed that the rulings pave the way for the enforcement of democratic values under Article 10 TEU. This is because Article 10, when read in conjunction with Article 2 TEU, may apply even to „purely internal“ situations, thereby extending its normative reach beyond Article 22 TFEU. Notably, although the rights of mobile citizens to vote and stand in municipal and European elections are directly enshrined in Article 22, the Court simultaneously grounded its reasoning in Article 10 TEU, thus reinforcing the broader, participatory dimension of Union citizenship and the fundamental value of democracy.

The Legal Framework: Political and Electoral Rights in EU Law

The cases revolve around a complex web of EU legal provisions involving citizenship, democratic values, and political rights. These are found in the

⁴ For some comments see Eroico, F. (2024), Peers, S. (2024), Schuler, M. (2024), Vissers, N. (2024), Mauri, F. (2025), Schuler, M., & Verellen, T. (2025).

⁵ In the context of the European Union, the concept of ‘mobile’ citizens has long been used to identify the intra-EU mobility of Union citizens, regardless of the membership of their States of origin or residence in the Schengen Area, together with the set of rights guaranteed to them, as opposed to the rights of individuals who are not citizens of the Member States, but who are instead nationals of third States.

⁶ Opinion of Advocate General de la Tour delivered on 11 January 2024.

⁷ Schuler, M. (2024) argued that in those judgments transpose the landmark case Portuguese Judges on effective judicial protection - judgment of the Court (Grand Chamber) 27 February 2018, Case C64/16 - to the value of democracy.

Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU), the Charter of Fundamental Rights of the EU (CFREU), and secondary legislation such as Directives 93/109/EC⁸ and 94/80/EC⁹, which regulate the participation of EU citizens in European Parliament and municipal elections, respectively¹⁰.

Within the TEU, citizenship-related provisions are closely tied to democratic principles and the institutional structure of the Union. As such, all references to citizenship in this Treaty carry a distinctly political dimension. Article 9, in Title II, establishes that Union citizenship is acquired through nationality of a Member State and is additional to, not a replacement for, national citizenship. Article 10 TEU affirms that the functioning of the Union is based on representative democracy. Citizens are represented at Union level in the European Parliament and are entitled to participate in the democratic life of the Union (Articles 10(2) and 10(3) TEU)¹¹. Article 10(3) further specifies that „[e]very citizen shall have the right to participate in the democratic life of the Union.“ Additionally, Article 10(4) provides that political parties operating at the European level must contribute to the formation of European political awareness and to expressing the will of Union citizens.

Article 11 TEU, meanwhile, enshrines the principle of participatory democracy, complementing the traditional principles of representative democracy with new forms of citizen involvement, such as the European Citizens' Initiative (ECI)¹². This provision ensures that citizens can contribute effectively to the public good beyond traditional electoral mechanisms.

The TFEU, particularly Part Two, lists several rights linked to citizenship. Articles 20 (2)(b) and 22 TFEU are particularly relevant, affirming the right

⁸ Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ 1993 L 329, p. 34), as amended by Council Directive 2013/1/EU of 20 December 2012 (OJ 2013 L 26, p. 27) ('Directive 93/109').

⁹ Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals (OJ 1994 L 368, p. 38).

¹⁰ These directives have recently been the subject of attention by the European Commission, which, with the so-called 'Democracy and Transparency' legislative package presented on 25 November 2021, has proposed an update, drafting amendments to clarify and strengthen the existing rules in order to address the difficulties faced by EU citizens in exercising their voting and electoral rights. In this regard, see the proposals (COM (2021) 732 final and COM (2021) 733 final)

¹¹ The provision also states that Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens. In summary, the aforementioned provision establishes the dual mechanisms of indirect and direct democratic legitimacy on which the Union is founded.

¹² As stated by one of the main theorists of this concept, Carole Pateman (1970), through participatory democracy one wants to make democracy 'really matter in people's daily lives by extending the sphere of control'.

of EU citizens to vote and to stand in municipal and European Parliament elections in their Member State of residence under the same conditions as nationals. These rights are conditioned upon residence in a Member State other than one's own and emphasize equal treatment.

The rationale behind this is to facilitate deeper integration of mobile citizens into the local political communities where they live, thereby complementing the exercise of their right to free movement¹³.

The CFREU also enshrines these rights, with Articles 39 and 40 separately addressing voting rights in European and municipal elections. Additionally, Article 12(2) CFREU affirms the right to freedom of association in political parties as essential to a pluralistic, democratic society.

The Court's Reasoning

In its November 2024 rulings, the CJEU established a substantive link between the rights enshrined in Articles 22 TFEU and 39-40 CFREU and the value of democracy under Article 2 TEU, operationalized through Article 10 TEU. The Court emphasized the essential role played by political parties in the functioning of representative democracy, thus anchoring its interpretation in both institutional logic and constitutional values.

Three key lines of reasoning emerge from the Court's judgments. First, the Court held that Article 22 TFEU must be interpreted not merely on its wording but considering its objectives and context. While the article does not explicitly mention political party membership, it prohibits any conditions for exercising electoral rights that would not apply to nationals. Therefore, excluding mobile EU citizens from joining political parties violates this non-discrimination principle¹⁴. According to the Luxemburg Court, from the wording of Article 22 TFEU those political rights, are to be exercised subject to detailed arrangements adopted by the Council, respectively, Directives 93/109 and 94/80: although those directives do not carry out an exhaustive harmonization of Member States' electoral systems and do not contain provisions relating to the conditions for the acquisition of membership of a political party by the non-nationals¹⁵, however, their scope cannot, even implicitly, limit the scope of the rights and obligations arising under Article 22 TFEU¹⁶, otherwise the effectiveness of the rule of non-discrimination on grounds of nationality enshrined in Art.22 TFEU would be undermined¹⁷.

¹³ García García, M.J. (2023).

¹⁴ See, to that effect, judgments of 12 September 2006, Spain v United Kingdom, C-145/04, EU:C:2006:543, paragraph 66; of 12 September 2006, Eman and Sevinger, C-300/04, EU:C:2006:545, paragraph 53; and of 6 October 2015, Delvigne, C-650/13, EU:C:2015:648, paragraph 42)

¹⁵ As stated in the fifth recital of Directive 93/109 and the fourth recital of Directive 94/80.

¹⁶ See para 101-105 case C-808/21 and para 100-104 case C-814/21. Specifically, para 104 case C-808/21 and para 103 case C-814/21.

¹⁷ See by analogy, as regards Article 21(1) TFEU, judgments of 12 March 2014, O. and B., C 456/12, EU:C:2014:135, para. 54, and of 27 June 2018, Altiner and Ravn, C 230/17, EU:C:2018:497, para. 26.

Second, the Court situated Article 22 TFEU within the broader framework of EU citizenship (Articles 20 and 21 TFEU), representative democracy (Article 10 TEU), and non-discrimination (Article 21 CFREU). It emphasized that these provisions realise a phenomenon of direct refraction of Union citizenship on the internal political organisation of the Member States through the integration of the mobile Union citizen into their host societies and to ensure their political representation¹⁸. The judges rejected the argument that Article 22 TFEU is an exception to a general rule limiting political participation to nationals, and, instead, affirmed that EU citizenship is the fundamental status of nationals of the Member States¹⁹ and must be given full effect.

Furthermore, the Court linked the rights under Article 22 TFEU to the right to freedom of association in Article 12(1) CFREU, which protects political participation through collective action. Political parties, as specific forms of association, play a vital role in fielding candidates and shaping electoral competition. Thus, the Court found that restricting party membership to nationals impairs not only freedom of association but also the effective exercise of electoral rights.

Third, the Court addressed the appeal to national identity under Article 4(2) TEU. While acknowledging that political parties are part of a state's national political life, the Court ruled that national identity cannot override the binding obligations arising from Articles 2 and 10 TEU. The values enshrined in these articles (democracy and equality) are part of the EU's constitutional identity and impose legal limits on Member States' discretion. Specifically, the Court emphasized that these are not merely aspirational ideals but legally binding standards that create enforceable obligations for Member States. Allowing EU citizens residing in a Member State to become members of political parties in that State, for purposes of participating in municipal or European elections, does not undermine national identity; on the contrary, it ensures the full realization of democratic participation and equal treatment within the framework of Union law.

All in all, these interlinked provisions—spanning the Treaties and the Charter—enable the Court to give substance to the otherwise abstract notion of democracy as a value of the Union²⁰.

Critical remarks and open issues

The judgments have generated both criticism and important legal questions: the Court appears to go beyond the explicit wording of the article 22 TFEU by deriving implicit rights, notably the right of EU citizens residing in another

¹⁸ Triggiani, E. (2008).

¹⁹ CJEU 20 September 2001, case C-184/99, Grzelczyk, para 31 and 17 September 2002, case C-413/99, Baumbast, para 82. See Morviducci, C. (2023).

²⁰ Vissers N. (2024).

Member State to join political parties. The rules on membership of political parties, in fact, fall under the competence of national law, which are free to determine the substantive content of electoral rights within the limits set by the directives 94/80/EC and 93/109²¹. By adopting a contrary standpoint, the Court asserts that engagement with a political party constitutes an issue that falls within the scope of EU law, unless the directive explicitly excludes it²². This interpretation opens the door to a broader reading of the provision, including the possibility of its direct horizontal effect - meaning it could be invoked not only against public authorities but also private actors such as political parties. As a result, Member States may have a positive obligation to adopt legislation ensuring non-discriminatory access to party membership for mobile EU citizens²³.

Moreover, the debate over electoral rights brings to light broader issues concerning the definition of the positive obligations that Article 10 TEU might impose on Member States in order to give concrete expression to the value of democracy enshrined in Article 2 TEU: What democratic standards must Member States uphold under Articles 2 and 10 TEU? Which national institutions are responsible for their concrete implementation?²⁴

Finally, the discussion on EU citizens' rights has reignited the long-standing issue of political inclusion for third-country nationals (TCNs) who are long-term residents. Although the EU has committed to progressive equality between EU and non-EU residents - most notably through Directive 2003/109/EC²⁵ and various European Parliament resolutions²⁶ - these commitments have not been fully translated into national practices²⁷.

Final Remarks

The 2024 judgments in *Commission v Czech Republic* and *Commission v Poland* represent a significant doctrinal development in the Court of Justice's interpretation of Union citizenship and the value of democracy in EU law. While the infringement proceedings formally concerned restrictions on the right

²¹ However, as is clear from the case law of the Court of Justice, they must, in exercising their competence, respect the obligations and principles arising from Union law and, in particular, the principle of non-discrimination.

²² See case C-808/21, para 104 and case C-814/21, para 10.

²³ The European Parliament has echoed this concern in its legislative resolution of 14 February 2023 on electoral rights, encouraging national parties not to restrict membership based on nationality. See the proposal for a Council directive (recast) (COM(2021)0732 - C9-0021/2022 - 2021/0372(CNS)

²⁴ Schuler, M. (2024).

²⁵ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term resident.

²⁶ See para 33 of European Parliament resolution the Communication from the Commission on immigration, integration and employment (COM(2003) 336 - 2003/2147(INI).

²⁷ Triggiani, E. (2024).

of EU citizens to join national political parties, the Court seized the opportunity to articulate a broader and more ambitious vision of democratic participation as a core component of EU citizenship. In fact, by anchoring its reasoning in Articles 22 and 20 TFEU, complemented by Article 10 TEU and the CFREU, the Court affirmed that the effective exercise of electoral rights cannot be separated from meaningful political inclusion. In this regard, political party membership is not merely a procedural formality but an essential precondition for the realization of the rights to vote and stand as a candidate in European and local elections.

The judgments go beyond the immediate context of political party membership to articulate a constitutional logic in which democratic values -long enshrined in the Treaties - gain operational legal force.

These rulings may thus be seen as a further step toward consolidating a supranational concept of democracy within the EU legal order - one that is not merely reliant on state-based traditions but grounded in Union citizenship and the rights that flow from it. They underscore the Court's role not only as an arbiter of legal consistency but also as a constitutional actor affirming and enforcing the normative values of the Union.

Looking ahead, these judgments may stimulate both jurisprudential and legislative developments aimed at strengthening the democratic participation of mobile EU citizens and clarifying the scope of political rights within the framework of EU law. They reaffirm that democracy, as a value and as a legal principle, is not merely aspirational, but enforceable - and that EU citizenship must be understood and implemented in light of this imperative.

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EXPLORING BEYOND THE FORMAL CHARACTERISTICS OF THE EU ENLARGEMENT POLICY

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Abstract:

The shifting security environment in Europe necessitates an urgent reform of the EU's enlargement policy. Its meaningful redefinition requires a systematic understanding of the underlying principles, operational mechanisms, and their concrete effects. This paper examines its real-world application by studying the European Commission's annual reports for four candidate and potential candidate countries. Using a mixed-method qualitative-quantitative approach, we identify key structural characteristics beyond official discourse. These findings lay the groundwork for significant reforms in the EU's approach to future enlargements.

Keywords: EU enlargement policy; Transformation in the Western Balkans and former Soviet states

Introduction

The shifting security environment in Europe, accelerated by Russia's war against Ukraine, has heightened the political relevance of the EU's enlargement policy. Until 2022, the process had largely stagnated in the face of persistent challenges in candidate countries – including limited economic competitiveness, inconsistent adherence to democratic norms and the rule of law, and deep-rooted differences in historical experience, political culture, and socio – economic development (Börzel 2023; Schimmelfennig 2023b; Sydow and Kreilinger 2023). The current geopolitical context has revitalised enlargement, expanding both its scale and strategic scope. At the same time, however, it has placed substantial pressure on the EU to reassess the principles and mechanisms guiding accession (Schimmelfennig 2025; Börzel 2023; Doma-radzki 2023; Schimmelfennig 2023a; Sydow and Kreilinger 2023; Nizhnikau and Moshes 2024).

The upcoming enlargement is being conducted under a renewed methodology which was adopted in 2020 and initially designed for the Western Balkan

countries. This reform was rooted in a critical reflection on past experiences—particularly the challenges associated with the post-accession trajectories of Bulgaria and Romania. The framework was designed before the outbreak of the war in Ukraine, and its application has since been complicated further by shifting geopolitical priorities and evolving strategic imperatives.

Analytical Approach

This paper investigates the underlying logic of the EU's current enlargement methodology, which is most clearly embedded in the European Commission's annual enlargement reports. Therefore, the contents of the latest reports for four candidate countries – Albania, Serbia, Ukraine, and Moldova – will be used as an empirical source to explore the political mechanisms shaping enlargement practice.

Specifically, the analysis examines:

- 1) the portrayal of key actors in the process;
- 2) the portrayal of the progress in the core reform areas.

Through this dual focus, the paper reconstructs the EU's operative priorities in the enlargement policy, moving beyond declarative rhetoric to uncover its underlying logic.

Socio-historical background

The EU enlargement policy, necessitated by the Eastern enlargement, was fundamentally a non-military solution to complex geopolitical challenges post-Cold War, such as German reunification and regional instability (O'Brennan 2007; Veleva 2021; Dimitrov 2023). Despite the incompatibility of CEE countries' political, economic, and societal models with Western European principles, which called for deep structural reforms, the process was managed with a „logic of historical continuity“ (Dimitrov 2023).

To sidestep political disputes, enlargement management was depoliticized and delegated to the European Commission, framing it as a technocratic procedure primarily focused on rule transfer (acceptance of the *acquis communautaire*) rather than deep, irreversible reforms. This approach exposed major flaws in conditionalities, revealing that assumptions about the EU's „power of attraction“ and „power asymmetry“ were debatable, particularly in the face of local resistance to reforms (Popova 2022). Paradoxically, academic literature often mirrored this policy logic, solidifying its presumed validity instead of prompting a fundamental redefinition of the cognitive perspective (Dimitrov 2026).

The limited and uneven outcomes of the Eastern enlargement, still evident almost two decades after Bulgaria and Romania's accession, underscore these persistent shortcomings. While the European Commission formally updated its approach after Croatia's accession, emphasizing tangible results and fundamental

chapters, these changes do not affect the foundational assumptions that continue to rely primarily on the transfer of legislation. This raises the critical question of whether the proclaimed new approach is genuinely transformative or merely a continuation of the old one, and if it can effectively prepare countries for meaningful and sustainable EU membership.

Case selection

The four cases – Albania, Serbia, Ukraine, and Moldova – were selected to capture variation across key dimensions relevant to EU enlargement: regional context, formal accession status, and political trajectory. Albania and Serbia represent the Western Balkans and are at different stages of the negotiation process, offering insights into how procedural progress intersects with political challenges. Ukraine and Moldova reflect the EU's evolving engagement with the Eastern Partnership region, where geopolitical urgency has redefined traditional accession logic.

This selection enables a comparative analysis of how the EU's revised enlargement methodology operates across distinct settings. More importantly, it reveals how formal criteria interact with informal drivers – such as regional security concerns, strategic alignment, and perceived loyalty – highlighting the underlying rationale shaping enlargement decisions.

Methodology:

The paper builds on the social constructivist paradigm as a productive perspective to studying the subject of EU enlargement. This methodological perspective views the process as a complex interaction between multi-level actors who take part in this interaction through their perceptions, values, beliefs, attitudes, goals. The EU with its complex structure of interests between member states, institutions, businesses, citizens, is represented in this interaction by the European Commission. The clearest expression of the Commission's priorities and goals sought in the different countries, as well as the methods to achieve, are the annual reports in the enlargement packages. Thus, we will use as an empirical source the latest reports published in October 2024 by the European Commission on the four studied countries.

While acknowledging that these reports reflect the official and formalized vision of the EU, and not the entirety of the complex political interplays behind enlargement, the analysis aims to go beyond declarative content. To this end, a tailored qualitative-quantitative analytical instrument has been developed to reconstruct the structure of implicit priorities and logics within the reports – what we refer to as the Commission's practical enlargement logic.

This method consists of a number of concrete steps. Firstly, the documents will be broken down into individual semantic accents, representing the different variants of meaning. At the next step, these semantic accents will be structured

back together following the logic of the research subject itself. Then each individual semantic accent will be placed under the specific actor it is related to. In this logic, we will reach a complete structure, allowing us to grasp the general picture of the actual priorities in the process. This structure will differ greatly from the structure of the declarative priorities, presented in the report, and will be instructive for evaluating the selection of the concrete elements which will then be subjected to in-depth quantitative analysis.

Empirical results:

The following will present the results of the empirical analysis on the four candidate states:

Albania:

Starting with Albania, we have identified a very diverse picture of actors - most of them concentrated internally within Albania (the most represented actors being Parliament, Government, Albanian authorities, media, judicial system but we also see reference to civil society, police, customs and others, some represented with just a single semantic accent), or the EU, including the EC, leaders, MSs. There are a few semantic accents that refer to actors from the Western Balkan region, Russia, Ukraine, and a number of Western actors.

As a next step, we will take a close look at how the structure of actors on the Albanian side look, and in what terms and connotations the most significant ones are used.

First of all, there are 210 references to 'Albania' as a collective actor. It is interesting to note that when 'Albania' is used in general terms, it is used exclusively as the subject in the sentence. There are only three examples in which 'Albania' takes on the passive role of an object, and they refer to „Türkiye's pressure on Albania to deliver on dismantling the 'Gülen' movement in the country“, and with Albania being „a beneficiary of EU programs“ (e.g. the international dimension of the Erasmus+ programme.) In 68% of the cases 'Albania' is used with a positive connotation. In the majority of the cases „Albania actively engages“ in initiatives, „Albania's stance sends a strong signal“, „Albania maintained its record of full alignment with the EU's common foreign and security policy“, while there are fewer cases talking about „limited progress“, e.g. „Albania is not aligned with the acquis on victims' rights“, „has not yet set up a national drugs observatory“.

Among the semantic accents referring to a general 'Albania' we can distinguish between several categories:

- the most used category has to do with **adoption/non-adoption of legislation** and strategies and alignment/ non-alignment with the EU-acquis in a certain area („On the legal cultivation of cannabis for medical and industrial purposes, Albania adopted three pieces of the required implementing legislation“).

- the next category reflects **participation in various initiatives and programs** (either EU-ones or regional - Creative Europe, Horizon Europe, etc.).
- the next one registers '**commitment**' (continued to show its commitment to EU integration).
- **alignment with positions or sanctions** (Albania maintained its record of full alignment with the EU's common foreign and security policy).
- and finally, the minority of semantic accents address **a concrete action**: (Albania assumed the Chairmanship-in-Office of the Western Balkans Fund and the Berlin Process in 2023).

Serbia:

In the Serbian case, while the majority of actors again fit under Serbia and the EU, we have identified a substantial share of semantic accents related to different countries in the Western Balkan region. Among them, the biggest focus is placed on Kosovo¹ which is a sign of the special status of the relationship between the two countries for the integration process. However, there is an extensive list of semantic accents referring to many other countries from the region (Bosnia and Herzegovina, Albania, Croatia, Montenegro), as well as various regional initiatives in which Serbia takes active part, mostly of economic character, which in fact perfectly depicts the leading position of the country exemplified through the chapters opened and provisionally closed.

This advancement in terms of integration in different Single market initiatives is in fact evident also through the structure of accents showing the different aspects of the interaction process - for example, among 25 accents, 9 (more than 1/3rd) concern Serbia's involvement in the new Growth plan for the Western Balkans, concerning different gradual integration initiatives. The semantic accents which have to deal with the negotiations process in terms of status, pace and all other aspects (outside the gradual integration to the Single market) have again 9 semantic accents, which only confirm the relative priority of this particular aspect of the process. The third large group of semantic accents which fall under the interaction process are related to Serbia's alignment with EU's common foreign and security policy. This is particularly interesting, because the section dedicated to this matter is the last in the report, presents the last in order negotiating chapter, and its total length is less than 2 pages. However, we see throughout the entire document there has been sufficient evidence showing that this is in fact a main element of the negotiations process. Here, not surprisingly, the semantic accents involved have to do with the unalignment of Serbia to the EU's common foreign positions.

The majority of semantic accents refer to the agents within the generic actor „Serbia“ (180 cases) refer to Serbia in general terms. 100% of the cases it is

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ECJ Opinion on the Kosovo Declaration of Independence.

used as the subject in the sentence, however, we see a difference in the positive/negative connotation which is almost even - there is a very slight prevalence in the positive connotations (only 54%). We observe the same categories of usages, identified in the Albanian case, however, with different weight. Here a strong focus is placed on:

- **alignment with positions or sanctions** („Serbia aligned with some EU positions in international forums“; „Serbia is expected to progressively align its policies towards third countries with the policies and positions adopted by the EU“; „Serbia still does not to align with any restrictive measures against the Russian Federation“)

Here, we can also observe a group of semantic accents related:

- to **foreign relations** („Serbia has maintained high-level relations with the Russian Federation“. „has intensified its relations with China“)

Going forward, we have identified:

- **adoption/non-adoption of legislation** and strategies and alignment/ non-alignment with the EU-acquis in a certain area („Serbia is not aligned with the EU postal acquis“, „not aligned with the banking regulations“);
- **participation in various initiatives and programs** is a particularly strong category in the Serbian case („Serbia has actively engaged in the implementation of the new Growth Plan for the Western Balkans“, „has taken part in several regional initiatives“);
- the next one registers **‘commitment’** („Serbia continues to declare EU membership as its strategic goal“, „Committed to implement obligations with Kosovo“);
- and finally, the minority of semantic units address a **concrete action**.

This shows a unique trajectory of Serbia’s accession path.

Moldova:

The next section will look at how the main actors and the main reform processes are depicted in Moldova’s case.

Here again we see that the most semantic units refer to „Moldova“ and internal actors within, followed by the EU in general, EC, EU leaders and MSs. It is interesting to note however that both ‘Ukraine’ and ‘Russia’ (including Russia’s proxies) appear as well-recognised separate actors in the report. The security context plays a key role in the overall structure. This clearly shows the EU’s relationship with Moldova is framed through the war in Ukraine.

As we can see, the most frequently used actor is ‘Moldova’ in general terms, however we have a substantial share of semantic accents where ‘Moldova’ is not the subject in the sentence - „Russia’s war against Ukraine creates challenges for Moldova“, „hybrid actions against Moldova from Russia and its proxies“,

„ongoing threats to its energy supplies“, „The EU remains fully committed to Moldova’s territorial integrity“. As we can see in the examples in most of these cases Moldova is portrayed as the victim, while Russia is the subject; in a few instances EU is the subject, where the stress is placed on its commitment. This initial finding shows the priority in the relations with Moldova and the EU’s perception about its own role in this interaction - as a supporter to the security, rather than a supporter to achieving Europeanising reforms which would prepare the country for eventual membership. The semantic accents with positive and negative connotations are more or less equal (78 to 75). The positive ones predominantly concern the country’s response to the geopolitical challenge - „continuing to cope with the unprecedented challenges resulting from Russia’s war of aggression against Ukraine“; „has shown resilience“, „has responded to ongoing threats to its energy supplies“, „to its security“. On the contrary, the negative ones are directed towards actual challenges in the reform processes - „Moldova should further strive to align its electoral processes with the highest democratic standards“, „should continue to engage with the Venice Commission and the OSCE/ODIHR on any potential changes to the Electoral Code“, „should design an overall policy on reforming the central public institutions“. It is obvious however, that these aspects are quite vague, in contrast to what we observed in the case of the two Western Balkan countries, and often related to recommendations from 3rd parties.

Ukraine:

The Ukrainian case presents a vastly different structure of actors and distribution of semantic accents altogether. A serious share of the semantic accents concern the geopolitical landscape and Russia appears as a major actor with 39 references in the report, although represented in a small number of variations in meaning - war, aggression, cyberattacks, disinformation campaigns, hacking campaigns². This presence of Russia restates the geopolitical dimension of the enlargement process, and shows that in the Ukrainian case the focus has been shifted away from the preparatory efforts. This observation is reinstated by the fact that when it comes to the dimensions of the interaction process, only 5 semantic accents deal with the elements of the negotiations process which is about 19%. In contrast, 12 semantic accents deal with Ukraine facility, 8 with the Security and defence partnership, and 6 with the Association agreement. Ironically, all three can be seen as alternatives to membership. This finding clearly shows where EU’s priorities stand when the relationship with Ukraine is concerned.

The first very interesting finding is related to the use of ‘Ukraine’ as a generic actor - there are 212 uses to Ukraine altogether, where in about 60% of the

² This is an example showing the important distinction between number of references and variants of semantic units, which is central in the methodology used in this study. The analysis works with semantic accents, not references in order to be more precise in capturing the actual dimensions in the perceptions of actors and processes.

semantic accents Ukraine is used as an object, and in most of these cases 'EU' is the subject - „EU supports the independence of Ukraine“, „EU supports the sovereignty of Ukraine“, „EU supports the territorial integrity of Ukraine“, „EU supports Ukraine's internationally recognised borders“, provides „flexible support to Ukraine“, „predictable support to Ukraine“, „supports its recovery“, its „modernisation“, its „immediate financial needs“. This portrays a very peculiar relationship of perceived power asymmetry multiple times stronger than in any other case in the accession process, where among the goals in the interaction, neither the Europeanisation reform process, nor the EU membership per se seem to be recognised.

Discussion of empirical findings:

The empirical findings reaffirm the central role of the geopolitical environment as the primary driving force in the process. The data showed how different priorities are formed with the different countries in the interaction process (not necessarily heading towards membership), and these priorities are in fact the sum of geopolitical considerations.

The most striking differences between the four studied cases come when the countries are presented in the reports without a reference to any specific domestic actors. We see that the two Balkan countries are presented predominantly as acting subjects, while the two Eastern countries are often objects in the Commission's statements. This is showing the EC's perception of their position in the negotiations - they are victims of the circumstances, and especially in the Ukrainian case, recipients of the EU's support and sympathy, rather than real partners in the process. Obviously, in these cases, the actual preparation for EU membership is very distant from the real goals and priorities in the interaction. The sympathy towards Ukraine is also presented in the overwhelmingly positive image of the country which is not mirrored when referring to specific actors and specific processes. In these sections the continuous resilience and continuous operation within the conditions of war remain among the key evaluated characteristics, although they have nothing to do with the enlargement methodology.

Looking at the content and substance behind the full spectrum of semantic accents we see that neither of the 4 countries are anywhere close to complete reforms. For geopolitical reasons, however, progress needs to be proved and registered in the reports, making the membership perspective real. Therefore, the EC needs to demonstrate fast progress in some of the countries.

The empirical results lead to several interesting conclusions about the interaction process itself. They prove that the EU integration process continues to be an elite-driven process. Despite the brave declarations about the key role of the civil society in the process in all official communications, the analysis clearly shows that the EU continues to recognise national governments and political elites as the key partners in the process.

Conclusion

Despite strong declarations that the revised enlargement methodology would address the shortcomings of the Eastern enlargement, this study demonstrates that the EU's approach remains rooted in the same foundational assumptions: a perceived power asymmetry, the prioritisation of political elites as primary partners, and a conditionality framework centred on *acquis* compliance. These dynamics are evident in both the portrayal of domestic actors and the superficial treatment of reform progress in Commission reports. Drawing on a semantic-structural analysis of Commission discourse, the findings point to a persistent gap between the EU's rhetorical commitment to transformative reform and its practical engagement on the ground. Given the heightened geopolitical stakes and the broader scope of the forthcoming enlargement, a comprehensive rethinking of the EU's enlargement logic – one that addresses both the structural and discursive limitations of the current approach – is essential to safeguard the Union's long-term credibility, cohesion, and strategic effectiveness.

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BRIDGING BORDERS: CULTURAL DIPLOMACY AND EU INTEGRATION OF THE WESTERN BALKANS

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Abstract:

In recent years, cultural diplomacy became a key tool in international relations, crisis resolution and nation branding. It also proved to be one of the most effective ways to build meaningful connections between states and peoples. A strong cultural presence abroad allowed countries to assert their distinctive identity, improve their public image, share ideas, models and values, increase or maintain their influence, make allies and open new avenues for dialogue with conflicting states when other means have become impossible. Cultural diplomacy initiatives have been implemented by individual countries and national governments as well as by supranational political and economic organisations such as the European Union. EU has been using cultural instruments to its advantage for many years, especially in times when it has not been sure of its other sources of power. Moreover, the European Union pursued its foreign cultural policy towards non-member states, and all the more important, towards the Western Balkans, aiming to facilitate and accelerate their EU integration.

Keywords: Cultural diplomacy, Western Balkans, EU integration.

At the occasion of the European Culture Forum, held in Brussels in April 2016, Federica Mogherini, who at the time was serving as Vice-President of the European Commission and High Representative of the Union for Foreign Affairs and Security Policy, gave a powerful and compelling speech. The core message of her statement centred on placing culture at the heart of Europe's external action. She insisted that it was paramount for culture to underlay foreign relations within European countries, but also between the European Union and the rest of the world. Mogherini concluded her captivating speech by stating, 'Probably

no other place in the world has the same cultural „density“ as Europe. So much history, so many stories and cultures. We preserve millennial traditions, and we are among the engines of global innovation. We should not be afraid to say we are a cultural super-power.’¹

Indeed, an immensely powerful and fascinating statement that introduced a new cultural diplomacy model embraced by the European Union. The model incorporated elements of the numerous definitions of this concept with blurred boundaries, which already became *un mot valise* in international relations². In the years to come, the EU focused its cultural diplomacy on building meaningful connections with countries outside its 27 member states, and all the more important, with the Western Balkans, aiming to facilitate and accelerate their integration. The EU accession process is central in the relations between the European Union and the Western Balkan countries, which share a history, deep cultural roots, values and a common future. Moreover, EU Member States geographically surround this region in Southeast Europe.

As stated in the *EU-Western Balkans Strategy – ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’*, regional cooperation and good neighbourly relations are essential for the region’s respective European path³. The EU’s enlargement policy aims at exporting stability and hence, an important emphasis is placed on reconciliation and restoring trust among Western Balkans societies in view of firmly anchoring peace, ensuring lasting stability and socio-economic development in the region. The need to overcome the legacy of the past and rebuilding the social fabric is all the more important in a context where increased radicalism and hate speech are spreading in Europe, including the Balkans and the Western Balkans region. In this context, cultural diplomacy is an indispensable instrument in EU foreign policy. Unlike traditional forms of diplomacy, which often rely on military or economic might, cultural diplomacy utilizes shared cultural experiences to build relationships between nations. Its ability to transcend political boundaries and foster mutual understanding among people from diverse backgrounds make it a crucial tool in the modern world. As global political tensions continue to rise and conflicts seem unending, cultural diplomacy offers a peaceful and constructive approach to building bridges between societies. In regions such as the Balkans, where cultural, ethnic, and historical divisions run deep, cultural diplomacy takes on an even greater significance.

¹ *Speech of the HR/VP Federica Mogherini at the Culture Forum in Brussels*, https://www.eeas.europa.eu/eeas/speech-hrvp-federica-mogherini-culture-forum-brussels_en - Accessed 19.06.2025.

² Isar, Y.R. (2014). „Culture in External Relations“: *The EU in Cultural Diplomacy*, Organization for Security and Co-operation in Europe (OSCE), p. 2.

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (2018). *EU-Western Balkans Strategy - ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’*, Brussels, pp. 6-7.

The initiatives of EU cultural diplomacy towards the Western Balkans are more numerous than could be listed here. *Creative Europe*, the European Commission's flagship programme to support the culture and audio-visual sectors, provided funding for most of them. A few examples include *The Balkan Trafik Festival* (an annual event held in Brussels that brings together artists from all Balkan countries, thus promoting cultural diversity and shared heritage, and raising awareness of Balkan cultures), *Sarajevo Film Festival*, EU-Western Balkan cooperation through *Erasmus+*, etc. In addition, the European Union National Institutes for Culture (EUNIC), founded in 2006, evolved over time into a strong network delivering transnational collaborative projects worldwide through its 36 members and 103 clusters. At present, members of EUNIC from the Western Balkan are Albania, Serbia and the Republic of North Macedonia⁴.

One of the milestones of EU cultural diplomacy came in 2019, when the European Commission decided to reinforce cultural cooperation in the Western Balkans as an engine for reconciliation and good neighbourly relations. A specific call built on the Creative Europe Programme and funded by the Instrument for Pre-Accession Assistance (IPA II) was launched. Applicants were encouraged to propose a consortium with a majority of partners coming from the Western Balkans region. The aim was to strengthen the ties between the 27 EU member states and the Western Balkan countries as well as to maximise local impact. Such a large initiative required mobilisation of services and funding programmes across the board, including the European Commission's Directorate-General for Neighbourhood and Enlargement Negotiations, the Directorate-General for Education, Youth, Sport and Culture and the European Education and Culture Executive Agency (EACEA)⁵. This innovative cooperation demonstrated the benefit of mobilising different programmes to sustain the EU cultural diplomacy.

EACEA received 350 proposals, which testified to the importance of such initiatives for both the European Union and the Western Balkan countries. The Agency funded 13 of these projects with 91 partners. Selected projects covered a diverse range of sectors, including music, arts, literature, cultural heritage preservation, historical comics, and many more, which contributed to the crosscutting objectives of the European Commission. Below are few examples that illustrate the multifaceted scope of funded cultural initiatives.

ReCulture: Re-branding of Cultural Institutions in Western Balkans. The overall aim of this project was to improve visibility and modernise the image of Western Balkan cultural institutions by supporting the inter-sectoral linking

⁴ European Union National Institutes for Culture, <https://www.eunicglobal.eu/about> - Accessed 29.06.2025.

⁵ Zampieri, W., H. Skikos et al. (eds.) (2022). *European cultural cooperation projects in the Western Balkans. 13 projects that strengthen cultural cooperation and improve the cultural and creative industries in the region*, Publications Office of the European Union, Luxembourg, p. 3.

and cooperation between cultural and creative industries within the Western Balkans and the EU Member States. This project also contributed to the capacity building in cultural institutions from Western Balkans through reconstructing their visual identities and developing new skills in strategic approach towards audience development and communication practices. The consortium of project partners consisted of seven organisations from five countries. These were the Project Leader *Cultural Center Trebinje* and Museum of Contemporary Art of Republika Srpska from Bosnia and Herzegovina, *Ink fest organisation* and Faculty of Dramatic Arts from Serbia, *Art Colony Danilovgrad* from Montenegro, Museum of Civilizations of Europe and the Mediterranean (MUCEM) from France and Institute for Cultural Policy (iCP) from Austria⁶.

RE: PLAY (Redesigning playscapes with children in Western Balkans). The project was engaged in rethinking play as a distinctly human capacity, which has been underrated by urban design, as well as in redesigning playgrounds for children in Western Balkan countries. It highlighted the significance of creating spaces with kids and pioneered a co-creative design process, involving children as its primary collaborators. In the long term, the project aimed to provide significantly improved spatial conditions for enriching natural and unstructured play for all kids living in urban environments. The consortium implementing this project included *Društvo Pazi!park* from Slovenia, *Kreativni Krajobrazzi* from Croatia, *Udruženje Škogled* from Serbia, *Qendra Marrëdhënies* from Albania, and *Gradionica* from Montenegro⁷.

The Ways of the Heroes. This project putted the spotlight on positive role models for environmental change and created contemporary art that addressed prominent issues in today's societies. Social apathy and absence of agency, especially in the Western Balkans, was a shared problem that all partners of *The Ways of the Heroes* have recognised. Inspired by Ibsen's play *An Enemy of the People*, which questions the impact of the individual on the community and vice versa, the project focused on making visible the stories of the everyday heroes through theatre, public space performances, exhibitions, illustrated book for children, and online campaigns. Consortium partners were *Association for Promotion and Development of Cultural Activities – Studio Teatar* from Bosnia and Herzegovina, *Eho Animato* from Serbia, *La Dramaturgie* from Italy, *LOOP – Astiki mi Kerdoskopiki Etaireia* from Greece, *Publishing House Gavroche Dooel Skopje* from North Macedonia, and *Studio za Raziskavo Umetnosti Igre, Zavod za Kulturno Dejavnost* from Slovenia⁸.

Arguably, one of the latest EU cultural diplomacy initiatives in the Western Balkans took place in early May 2025. It was implemented not by the European Union itself but by an individual member state. A Street in Cetinje, the historic

⁶ *Reculture | Reculture Project*, <https://www.recultureproject.eu/> - Accessed 29.06.2025.

⁷ *RE:PLAY*, <https://kreativnikrajobrazzi.hr/en/replay/> - Accessed 29.06.2025.

⁸ Zampieri, W., H. Skikos et al. (eds.) (2022). *European cultural cooperation projects in the Western Balkans*, pp. 26-27.

capital of Montenegro, was officially named after the prominent Bulgarian writer Ivan Vazov and a memorial plaque in his name was unveiled. The Vice President of Bulgaria Iliana Yotova and the Minister of Culture Marian Bachev attended the ceremony together with the Mayor of Cetinje Nikola Djuraskovic. They all highlighted that this act was a proof of mutual respect and shared values between the two countries. The Vice President used the occasion to congratulate Montenegrin officials for their progress in the negotiations for EU accession. She expressed hope that Montenegro would become a full member of the European Union in 2028. As diplomacy is based on reciprocity, a street in the Bulgarian city of Veliko Tarnovo, the capital of the Second Bulgarian Kingdom, will be named after Petar II Petrović-Njegoš, a Prince-Bishop of Montenegro, poet and philosopher whose works are widely considered some of the most important in Montenegrin and Serbian literature⁹.

All these initiatives demonstrate a balanced approach in EU cultural diplomacy between seeking influence (ultimately, when it comes to cultural diplomacy, it is about influence) and engaging in respectful and equal dialogue with Western Balkan countries. In this regard, one of the main strengths of the European Union is the development of cultural diplomacy as both a soft and smart power tool, proving that it was not just a hobby for intellectuals. Thus, the EU distinguished itself from many modern great powers that tend to see international cultural relations as a zero-sum game of cultural power¹⁰.

Finally, successful EU cultural diplomacy initiatives in the Western Balkans augured well for an endeavour whose purposes resonate with Jacques Delors' vision. The French politician, who served as the eighth president of the European Commission from 1985 to 1995, stated, 'we all need to learn how to live together in a new spirit'. This new spirit, 'guided by recognition of our growing interdependence and a common analysis of the risks and challenges of the future, would induce people to implement common project in an intelligent and peaceful way'.¹¹

It was not isolation, but openness what made Europe such an incredible place and project. A project of integration that the world still considers as a model¹². Because cultural exchanges made us richer, not weaker. Because our last common good is culture.

⁹ A Street named after Ivan Vazov in Cetinje, <https://bnr.bg/en/post/102153448/a-street-named-after-ivan-vazov-in-cetinje> - Accessed 29.06.2025.

¹⁰ Triandafyllidou, A., T. Szűcs (2017). *EU Cultural Diplomacy: Challenges and Opportunities*, Policy Brief, Issue 2017/13, European University Institute, Fiesole, Robert Schuman Center for Advance Studies, pp. 1-2.

¹¹ Isar, Y.R. (2014). „*Culture in External Relations*“: The EU in Cultural Diplomacy, pp. 13-14.

¹² Speech of the HR/VP Federica Mogherini at the Culture Forum in Brussels, https://www.eeas.europa.eu/eeas/speech-hrvp-federica-mogherini-culture-forum-brussels_en

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DIGITAL DEMOCRATIC PARTICIPATION TOOLS AND EU COHESION POLICIES: WHAT PROTECTIONS FOR REGIONALLY SPECIFIC GROUPS IN MEMBER STATES' TERRITORIES?

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Abstract:

The political debate on the protection of minorities and the diversity that characterises the EU Members States' territories remains open; it involves the Union's growth strategies and pushes for the promotion of an inclusive European identity that respects the geographical and cultural diversity of the European regions.

Some European Citizens' Initiative (ECI) push the EU to distinguish at a regulatory level geographical areas with cultural, ethnic, linguistic or religious specificities from the wider neighbouring areas of the Member State in which they are located; to adopt, for example, the concept of „region with a national minority“ and to protect the specific groups located in the Union in line with Article 2 TEU and the Charter of Fundamental Rights of the European Union (hereinafter: Charter).

This proves that bottom-up impulses, which the EU facilitates in a pioneering way, can synthesise the EU democratic and participatory values and the aims of social and economic progress and that e-participation and cohesion policy can foster unexplored perspectives in the integration process.

The paper aims to reconstruct the essential characteristics and purposes of European cohesion policies and digital participation tools also considering the relevant European jurisprudence; investigate their ability to contribute to the future of the Union; deepen the interactions useful for protecting the singular groups present within the members.*

Keywords: digital participation; Union's cohesion policies; „national minority regions“; European identity; European culture.

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Introduction. The ‘Cohesion policy for the equality of the regions and sustainability of the regional cultures’ initiative and the digital participation tools

The ‘*Cohesion policy for the equality of the regions and sustainability of the regional cultures*’ initiative (hereinafter: proposal, initiative)¹ intertwines bottom-up participation and the Union’s economic, social and territorial cohesion policy² with the forms of protection reserved for people belonging to minorities and the diversities in the EU members’ territories³.

On 22 February 2024, the Court of Justice of the European Union (hereinafter: EU Court) validated the partial registration decision adopted by the Commission in 2019⁴ and now the proposal awaits examination by the Commission⁵. It was submitted to the European Commission on 4 March 2025, after having gathered 1,269,351 verified statements of support. Undoubtedly, the initiative starts the debate within the Union on the protection of minorities and cohesion objectives. It brings back to the centre of attention the possibility of the communities to contribute to the definition of Union policies⁶ with a European Citizens’ Initiative (ECI), that is, the digital participatory democracy tool, introduced with the Lisbon Treaty in Article 11 TEU⁷.

The rule establishes the right of the citizens of the Union, in the number of at least one million, to submit legislative proposals to the EU Commission on matters in relation to which these citizens consider a legal act of the Union necessary for the purposes of the Treaties. In this way, the Union has launched digital democracy, that is, participation in political life through electronic tools/platforms. The aim is to increase the level of democratic participation in the decision-making process of the Union.

In different circumstances, the European Parliament and the EU Court have outlined its peculiarities. Firstly, the ECI offers European citizens the opportunity to identify their aspirations and to call for action by the Union; thus, the European integration project comes closer to them⁸. In the EU Court’s view, the added value of the institution „lies not in the certainty of its outcome, but in the possibilities and opportunities it creates for citizens of the Union to engage in a political debate within the [European] institutions“⁹. From this perspective, the ECI aims to implement the democratic values of the Union and the principle of equality expressed in Article 9 of the TEU, according to which European citizens have the right to benefit from equal attention from institutions, bodies, offices and agencies of the Union.

The discipline of the ECI is now contained in Regulation (EU) 2019/788¹⁰. The text repealed previous Regulation (EU) no. 211/2011¹¹ to make the participatory tool more accessible and transparent, less onerous and easier to manage for organisers and supporters, in line with the case law of the EU Court¹². In any case, the Commission retains discretionary powers regarding the follow-up to be given to the ECI.

The popular initiative (ECI), so far, has had a modest impact and has rarely affected the decision-making process. At the international level, digital democracy originated around the nineties of last century. As the Council of Europe states, digital democracy concerns democracy¹³ and its task is to integrate and support the traditional process of democracy. Nevertheless, the phenomenon remains confined to the initial and final stages of the political debate. So far, it fails to direct the political debate towards the needs of the community.

The aim of the proposal: the protections of the „regions with national minority“

The *Cohesion Policy initiative for the equality of regions and the sustainability of regional cultures* has animated, since the beginning, the debate between the Union, its citizens especially from Eastern Europe¹⁴ and the Member States on the values, objectives and policies characterising the European integration process.

The proposal is based on the economic, social and territorial cohesion policy of the Union, and first and foremost, on the respect for the fundamental values of the Union which, set out in Article 2 TEU¹⁵, include human dignity, democracy, equality, the rule of law¹⁶ and human rights¹⁷ particularly of persons belonging to minorities. Moreover, it recalls the Union's objective of combating social exclusion and discrimination, of respecting the richness of its cultural and linguistic diversity and of ensuring the protection and development of Europe's cultural heritage¹⁸.

The promoters essentially ask the Union to adopt the concept of a „region with a national minority“ to legally recognize geographical areas characterized by cultural, ethnic, linguistic or religious specificities, clearly distinct from those of the surrounding areas. In concrete terms, they ask the Union to assign to ethnic minorities the administrative powers necessary to directly access Union funds in the field of cohesion and to bridge the economic gaps with neighbouring areas to protect the peculiarities of the places.

The governments most concerned have repeatedly tried to block the initiative by bringing an action for annulment before the Court¹⁹. The grounds for appeal, mostly procedural, have often concealed the fear of States being pushed by the Union to undertake constitutional reforms to recognise national minorities or to „share“ EU funds with a „region with a national minority“ within them, recognised by the European Union.

Therefore, the proposal involves the democratic and socio-economic values of the Union and pushes to investigate possible legal and political developments into the EU that could arise from the Commission's response.

Overview of the protection of minorities in international and EU law

At the international level, the main reference texts, the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious

and Linguistic Minorities and the 1995 Framework Convention for the Protection of National Minorities of the Council of Europe, do not contain a clear definition of national minorities. However, the phenomenon finds its essential lines in Recommendation 1201 of the Parliamentary Assembly of the Council of Europe (1993) concerning an additional protocol on the rights of minorities to the European Convention on Human Rights²⁰.

The 1993 text speaks of national minorities as groups of people present in a State, of which they are citizens and with whom they maintain ancient, solid and lasting ties. These groups of individuals represent specific ethnic, cultural, religious or linguistic characteristics; they are sufficiently representative, although numerically inferior to the rest of the national or regional population; above all, they are animated by the will to preserve together what constitutes their common identity, including culture, traditions, religion or language²¹.

The issue, therefore, mainly concerns national governments. Moreover, the strong bond of people belonging to minorities with their States justifies the burdens and prerogatives of national governments. They are required to regulate and protect local realities by virtue of their ethnic-territorial specificities, their constitutional charters, the ratified international law conventions²² and the indications provided by the Council of Europe.

Perhaps also for this reason, the founding States of the Community and then the revisers of the treaties did not intend to provide primary law with specific provisions. The Treaty of Rome traced a markedly economic profile of the minorities present in the Community territories, protecting their rights to equal pay and the prohibition of discrimination based on nationality²³. The Single European Act spoke of fundamental rights established in the Member States, while the Treaty of Maastricht contained a reference to the European Convention on Human Rights. Subsequently, the Treaty of Amsterdam broadened the perspective of human rights, laying the foundations for the work to be completed with the Treaty of Lisbon.

In the current EU legal system, the protection of the rights of linguistic, ethnic or national minorities has its own significance in the policies of accession to the Union²⁴. A serious violation of the value of respect for the rights of persons belonging to minorities may also give rise to the opening of the procedure under Article 7 of the TEU. Likewise, the rights of minorities are guaranteed by the principles of non-discrimination and equal treatment, explicitly stated in some acts of secondary legislation²⁵. More generally, a key, but not decisive, role is played by the European Union Agency for Fundamental Rights (AFR)²⁶.

It is also true that the current Treaties have included the protection of persons belonging to minorities among the values of the Union referred to in Article 2 TEU. Moreover, Article 3 of the TEU declares, in its third paragraph, that the Union respects the richness of its cultural and linguistic diversity²⁷ and in defining and implementing its policies and actions, the Union must consider the fight against social exclusion and aim to combat discrimination based on racial or

ethnic origin²⁸. Furthermore, the Charter mentions minorities in the prohibition of discrimination and in respect of cultural, religious and linguistic diversity, respectively, in Articles 21 and 22.

However, regional ethnic minorities do not officially find space in the treaties or in secondary legislation; nor is there a common vision among the member States regarding their legal qualification²⁹. It follows that the Union does not enjoy significant competence in the field of minority rights but must guarantee their protection by European law.

In the silence of the European legal system, a positive solution to the proposal, examined here, comes from the EU Court and the European Parliament which, in different circumstances, open perspectives on the possible recognition of the prerogatives of national minorities in Union law³⁰, within the framework of the cohesion policy.

Precisely, the EU Court³¹ admits that a region „with a national minority“ is not to be included among the areas which, according to the Treaties, present „serious and permanent natural or demographic handicaps“. Nevertheless, it believes that, in certain territories, ethnic, linguistic, cultural or religious peculiarities can have a negative impact in terms of development and make necessary for the Union to intervene to strengthen the economic, social and territorial cohesion of that geographical area. Indeed, the list of disadvantages which require special attention to be paid to a specific region, outlined in Article 174 of the TFEU, is merely an example³².

It follows that the Union's support for ethnic, linguistic, cultural and religious minority areas, affected by serious and permanent economic and social disadvantages, meets the objectives of the Treaties³³.

Even the European Parliament, since the early 2000s³⁴ and, most recently, in 2018³⁵, did not exclude the possibility that the Union may intervene to protect national minorities present in its territories in light of the values and objectives referred to in Articles 2 and 3 of the TEU and of the cohesion policy. In its view, without prejudice to the competences of national governments, the Union may express its opinion on a variety of issues relating to persons belonging to national minorities.

To this end, several of European Parliament's resolutions urge the Commission to formulate a legislative proposal on minimum standards for the protection of minorities in the Union that defines the European concept of „national minority“ in a flexible manner, since this phenomenon is quite difficult to classify. In its opinion, the proposal should respect not only the principles of subsidiarity and proportionality, but also the international commitments of the Union³⁶ and the indications provided by the 1993 Council of Europe recommendation.

The warning of the European Parliament has, so far, had a purely political follow-up with the commitment of the Commission, announced at the end of the ICE *Minority SafePack*³⁷, to launch awareness campaigns on minorities and to monitor the actions of the Member States. It must also be said that

Minority SafePack remains limited to the protection of linguistic minorities, instead, the proposal, examined here, aims at the administrative autonomy of regional areas with national minorities.

Possible regulatory developments within the Union

The awaited Commission's discretionary response may mark a change of direction within the Union. Three scenarios seem plausible.

The European executive institution may decide not to proceed, at least initially, with a legislative proposal. Such a solution is in harmony with the recent practice of the Commission to continue the dialogue on the issues covered by the ECI, in case that some doubts remain, presumably, on the feasibility of a legislative proposal. In fact, in this case, the achievement of a broad support to a legislative proposal could be opposed by governments that feel threatened by the internal repercussions in terms of regulatory and structural burdens and the possibility of accessing European funds.

The sensitivity and scope of the issue seem to suggest that the Commission should engage on a political level, by promoting conferences, interinstitutional discussions at the various levels concerned or by proceeding with non-legislative acts, such as, for example, the publication of a green paper, followed by a white paper.

The European executive institution may decide to proceed with a legislative proposal. In this case, the Commission could opt for a proposal for a directive that outlines the concept of „region with a national minority“ in a flexible manner, as suggested by the EU Court and the European Parliament. The proposal could be based on the economic cohesion of the Union on the combined provisions of Articles 174 and 177 of the TFEU, already identified by the EU Court. The provisions provide a particularly broad and non-exhaustive definition of the regions potentially affected by the structural measures; they describe, in general, the objectives of cohesion policies; give the European institutions a broad power regarding the measures to be undertaken in compliance with the subsidiarity principle.

The Commission may decide not to proceed in any way. In this case, it is not excluded that the promoters will reiterate the proposal after having reshaped it to write an important step in the history of the minorities of the Union.

Regardless of the content, the Commission's assessment will open a political debate, most probably with the involvement of the European Parliament, which may adopt soon a new resolution in line with the ones issued so far.

Concluding remarks

The proposal combines the aims of cohesion policy with bottom-up involvement. The initiative has the merit of having animated the debate on certain possible transformations within the Union and the Member States.

The needs that emerged from the proposal are unique and, so far, unexplored. The obstacles to the introduction of the European concept of a national minority region come mainly from national systems. Undoubtedly, the demands of people belonging to national minorities are frowned upon by the governments, concerned with the management and allocation of European cohesion resources, as well as with the structural reforms possibly arising within them.

On the other hand, since the beginning, the European treaties have promoted the logics of solidarity, fairness and inclusion of socio-economic progress through cohesion. Moreover, they recognize that the cultural diversity of the European continent includes the national minorities living in the Member States. Indeed, the current treaties have elevated the protection of minorities to primary law, stressing the individual dimension. Article 2 of the TEU speaks of persons belonging to minorities and of their recognized protections, in line with the international texts, while the Charter reserves the guarantees to national minorities, without defining them.

It is also true that the proposal can rehabilitate the institute of the ECI, so far disappointing in terms of participation, and demonstrate that it is possible to involve the communities in the definition of policies impacting the collective well-being.

More generally, the purposes of European integration allow us to relate cohesion and the ECI in terms of reciprocal functionality. Without ignoring the procedural problems of the participatory instrument, there is no doubt that the ECI strengthens trust in European institutions and promotes the active participation of citizens in the development of Union policies and their evolutionary implementation. Likewise, cohesion can use the ECI to best achieve its inclusive aims.

This requires a certain European education for European citizens and the promoters of ECI. Yet, the Union's actions aimed, up to now, at relaunching the participatory institution to give promoters and potential subscribers adequate educational support on Union issues.

The scenario could improve if the Commission played the role of *amicus* of citizens. Therefore, if, in its opinion, the initiative is in the general interest of the Union, it should act as a driving force for EU co-legislators rather than as a filter. From this perspective, the Commission's propensity to continue the dialogue on the issues covered by the various initiatives, even if rejected, deserves a positive evaluation.

¹ Also known as *Cohesion policy for the equality of the regions and sustainability of the regional cultures*. This designation appeared in the first request of registration (2013) and continues to appear in the EU Court of Justice's judgments.

² Artt. 174-178 TFEU. PIATTONI, S., POLVERARI, L. (eds.) (2016), *Handbook on Cohesion Policy in the EU*, Edward Elgar Publishing, Cheltenham and Northampton; PESCE, C., *Coesione economica, sociale e territoriale*, in TESAURO, G., DE PASQUALE, P., FERRARO, F. (eds.) (2021), *Manuale di diritto dell'Unione europea*, Editoriale Scientifica, Naples, pp. 499-510; TESAURO, G., *Senza Europa nessun Paese andrà lontano*, in AA.Vv. (2021), *Annali AISDUE*, Naples, p. 341 ff. For an historical reconstruction: HOOGHE, L. (ed.)

(1996), *Cohesion Policy and European Integration: Building Multilevel Governance*, Oxford University Press, Oxford; TESAURO, G., *La politica di coesione ed il rapporto con le altre politiche comunitarie*, in PREDIERI, A. (eds.) (1996), *Fondi strutturali e coesione economica e sociale nell'Unione europea. Atti del convegno (Firenze, 12-13 maggio 1995)*, Giuffrè, Milan, p. 123 ff.

³ For an historical reconnaissance of the phenomenon: CAPOTORTI, F. (1979), *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*, Geneva UN, available online; AMATO, G., BATT, J. (1998), *Minority Rights and EU Enlargement to the East. Report of the First Meeting of the Reflection Group on the Long-Term Implications of EU Enlargement: The Nature of the New Border*, Florence European University Institute, *RSC Policy Papers Series*, No 98/5; GORDOS, A., *L'Integration européenne et la sauvegarde des valeurs culturelles*, in DÉLPERÉE, F., TROCSANYI, L. (2003), *L'unite et la diversité de l'Europe - Les droits des minorités. Les exemples belge et hongrois*, Bruylant, Brussels; TOGGENBURG, G. N. (2003), *Minorities (...) the European Union: Is the Missing Link an „Of“ or a „Within“?*, in *Journal of European Integration*, pp. 273-284.

⁴ Commission Decision (EU) 2019/721 of 30 April 2019 on the proposed citizens' initiative entitled 'Cohesion policy for the equality of the regions and sustainability of the regional cultures'.

⁵ CJEU 22 February 2024, C-54/22 P, *Romania/Commission*, points 39-43: „(...) under Article 4(2)(b) of Regulation No 211/2011, the Commission is to register a proposed ECI provided that it 'does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties'. 40 (...) that condition for registration must, in accordance with the objectives pursued by the ECI, as set out in recitals 1 and 2 of Regulation No 211/2011 and consisting inter alia in encouraging participation by citizens in the democratic life of the European Union and making the European Union more accessible, be interpreted and applied by the Commission, when it receives a proposed ECI, in such a way as to ensure easy accessibility to ECIs (see, to that effect, judgments of 12 September 2017, *Anagnostakis v Commission*, C589/15 P, EU:C:2017:663, paragraph 49; of 7 March 2019, *Izsák and Dabis v Commission*, C420/16 P, EU:C:2019:177, paragraph 53; and of 20 January 2022, *Romania v Commission*, C899/19 P, EU:C:2022:41, paragraph 44). 41 Accordingly, it is only if a proposed ECI, in view of its subject matter and objectives as reflected in the mandatory and, where appropriate, additional information that has been provided by the organisers pursuant to Annex II to Regulation No 211/2011, manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the European Union for the purpose of implementing the Treaties that the Commission is entitled to refuse to register the proposed ECI pursuant to Article 4(2)(b) of that regulation (judgments of 12 September 2017, *Anagnostakis v Commission*, C589/15 P, EU:C:2017:663, paragraph 50, and of 7 March 2019, *Izsák and Dabis v Commission*, C420/16 P, EU:C:2019:177, paragraph 54). 42 Furthermore, it is also clear from the case-law of the Court that the Commission must confine itself to examining, for the purposes of assessing whether the condition for registration laid down in Article 4(2)(b) of Regulation No 211/2011 is satisfied, whether from an objective point of view the measures in a proposed ECI, envisaged in the abstract, could be adopted on the basis of the Treaties (judgment of 20 January 2022, *Romania v Commission*, C899/19 P, EU:C:2022:41, paragraph 46 and the case-law cited). 43 Accordingly, where, following an initial analysis carried out in the light of the mandatory and, where appropriate, additional information provided by the organisers, it is not established that a proposed ECI manifestly falls outside the framework of the Commission's powers, it is for that institution to register that proposed ECI, provided that the other conditions set out in Article 4(2) of Regulation No 211/2011 are satisfied (judgment of 20 January 2022, *Romania v Commission*, C899/19 P, EU:C:2022:41, paragraph 47)“; points 63-67: „(...) in interpreting a provision of EU law it is necessary to consider not only its wording but also the context in which it occurs and the objectives pursued by the rules of which it is part (judgment of 22 December 2022, *Sambre & Biesme and Commune de Farciennes*, C383/21 and C384/21, EU:C:2022:1022, paragraph 54 and the case-law cited). 64 In that connection, (...), it is clear from the settled case-law of the Court that the condition for registration set out in Article 4(2)(b) of Regulation No 211/2011 must, in accordance with the objectives pursued by the ECI, as set out in recitals 1 and 2 of Regulation No 211/2011 and consisting inter alia in encouraging participation by citizens in the democratic life of the European Union and making the European Union more accessible, be interpreted and applied by the Commission, when it receives a proposed ECI, in such a way as to ensure easy accessibility to ECIs. 65 (...) those objectives support an interpretation of that provision whereby the

Commission must be able to proceed with partial registration of a proposed ECI.⁶⁶ As the General Court rightly held in paragraph 116 of the judgment under appeal, the consequence of denying the Commission that option would be that the registration of a proposed ECI would, in principle, be refused in its entirety even in the case where only part of the proposal manifestly falls outside the framework of that institution's powers to submit a proposal for a legal act of the European Union, within the meaning of Article 4(2)(b) of Regulation No 211/2011. Thus, on account, hypothetically speaking, of a minimal error on the part of the organisers as to the scope of those powers, their proposed ECI would have to be rejected in its entirety, which would, in that way, manifestly undermine the objective of ensuring easy accessibility to ECIs.⁶⁷ It follows that the General Court did not err when it held, in paragraph 116 of the judgment under appeal, that the Commission could, by way of the decision at issue, proceed with partial registration of the proposed ECI at issue, by circumscribing the scope of that proposal in accordance with the wording of Article 1(2) of that decision⁶⁸.

⁶ TESAURO, G., DE PASQUALE, P., FERRARO, F. (eds.) (2023), *Manuale di diritto dell'Unione europea*, Editoriale Scientifica, Naples; ADAM, R., TIZZANO, A. (eds.) (2024), *Manuale di Diritto dell'Unione europea*, Giappichelli, Torino. See also: PESCE, C. (2016), *Democrazia rappresentativa e democrazia partecipativa nell'Unione europea*, Editoriale Scientifica, Naples; DAMATO, A. (2017), *Profili critici e istanze di revisione del diritto di iniziativa dei cittadini europei*, in *Il Diritto dell'Unione Europea*, pp. 39-67; SANTINI, A. (2019), *L'iniziativa dei cittadini europei. Quale contributo alla legittimità democratica dell'Unione?*, Editoriale Scientifica, Naples; SANTINI A., *Il nuovo regolamento sull'iniziativa dei cittadini europei: tra continuità e innovazione*, in AA. Vv. (2019), *Temi e questioni di diritto dell'Unione europea*, Cacucci, Bari, pp. 621-634; INGLESE, M. (2020), *L'iniziativa dei cittadini europei a dieci anni dal Trattato di Lisbona: tra consolidate criticità e inesplorate prospettive*, in *federalismi.it*, pp. 194-215; LOPEZ, D., PACHECO, Y. V. (eds.) (2023), *European Citizens' Initiative: A Tool for Engagement and Active Citizenship*, Göttingen University Press, Göttingen.

⁷ See also Art. 24 TFEU. According to Art. 11 TEU, the institutions give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action; they maintain an open, transparent and regular dialogue with representative associations and civil society.

⁸ European Parliament resolution of 17 December 2020 on the European Citizens' Initiative 'Minority SafePack - one million signatures for diversity in Europe' (2020/2846(RSP)).

⁹ CJEU 19 December 2019, C-418/18 P, *Puppinck e a./Commission*, point 70.

¹⁰ Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative, in force since 1 January 2020. European Parliament resolution of 13 June 2023 on the implementation of the Regulations on the European citizens' initiative (2022/2206(INI)).

¹¹ Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative.

¹² CJEU 12 September 2017, C589/15 P, *Anagnostakis/Commission*; 7 March 2019, C-420/16 P, *Izsák e Dabis/Commission*; 19 December 2019, C-418/18 P, *Puppinck e a./Commission*; 20 January 2022, C-899/19 P, *Romania/Commission*; C-54/22 P, *Romania/Commission*, mentioned above. See also: Advocate General Emiliou's Opinion of 5 October 2023, C-54/22 P, *Romania/Commission*. See also: Judgement of the General Court 10 May 2016, T-529/13, *Izsák e Dabis/Commission*, 3 February 2017, T-646/13, *Minority SafePack - One Million Signatures for Diversity in Europe /Commission*; 24 September 2019, T-391/17, *Romania/Commission*; 10 November 2021, T-495/19, *Romania/Commission*; 9 November 2022, T-158/21, *Minority SafePack - One Million Signatures for Diversity in Europe/Commission*.

¹³ European Committee on Democracy and Governance, *E-Democracy Handbook*, Strasbourg, 27 August 2020; *Recommendation CM/Rec(2022)11 of the Committee of Ministers to member States on principles for media and communication governance*, 6 April 2022; *Recommendation CM/Rec(2022)12 of the Committee of Ministers to member States on electoral communication and media coverage of election campaigns*, 6 April 2022; *Recommendation CM/Rec(2022)13 of the Committee of Ministers to member States on the impacts of digital technologies on freedom of expression*, 6 April 2022.

¹⁴ The highest percentage of signatures is, in order, Hungarian, Slovak and Lithuanian. Indeed, the issue of regional minorities is particularly acute in Eastern European countries and has had an impact on EU membership. SKALNIK LEFF, C., ARMEANU, O. I. (2017), *Ethnic Politics of the Hungarian Minorities in Slovakia*,

Romania, and Serbia in 2015, in *European Yearbook of Minority*, pp. 321-250; BALINT, K. (2020), *Non-Territorial Autonomy in East-Central Europe: What about Romania?*, in *Central European Journal of Comparative Law (CEJCL)*, pp. 87-110.

¹⁵ AMALFITANO, C. (2018), *General Principles of EU Law and the Protection of Fundamental Rights*, Edward Elgar Publishing, Cheltenham; BARATTA, R. (2018), *La „communauté de valeurs“ dans l’ordre juridique de l’Union européenne*, in *Revue des affaires européennes*, pp. 81-91; VON BOGDANDY, A., SPIEKER, L. D., *Protecting Fundamental Rights Beyond the Charter. Repositioning the Reverse Solange Doctrine in Light of the CJEU’s Article 2 TEU Case Law*, in BOBEK, M., ADAMS-PRASSL J. (eds.) (2020), *The EU Charter of Fundamental Rights in the Member States*, Bloomsbury Publishing, Oxford, pp. 525-546; VON ARNAULD, A., *Harmonisation through General Principles of Law*, in ZIEGLER, K. S., NEUVONEN, P. J., MORENO-LAX V. (eds.) (2022), *Research Handbook on General Principles in EU Law*, Edward Elgar Publishing, Cheltenham, pp. 40-61; SPIEKER, L. D. (2023), *EU Values Before the Court of Justice: Foundations, Potential, Risks*, Oxford University Press, Oxford.

¹⁶ OVÁDEK, M. (2018), *The Rule of Law in the EU: Many Ways Forward But Only One Way to Stand Still?*, in *Journal of European Integration*, pp. 495-503; SAFJAN, M. (2019), *The Rule of Law and the Future of Europe*, in *Il Diritto dell’Unione Europea*, pp. 425-440; CIRCOLO, A. (2023), *Il valore dello Stato di diritto nell’Unione europea. Violazioni sistemiche e soluzioni di tutela*, Editore Scientifica, Naples.

¹⁷ WOUTERS, J. (eds.) (2020), *The European Union and Human Rights: Law and Policy*, Oxford University Press, Oxford; WOUTERS, J., OVÁDEK, M. (2021), *The European Union and Human Rights: Analysis, Cases, and Materials*, Oxford University Press, Oxford.

¹⁸ Art. 3 TEU; art. 22 Charter. ROSSI, L. S., *Fundamental Values, Principles, and Rights Aer the Treaty of Lisbon: The Long Journey Toward a European Constitutional Identity*, in BERROD, F. (eds.) (2015), *Europe(s), Droit(s) européen(s). Une passion d’universitaire. Liber amicorum en l’honneur du professeur Vlad Constantinesco*, Bruylant, Bruxelles, pp. 511-524; SKOURIS, V. *L’identité nationale: qui détermine son contenu et selon quels critères?*, in Aa. Vv. (2018), *Liber Amicorum Antonio Tizzano. De la Cour CECA à la Cour de l’Union: le long parcours de la justice européenne*, Giappichelli, Torino, pp. 912-924.

¹⁹ C-54/22 P, *Romania/Commission*, mentioned above.

²⁰ Recommendation 1201 (1993), *Additional protocol on the rights of minorities to the European Convention on Human Rights*.

²¹ Article 1 Recommendation 1201 (1993): „ (...) the expression “national minority” refers to a group of persons in a state who: a. reside on the territory of that state and are citizens thereof; b. maintain longstanding, firm and lasting ties with that state; c. display distinctive ethnic, cultural, religious or linguistic characteristics; d. are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state; e. are motivated by a concern to preserve together that which constitutes their common identity, including their culture, their traditions, their religion or their language“.

²² See: UNO, *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (1992); The Council of Europe, *Framework Convention for the Protection of National Minorities*, 1 February 1995. MATIJEVIC, M. V. (2020), *Adequate Representation of Persons Belonging to National Minorities in Public Sector: the Nature, Content and Scope of Obligations in the Comments of the Advisory Committee for the Framework Convention*, in *Foreign Legal Life*, pp. 55-68; CRAIG, E. (2021), *The Framework Convention for the Protection of National Minorities and Internalization: Lessons from the Western Balkans*, in *Review of Central and East European Law*, pp. 1-40; JACOB-OWENS, T. (2021), *Immigration and Multicultural Citizenship in Europe: Insights from the Framework Convention for the Protection of National Minorities*, in *International Journal on Minority and Group Rights*, pp. 167-197; TUDISCO, V. (2022), *National Human Rights Institutions and Access to Justice for National Minorities in Europe*, in *International Journal on Minority and Group Rights*, pp. 577-603.

²³ DE WITTE, B., *Market Integration and Cultural Diversity in EU Law*, in VADI, V., DE WITTE B. (eds.) (2015), *Culture and International Economic Law*, Routledge, London, p. 193 ff.

²⁴ Artt. 6, 49 TEU. The accession criteria or Copenhagen criteria, after the European Council in Copenhagen in 1993 which defined them, are the conditions all candidate countries must satisfy to become a member state. These are: political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and

respect for and protection of minorities; economic criteria: a functioning market economy and the capacity to cope with competition and market forces; administrative and institutional capacity to effectively implement the *acquis* and ability to take on the obligations of membership. See: HILLION C. (2004), *EU Enlargement A Legal Approach*, Bloomsbury Academic, London; TOPIDI, K. (2013), *Are the Copenhagen Criteria Undermined by the Lisbon Treaty?*, in *European Yearbook of Minority*, pp. 37-59; SARGENTINI, J., DIMITROVS, A. (2016), *The European Parliament's Role: Towards New Copenhagen Criteria for Existing Member States*, in *Journal of Common Market Studies*, pp. 1085-1092; HITAI, E. (2017), *L'allargamento dell'Unione europea verso i balcani occidentali. Stabilità politica della regione oltre i criteri di Copenaghen?*, in *Rivista della cooperazione giuridica internazionale*, pp. 49-65; OGNJANOSKA, L. (2021), *Promoting the Rule of Law in the EU Enlargement Policy: A Twofold Challenge*, in *Croatian Yearbook of European Law and Policy*, pp. 237-278.

²⁵ Directive 2000/43/EC of 29 June 2000 (consolidated version); Regulation (EC) No 1007/2009 of the European Parliament and the Council of 16 September 2009 on trade in seal products. TOGGENBURG, G. N. (2002), *The Race Directive: A New Dimension in the Fight against Ethnic Discrimination in Europe*, in *European Yearbook of Minority Issues*, p. 231 ff.

²⁶ Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights. TOGGENBURG, G. N. (2010), *Exploring the Fundament of a New Agent in the Field of Rights Protection: The F(undamental) R(ights) A(gency) in Vienna*, in *European Yearbook of Minority Issues Online*, pp. 597-625.

²⁷ Linguistic and cultural diversity is referred in the Union policies dedicated to education, art. 165(1), TFEU, and culture, art. 167(1) TFEU. MARLETTA, M., PARISI, N. (eds.) (2008), *Multiculturalismo e Unione Europea*, Giappichelli, Torino; CARUSO, F. (2010), *Le competenze dell'Unione europea e degli Stati membri in materia di „istruzione“*, in *Diritto e società*, p. 207 ff.; PESCE, C., *Cultura*, in TESAURO, G., DE PASQUALE, P., FERRARO, F., *op. cit.*, pp. 462-468.

²⁸ Artt. 9, 10 TFEU.

²⁹ About minorities in EU: AHMED, T. (2011), *The Impact of EU Law on Minority Rights*, Hart Publishing, Oxford and Portland; GULIYEVA, G., *Defining the Indefinable: A Definition of 'Minority' in EU Law*, in MALLOY, T. H., MARKO, J. (eds.) (2014), *Minority Governance in and beyond Europe - Celebrating 10 Years of the European Yearbook of Minority Issues*, Brill Nijhoff, Leiden, pp. 165-198; BARTEN, U. (2015), *Minority Rights in the European Union after Lisbon*, in *Nordic Journal of Human Rights*, pp. 74-94; ASLI BILGIN, A. (2019), *Minority Protection in the European Union: To Protect Or Not to Protect*, in *International Journal on Minority and Group Rights*, pp. 92-115.

³⁰ NAGY, N., SZAPPANYOS, M. (2021), *The Rights of European Minorities: Justice, Public Administration, Participation, Transfrontier Exchanges and Citizenship - International Developments in 2021*, in *European Yearbook of Minority Issues*, pp. 133-160.

³¹ T-495/19, *Romania/Commission*, mentioned above; C-54/22 P, *Romania/Commission*, mentioned above.

³² Izsák e Dabis /Commission, C-420/16 P, mentioned above.

³³ *Ex multis*: CJEU 24 April 2012, C-571/10, *Kamberaj* and EU case law mentioned above.

³⁴ *European Parliament resolution on the protection of minorities and anti-discrimination policies in an enlarged Europe*, (2005/2008(INI)): „The political dimension and the urgent need for anti-discrimination policies and minority protection 1. Considers that it is of primary importance to the enlarged Union of 25 Member States and 450 million inhabitants: - to reinforce the links between the Union's peoples and the project that it represents, while at the same time strengthening the sense of belonging to the European Union and the recognition of each person's own history, culture, identity and distinctiveness“.

³⁵ *European Parliament resolution of 13 November 2018 on minimum standards for minorities in the EU*, (2018/2036(INI)): „1. Recalls that Member States have an obligation to guarantee minorities the full enjoyment of their human rights, whether as individuals or as a community; 2. Recalls that while protection of minorities is a part of the Copenhagen criteria, both for the candidate countries and for the Member States, there is no guarantee that candidate states will stick to the commitments undertaken under the Copenhagen criteria once they became Member States; 3. Notes that the EU still lacks effective tools to monitor and enforce the respect of minority rights; regrets that in the field of minority protection the EU has either taken for granted

the assumption that its Member States comply with minority rights or has relied on external monitoring instruments, such as those of the UN, the Council of Europe or the OSCE; 4. Notes that compliance with the Copenhagen criteria by states before and after their accession to the EU must be subject to constant monitoring and to a constant dialogue within and between Parliament, the Commission and the Council; stresses the need for a comprehensive EU protection system for minorities, accompanied by a robust monitoring mechanism; 5. Recalls that, in accordance with Article 17(1) of the TEU, the Commission, as guardian of the Treaties, has the legitimacy and authority to ensure that all the Member States are upholding the rule of law and other values referred to in Article 2 of the TEU; considers, therefore, that the measures taken by the Commission to carry out the task and to ensure that the conditions which existed before a Member State's accession are still being fulfilled do not violate the sovereignty of the Member States". See also: *European Parliament resolution of 13 December 2016 on the situation of fundamental Rights in the European Union in 2015*, (2016/2009(INI)); *European Parliament resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States*, (2017/2937(RSP)).

³⁶ Guideline No. 5 on Relations between the Council of Europe and the European Union, adopted by the Heads of State and Government of the Council of Europe member states, Warsaw, 16 and 17 May 2005.

³⁷ COMMUNICATION FROM THE COMMISSION on the European Citizens' Initiative 'Minority SafePack - one million signatures for diversity in Europe', Brussels, 14 January 2021 C(2021) 171 final. See: RELAÑO PASTOR E., TOPIDI K. (eds.) (2024), *Minority Rights and Social Change Norms, Actors and Strategies*, Routledge, London.

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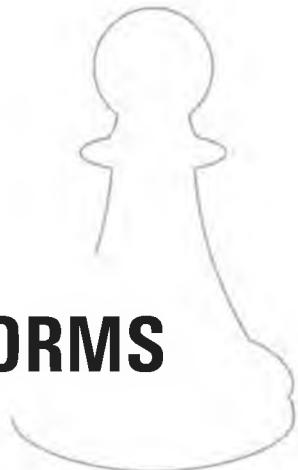
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Third panel:

DIS/INFORMATION AND ONLINE PLATFORMS IN THE EU



KEYNOTE SPEECH: TECH BROS. BUSINESS MODEL. MEDIA FREEDOM. WHAT TO DO WITH DSA?

Irene Maria Plank

Ambassador of the Federal Republic of Germany to the Republic of Bulgaria

Good morning,

Thank you very much for having me. As Dr. Yurukova said, I am really passionate about the topic. I think it is very important. I have to thank you all for being here. You pointed me right to the Digital Services Act (DSA) and to the Digital Markets Act (DMA), if I may supplement this. I actually do not consider myself a defender of that act, but a promoter because, unfortunately, big parts of it have not been properly implemented yet.

I want to start with a useful reminder that disinformation and everything that artificial intelligence can do does not only happen in the political sphere, but also in the economic sphere. As we are all primarily politically orientated, we should not forget that more than 50% of texts online have not been written by humans and about 95% of them have an economical target. Businesses are subject to campaigns, just as governments, just as political parties are. It is not widely talked about, but we all encounter it. For example, when a hotel with hundreds of positive reviews turns out to be not as nice as the reviews suggest. When you are looking for allies to find a solution in the political sphere it is helpful to remind yourself that businesses might be struggling with the same issue.

Now, another important aspect to remember is that most of the online platforms and services we are using are based in the United States. Consequently, we are affected by political changes in the US. And if you remember the pictures of President Trump's inauguration, you may have noticed that we could describe everybody next to Mr. Trump as so called „Tech Bros.“ They are extremely rich owners of extremely big platforms. They label the discussion on countering online-disinformation very often as an impediment to the freedom of speech. We have seen Mr. Musk do it, we have seen Mr. Vance do it. If you want to restrict something that is happening online, it often is framed as infringement on the freedom of speech. The first Amendment tradition is often quoted in the debate, which rightfully says: No state intervention for what somebody says somewhere. And I think, in principle, it is useful.

However, in the discussion about disinformation this is a red herring. If we look closely, the Digital Services Act has nothing to do with an impediment to the freedom of speech. Indeed, we have different political cultures. When I first visited the United States, I drove through a little village in Nebraska where I came upon a big sign: „If

the president enters here, we will shoot him. He is a bastard.“ That is one form of understanding the freedom of speech. We have a different tradition in Europe because we would not consider this as freedom of expression but as a criminal act, which brings me to the Digital Services Act, or more precisely, to a fundamental understanding of the objective of the Digital Services Act: It wants to abide by the idea that what is illegal offline should be illegal online. You cannot stand in a public place and say: „This person should be killed.“ Ergo, you should not be able to do it online. This is a particularly good maxim to begin with.

When we are talking about the Digital Services Act, we are talking about it as a legal framework. It is not forbidding anybody to lie; you can lie as much as you want online. That is not what the Digital Services Act is about. We are talking about appearances, and we are talking about credibility. We have not only seen an increase of fake news, but also algorithms that are completely opaque. When you go online, you get this impression that something has a majority, that everybody thinks this or the other way, only because algorithms you do not understand, which are not transparent and you have no idea who made them or how they're working, flood your information zone with a specific kind of information. Naturally, the vision you get of what the actual discussion is becomes distorted.

To make matters worse, we have a difficulty of measuring the effect. It was the former CEO of the French car manufacturer Renault, who was asked many years ago, even before the digital age: You are spending a lot of money on publicity. Does it work? Does it pay off? And he said: „Half of it does. I just don't know which half.“ In the digital realm, it is similar. You can't really say which piece of disinformation or which algorithm has such or such an effect on the viewer. For example, on the one hand, there was this picture of late Pope Francis in this big puffer jacket. You remember? Most probably the majority of people intuitively understood that this was fake. This was a photo generated by artificial intelligence. The Pope had not really gone to his gangster friends and borrowed a jacket. Still, you never know who believes it. On the other hand, there is this story, that the former German Minister of Economy wrote in the beginning of the energy crisis, after the Russian invasion of Ukraine, to his French colleague to request more electricity from the French nuclear plants. And this is a myth that persistently conveys the message: „You see, Germany was wrong to get out of nuclear energy. They needed it, and here is this letter to prove it.“ In fact, the letter is fake. There was a letter, but it was just the contrary, because France at a time had a big problem with the nuclear facilities, most of them were shut down for a reason I don't recall. The offer was to export German electricity to France, to help bridge that gap. Despite that, I guess 90% of people who read the disinformation piece believed that it was serious news. These things distort the public debate and are the reason to have fact checkers. What I mean to say with this example is, just as in the case of Renault, you cannot really measure the effects it had on democratic processes. But you can be sure it had an influence on it, just as the advert of Renault had.

The intuitive assumption is that the effect is not a good one because algorithms boost whatever is emotional. It is still our ideal that we are people who take a

political decision based at least on some rationality, and not necessarily our emotions. That whole structure, however, is favouring unquestioned emotions so much that it is difficult to get a word in between, to the point that it becomes a big problem. How do we combat this? It is a fine line to restrict certain opinions, but you can have a look at the distractors. When somebody says: „He should be hung from a tree on a public space, because that person is wrong politically,“ then you can refer to penal law and say: „No, that is definitely not allowed.“ But if somebody says: „Oh, we are all governed by a heap of lizards from Mars,“ would you want to intervene as a state and forbid that? It is an opinion, an amazingly looney one, but can you forbid it if somebody believes it and wants to express it? It is a fine line.

However, you can have a look at the algorithms. You can do something about the fact that all of a sudden people start to think that we are governed by lizards sitting on Mars. One thing of course is media literacy, especially for young people, but that is not my topic right now. Besides this, you can do something about the mechanisms. As the only region in the world, the European Union has given itself this tool. We should be proud of it and we should use it. This tool is the said Digital Services Act. It requires providers, large online platforms (so-called VLOPs) platforms with more than 45 million monthly active users, to take precautions against illegal content.

They have to act appropriately against hate speech, which is definable, and against criminal activities, which are definable as well. Here in Europe, our framework is the European legislation and not the First Amendment of the US Constitution. The Digital Services Act is a sharp tool. Firstly, the fine for noncompliance is up to 6% of annual turnover of the respective platform. Secondly, it requires big platforms to lay open their algorithms, their boosting mechanisms, and, if necessary, to correct them. Moreover, we have fact checking and something that is called „Trusted Flaggers.“ That said, the real strength of this tool is that it does not concentrate on content but deals with the mechanisms. It wants mechanisms to be comprehensible, it wants mechanisms, which forbid unfair and unrealistic boosting, and it wants to permit fakes to be detected.

I think if a hotel hires an army of bots to write bad reviews about a competing hotel, we would all agree that we need to stop that. In just the same way I think, if there are fake news about a competing political actor everybody should look into that and not scream for the First Amendment.

The Digital Services Act binds everybody who does business online in Europe, which includes the large US platforms, and the Commission is enabled to act in cases of non-compliance.

I think the DSA does not require much from state authorities. However, it would require setting up a key authority, which watches over the implementation process, forces platforms to respect the rules and proceeds to fine them if they do not. It is important that this is on the Bulgarian political screen as well, since it concerns every single member state. This is my message for today. Thank you!

Irene Maria Plank

Ambassador of the Federal Republic of Germany to the Republic of Bulgaria

WHY FREEDOM OF SPEECH IN THE EU IS NOT EQUIVALENT TO THE FREEDOM OF ONLINE PLATFORMS TO BE IRRESPONSIBLE AND UNACCOUNTABLE

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Abstract:

In 2025, the European Union (EU) faced increasing criticism concerning its approach to freedom of speech in the digital environment. This paper argues that such criticism is less about the EU undermining free expression and more about resistance to the Union's attempts to regulate online intermediary service providers, including major technology platforms categorised as Very large online platforms (VLOPs) and Very large online search engines (VLOSEs) under Digital Services Act (DSA). From a political science perspective, the controversy reflects a broader struggle over digital sovereignty, regulatory power, and the reconfiguration of responsibility in the online public sphere.

The EU's regulatory initiatives – most notably the DSA, Digital Markets Act (DMA), the Artificial Intelligence Act (AI Act), and the European Democracy Shield – signal a shift towards holding digital platforms more accountable as actors with public responsibilities. This study situates the debate within the framework of democratic governance, exploring the interests and narratives of key stakeholders, including Big Tech, who often frame regulatory oversight as a threat to freedom of expression while avoiding obligations to democratic norms. The analysis contributes to understanding the political dynamics shaping digital regulation and the evolving boundaries of free speech online in the EU's normative order in comparison to United States (US).

Keywords: Digital Regulation, Digital Services Act (DSA), Freedom of Speech, Content Moderation, Fact-Checking, EU, US, Digital Sovereignty, VLOPs

Introduction

In 2025, EU became a subject of criticism regarding its policies and their implementations concerning its digital policy agenda and the perceived implications for freedom of speech. This paper argues that the reasons for these critical narratives are related not to the EU's commitment to freedom of expression per se, but rather for its recent digital policies and regulatory instruments. These initiatives are reflecting the governance of online intermediary service providers – including Big Tech companies that have shown resistance to assuming greater responsibility and accountability to safeguard the freedom of speech in digital environment.

The main thesis in the paper is that the freedom of expression in EU is not equivalent to the freedom of online platforms to be irresponsible and unaccountable. To support this, it is needed a deeper explanation and understanding of the context and the policy frame in the EU and in the US. The study, first, examines the Union's evolving framework for safeguarding freedom of speech online. Particular attention is given to new regulatory measures such as the Digital Services Act, Digital Markets Act, the AI Act, and the recent EU initiatives like European Democracy Shield, which together form the foundation of this contested policy landscape. Second, offers a contextual analysis of the key stakeholders voicing opposition to the EU's approach. Third, make a comparison between the EU and the US in the way digital regulation is evolving.

Digital transformation: the change of the existing information ecosystem and the need for new digital regulation framework

As a result of the rapid and profound integration of digital technologies into everyday life, the existing media ecosystem is experiencing significant transformation. This shift necessitates the establishment of a new „social contract“ applicable within the digital environment. Such a system – or rather, this new approach – should be embedded within a broader process aimed at achieving consensus among diverse stakeholders, with the goal of constructing a renewed, adequate, and effective media ecosystem suited to the digital age.¹

Among the various economic, social, and technological transformations of recent decades, the widespread adoption of the Internet has enabled the emergence of online platforms such as Meta (Facebook, Instagram), Google, X (former Twitter), YouTube, TikTok, and others, which have fundamentally altered the core elements of the media system as it functioned prior to their existence. The rapid advancement of digital technologies, combined with the emergence of these new actors within an increasingly complex media ecosystem, has elevated compa-

¹ Юрукова, М. (2022). *Дезинформация онлайн: стратегии за противодействие в ЕС* (Докторска дисертация). Софийски университет „Св. Климент Охридски“, София. [Yurukova, M. (2022). *Disinformation Online: Counteraction Strategies in the EU* [Doctoral dissertation, Sofia University „St. Kliment Ohridski“, Sofia.]

nies that did not exist 25 to 30 years ago into key stakeholders – probably possessing greater power and influence than some nation states.²

Since their inception, online platforms such as Google, Facebook, and YouTube have consistently asserted that they are not media organisations, on the grounds that they do not interfere with content nor exercise editorial control. This claim has exempted them from the strict obligations and regulatory frameworks traditionally applied to journalism.³

Consequently, they are not held legally responsible for third-party content hosted on their platforms (Safe Harbour Principle). However, given that the algorithms of these social networks actively shape users' exposure to content – recommending and directing them towards specific information, news, and data – it may be argued that technology companies should bear a degree of responsibility for the information ecosystem they effectively curate⁴.

In this process of creating an effective media ecosystem in the digital age, different governments are taking different approaches. The United States and the European Union as well are having different approaches and have their own specific policies and regulation.

Legal framework of the freedom of speech in EU

Freedom of speech is embedded within the legal and democratic order of every EU Member State. Article 11 of the Charter of Fundamental Rights of the European Union enshrines freedom of expression as a fundamental precondition for informed decision-making in free and democratic societies⁵. The right to freedom of expression extends to print, electronic, and online media and encompasses the right to hold opinions and to receive and impart information and ideas without interference by public authority. It also upholds the principles of media freedom and media pluralism. In EU, increasing attention is being devoted to addressing illegal and harmful online content. The types of illegal content covered by EU legislation include incitement to hatred, terrorism, and child abuse material. This legal framework allows online platforms to be held accountable if they fail to promptly remove illegal content after being duly notified.

In general, freedom of expression and information in EU Member States is governed through overarching legal frameworks such as national constitutions, criminal codes, and other relevant legislation⁶. The foundational legal instruments

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ European Union. (2012). Charter of Fundamental Rights of the European Union (2012/C 326/02). Official Journal of the European Union, C 326, 391-407.

⁶ Огнянова, Н. (2014). Медийна политика и право на Европейския съюз (2-ро издание). София: Университетско издателство „Св./Климент Охридски“. [Ognianova, N. (2014). *Media policy and law of the European Union* (2nd ed.). Sofia: St. Kliment Ohridski University Press.]

underpinning these frameworks include: the already mentioned Charter of Fundamental Rights of the European Union (Article 11)⁷, the European Convention on Human Rights and Fundamental Freedoms of the Council of Europe (Article 10)⁸, the United Nations Universal Declaration of Human Rights (Article 19)⁹, the International Covenant on Civil and Political Rights of the United Nations (Article 19)¹⁰, as well as various EU directives and regulations related to hybrid threats, cybersecurity, and media regulation within Europe and the Member States and recently related as well to Digital Single Market, including the platform governance. Relevant provisions can be found in several legislative instruments, such as the revised Audiovisual Media Services Directive (AVMSD), the Directive on Copyright and Related Rights in the Digital Single Market (CDSM), and the Directive on combating the sexual abuse and sexual exploitation of children, including child pornography. Additionally, key digital regulatory frameworks include the General Data Protection Regulation (GDPR), the DSA and DMA, and the Regulation on addressing the dissemination of terrorist content online (TERREG), among others.

Digital regulation in EU

Additionally, freedom of expression and information on the Internet is following two main principals. First, *what is illegal online, is illegal offline*. This concept is a guiding principle for laws and regulations concerning online activity, particularly in the European Union. It aims to ensure a safer digital environment by addressing issues like illegal content, harmful practices, and election interference. Second, *safe harbours for online platforms* – as mentioned previously in the paper – designed to shield online service providers from liability for user-generated content if they meet certain conditions. The goal is to encourage innovation and free speech by allowing platforms to operate without constant fear of being penalised for posts generated by users.

The EU's recent digital regulations continue to rely on these two core principles. However, the conditions for safe harbours afforded to online platforms are being increasingly questioned, modified, and expanded.

The text below presents an overview of the key regulations relevant to this change of conditions.

Since 2016, with the GDPR the EU started to increase the responsibilities for the on online platforms regarding personal data. GDPR was a foundational turning point in the European Union's effort to establish a comprehensive

⁷ European Union. (2012). Charter of Fundamental Rights of the European Union (2012/C 326/02). Official Journal of the European Union, C 326, 391-407.

⁸ Council of Europe. (1950). Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended).

⁹ United Nations. (1948). *Universal Declaration of Human Rights*.

¹⁰ United Nations. (1966). International Covenant on Civil and Political Rights. 999 U.N.T.S./171.

and enforceable framework for the protection of personal data, significantly enhancing the accountability of online platforms. For the first time, digital platforms – including social media companies, search engines, e-commerce services, and other data-driven services – were placed under strict legal obligations not only to process personal data lawfully, fairly, and transparently, but also to implement technical and organizational safeguards, including data minimization, privacy-by-design, and privacy-by-default. Importantly, the GDPR introduced core principles of user empowerment, such as the right to access, rectify, and erase (the right to be forgotten), data portability, and the right to object to processing, including automated profiling. These rights shifted the power dynamic between individuals and online platforms, making user consent a central legal basis for data processing. Moreover, platforms became subject to severe penalties for non-compliance – up to 4% of global annual turnover – which had a profound effect on global tech companies operating in the EU¹¹.

In 2018, EU adopted the third revision of the AVMSD. AVMSD introduced significant regulatory obligations for video-sharing platforms (VSPs), marking a pivotal expansion of the Directive to reflect the evolving digital media landscape. While the original Directive primarily targeted traditional broadcasters and on-demand audiovisual services, the 2018 revision explicitly extends its scope to platforms such as YouTube, TikTok, and similar services where users upload, share, and consume video content. AVMSD imposes a range of obligations on video-sharing platforms (VSPs) aimed at protecting minors, combating illegal and harmful content, and ensuring advertising transparency. It requires platforms to adopt measures such as age verification tools, content reporting systems, clear labelling of commercial content, and mechanisms to promote European audiovisual works.¹² By expanding the scope of the AVMSD, the directive recognizes VSPs' active role in shaping media consumption and aligns with broader EU efforts to enhance platform accountability and user protection in the digital environment. By extending its scope to cover VSPs, AVMSD acknowledges that platforms do not merely host content passively, but actively influence user engagement through algorithms, monetization systems, and recommendation engines. As such, they now bear a share of editorial responsibility, though in a limited and differentiated manner compared to traditional broadcasters. Moreover, the directive aligns with broader EU legislative trends that emphasise on platform accountability, content moderation transparency, and user protection in digital spaces.

¹¹ European Union. (2016). *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)*. Official Journal of the European Union, L 119, 1-88.

¹² European Union. (2018). *Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities*. Official Journal of the European Union, L 303, 69-92.

In 2021, the TERREG requires from the online platforms, including social media, to swiftly remove terrorist content within one hour of receiving a removal order from national authorities. The regulation also outlines safeguards to protect freedom of expression and information. The regulation aims to prevent the dissemination of terrorist propaganda online and imposes obligations on hosting service providers to implement proactive measures and ensure accountability.¹³

In 2022, the EU adopted the Digital Services Act¹⁴, changing the responsibilities of the different providers of intermediary services, regarding their size and reach, and establishing a new legal regulation for content moderation on online platforms to counter the spread of illegal and harmful content, including disinformation, misinformation and propaganda. The DSA reflects the growing diversification of digital intermediaries, and it is trying to ensure more proportionate and effective oversight across the digital ecosystem. The Very large online platforms (VLOPs) and the Very large online search engines (VLOSEs) are categories defined under the DSA – they are platforms that provide services to a large number of users in the European Union – specifically those with more than 45 million active monthly users (around 10% of the EU population)¹⁵. Simultaneously, the previously adopted self-regulatory mechanisms, the EU Code of Practice on Disinformation and the EU Code of Conduct on Countering Illegal Hate Speech Online, continued to be applied in this co-regulatory approach.

In 2024, the EU adopted the European Media Freedom Act (EMFA). Although the EMFA it is not focus on regulating social media platforms themselves, it seeks to ensure that digital intermediaries, especially the VLOPs, do not undermine media freedom by enabling unfair practices or censorship that could affect the availability and visibility of trustworthy news content online¹⁶.

In June 2024, the European Commission inaugurated the DSA Transparency Database, requiring online platforms to disclose their content moderation decisions, along with the underlying justifications for those actions.

In August 2026, the AI Act, adopted in 2024, is scheduled to enter into full application. Online platforms, including social media services, which use

¹³ European Union. (2021). *Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on preventing the dissemination of terrorist content online and amending Regulation (EU) 2018/1805*. Official Journal of the European Union, L 172, 79-98.

¹⁴ European Union. (2022). *Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act)*. Official Journal of the European Union, L/277, 1-102.

¹⁵ Ibid.

¹⁶ European Union. (2024). *Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act)*. Official Journal of the European Union, L 2024/1083.

automated content moderation systems qualifying as „AI systems“ under the AI Act are required to adhere to the obligations outlined in this legislation¹⁷.

In July 2024, the European Democracy Shield was introduced. The initiative seeks to integrate all these efforts to counter foreign information manipulation and interference (FIMI) and to achieve information integrity. Additionally, the initiative incorporates the work of the European Digital Media Observatory (EDMO) and its network of regional hubs, and the Regulation on Transparency and Targeting of Political Advertising.¹⁸ The European Democracy Shield calls on digital companies and social media platforms to improve transparency and accountability in key areas, including terms of service, content moderation, recommendation algorithms, and personal data processing, especially in local languages¹⁹. All these measures aim to empower users to make informed choices and support sustainable development and digital inclusion.

DSA as a milestone and a trigger for criticism

In this context, DSA is a milestone in the platform regulation, and it is one of the main reasons for the criticism EU is facing, because the DSA fundamentally shifts platform governance in the EU. While it retains conditional immunity for hosting thirdparty or user content – mirroring the safe harbour framework established by the e-Commerce Directive – it imposes significant new transparency and accountability duties on providers of online platforms, particularly those declared VLOPs and VLOSEs.

Under the DSA, platforms must now explain algorithmic processes, justify content moderation decisions, and bear responsibility for systemic risks, even that the platforms historically claimed immunity by avoiding editorial responsibility. As social media companies increasingly curate content via opaque systems, they become accountable under EU law for decisions previously considered beyond their remit. They must also share relevant data with authorities and researchers to allow external scrutiny, under threat of fines of up to 6% of global annual turnover for noncompliance. These provisions demonstrate that algorithms do more than merely transmit user-generated content – they actively shape visibility and influence – creating normative and practical grounds for regulating platforms’ responsibility for the information ecosystem they construct.

Obligations that are requiring resources are imposed to all online providers of digital services. All the providers of intermediary services are obligated to

¹⁷ European Union. (2024). *Regulation (EU) 2024/1252 of the European Parliament and of the Council of 13 March 2024 laying down harmonised rules on artificial intelligence and amending certain Union legislative acts (Artificial Intelligence Act)*. Official Journal of the European Union, L 2024/1252.

¹⁸ European Parliament Research Service. (2024, December). *Information integrity online and the European democracy shield* (EPRS Briefing No. 767153). Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/767153/EPRS_BRI\(2024\)767153_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/767153/EPRS_BRI(2024)767153_EN.pdf)

¹⁹ Ibid.

designate a single point of contact to enable them to communicate directly, by electronic means, with Member States' authorities (Digital services coordinators or DSCs), the Commission and the European Board for Digital Services (Article 11), as well they should have a legal representative in the EU. (Article 13)²⁰.

Under Article 4 of the DSA, platforms must manage content in a fair, lawful, and transparent manner, explicitly informing users if algorithms are involved in content curation and how they operate. When providers of intermediary services received an order to act against one or more specific items of illegal content, issued by the relevant national judicial or administrative authorities, based on the applicable Union law or national law in compliance with Union law, they are obligated to inform the authority issuing the order of any effect. (Article 9)²¹. Moreover, Article 14 and Article 27 require platforms to disclose measures used for content moderation and recommender systems, including the main parameters guiding algorithmic suggestions and how users may modify those parameters.²²

They should as well „make publicly available, in a machine-readable format and in an easily accessible manner, at least once a year, clear, easily comprehensible reports on any content moderation that they engaged in“ (Article 15).²³ There are Notice and action mechanisms specifically related to illegal content (Article 16), including related to notice submitted by trusted flaggers, which are approved by the DSCs²⁴ and listed on the Official pages of the EC²⁵. Trusted flaggers are afforded prioritised access to the content moderation process of online platforms, and their flags are addressed with priority by the online platform compared to the treatment of ‘ordinary’ flags²⁶.

All platforms designated as VLOPs must conduct mandatory risk assessments addressing issues such as misinformation, disinformation, and algorithmic bias, as outlined in Articles 34-35²⁷.

²⁰ European Union. (2022). *Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act)*. Official Journal of the European Union, L/277, 1-102.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ European Commission. (n.d.). *Digital Services Act (DSA) and Digital Services Coordinators (DSCs)*. Shaping Europe's digital future. Retrieved July 31, 2025, Available at: <https://digital-strategy.ec.europa.eu/en/policies/dsa-dscs#1720699867912-1>

²⁵ European Commission. (n.d.). *Trusted flaggers under the Digital Services Act (DSA). Shaping Europe's digital future*. Retrieved July 31, 2025, Available at: <https://digital-strategy.ec.europa.eu/en/policies/trusted-flaggers-under-dsa>

²⁶ European Union. (2022). *Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act)*. Official Journal of the European Union, L 277, 1-102.

²⁷ Ibid.

These are some of the new obligations under the DSA for the online platforms that are showing the extent to which the platform should adapt to the EU digital regulation and to take a responsibility for the influence they possessed in the digital world.

EU digital regulation, the Big Tech and their influence

As demonstrated, the EU's digital regulations affect some of the largest companies in the world. The fact is that the EU's digital regulatory framework – centred on the Digital Services Act and Digital Markets Act, but not only – applies to some of the world's most influential technology firms, particularly those headquartered in the United States. Under the DSA, up to July 2025, Amazon (Amazon Store), Apple (App Store), Meta Platforms (Facebook, Instagram), Microsoft (Bing), as well other services providers in EU as Google (Google search, Google Play, Google Maps, Google Shopping, YouTube), Pinterest, TikTok, Twitter (X), Snap B.V. (Snapchat) and others are designated Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs) supervised by the Commission and the main enforcement authorities²⁸.

Four of them (Microsoft, Apple, Amazon and Meta) are in the Top 7 largest companies by market capitalization in the world²⁹. With a market capitalization of 3.12 trillion U.S. dollars as of May 2024, Microsoft was the world's largest company that year³⁰.

As of March 2025, Google represented 79.1 percent of the global online search engine market on desktop devices³¹. This is in a year that marks the lowest market share the search engine has recorded on these devices in more than twenty years.

Facebook stands as the most popular social media platform worldwide, with 3.07 billion monthly active users – the highest among all social platforms³². In EU, the average monthly active users are 259 million – numbers reported by the provider³³. On average, a user spends about 30.9 minutes on Facebook³⁴.

²⁸ European Commission. (2025, July 28). *List of designated VLOPs and VLOSEs under the Digital Services Act*. European Commission. Available at: <https://digital-strategy.ec.europa.eu/en/policies/list-designated-vlops-and-vloses#ecl-inpage-Infinite>

²⁹ Statista. (2024). *Leading companies worldwide by market capitalization as of May 2024*. Available at: <https://www.statista.com/statistics/263264/top-companies-in-the-world-by-market-capitalization/>

³⁰ Ibid.

³¹ Statista. (2024). *Worldwide desktop market share of leading search engines from January 2010 to June 2024*. Statista. Available at: <https://www.statista.com/statistics/216573/worldwide-market-share-of-search-engines/>

³² DemandSage. (2024). *Facebook statistics and facts (2024)*. Available at: <https://www.demandsage.com/facebook-statistics/>

³³ European Commission. (2025, July 28). *List of designated VLOPs and VLOSEs under the Digital Services Act*. European Commission. Available at: <https://digital-strategy.ec.europa.eu/en/policies/list-designated-vlops-and-vloses#ecl-inpage-Infinite>

³⁴ DemandSage. (2024). *Facebook statistics and facts (2024)*. Available at: <https://www.demandsage.com/facebook-statistics/>

The limited transparency exhibited by these highly influential, privately owned platforms significantly hinders the ability to evaluate the true extent of potential concerns related to speech regulation, censorship, and the phenomenon of collateral censorship³⁵.

Across most nations, the digital infrastructure underpinning the modern global economy is predominantly owned and operated by a limited number of highly centralised technology conglomerates, the majority of which are headquartered in US.³⁶ These companies – often referred to as Big Tech – exert considerable influence not only through their market dominance but also via extensive political lobbying, campaign donations, and strategic partnerships with political actors.³⁷

In the top three richest people in the world for 2025 according to Forbes are Elon Musk (X), Mark Zuckerberg (Facebook) and Jeff Bezos (Amazon).³⁸ Elon Musk has extended his political support across party lines over the years, endorsing Barack Obama during the 2008 and 2012 presidential elections, Hillary Clinton in 2016, Joe Biden in 2020, and subsequently Donald Trump in 2024. Since 2025, Elon Musk has assumed the role of Senior Adviser to President Donald Trump and serves as the de facto head of the Department of Government Efficiency (DOGE), while also holding ownership and the chairmanship of the platform X. In the end of May, Elon Musk announced his departure from the Trump Administration. In such a context, it is not unexpected that political figures who receive substantial financial and political backing from these corporations may express discontent when confronted with jurisdictions where their influence is curtailed by robust legal frameworks.

These technology giants have not only consolidated power over digital infrastructures and communication channels but have also positioned themselves as key actors in the political sphere. Their platforms play a significant role in shaping public discourse, influencing individual cognition, and controlling the flow of information. Consequently, the primary institutional counterweight to their growing influence remains the rule of law – an essential democratic safeguard in an era where popular dependence on digital platforms continues to rise^{39,40} and that is what EU is promoting.

³⁵ Klonick, K. (2018). The New Governors: The People, Rules, and Processes Governing Online Speech. *Harvard Law Review*, 131(6), 1598-1670.

³⁶ Zuboff, S. (2019). *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power*. Profile Books.

³⁷ Klonick, K. (2018). The New Governors: The People, Rules, and Processes Governing Online Speech. *Harvard Law Review*, 131(6), 1598-1670.

³⁸ Forbes. (2025). *The world's billionaires list*. <https://www.forbes.com/billionaires>

³⁹ European Commission. (2023). *Digital Services Act: Ensuring a safe and accountable online environment*. Available at: <https://digital-strategy.ec.europa.eu>

⁴⁰ Gillespie, T. (2018). *Custodians of the Internet: Platforms, content moderation, and the hidden decisions that shape social media*. Yale University Press.

Understanding the context: who and what for is criticising EU

The preceding discussion has examined the European Union's framework on freedom of expression, recent digital regulations, and their intersection with major technology companies and their influence. To understanding the criticism concerning EU approach to freedom of speech in the digital environment, the next part of this paper is focusing on the questions who and for what is criticising EU.

On January 7, 2025, Mark Zuckerberg announced⁴¹ major changes to Meta's content moderation policies. It was followed by a series of statements that framed Meta's content policy, but as well contained a clear strategic and political message.

The main pillars of the changes includes that Meta, first, will eliminate the collaboration and the use of fact-checking organisations in the US and replacing them with a „community notes“ system similar to Elon Musk's X (formerly Twitter); second, will „simplify“ content moderation policies by removing certain restrictions on topics like immigration and gender in order to foster discussion; c) change the settings of the automatic filters so that they proactively block only illegal content and grave violations of their terms, and wait for the notice in other cases; third, will bring back political content on its platforms; fourth, will relocate the content moderation team from California to Texas, which may raise less concern about ideological bias within the team „at least in the US“, and fifth, will push back on governments that require stronger restrictions, asserting that „now we have the opportunity to restore free expression“ with the help of the US government⁴². Recent policy shifts in the United States highlight a divergent regulatory philosophy that compare, incorrectly, the EU digital regulatory framework to secretive judicial regimes in Latin America, and authoritarian controls in China.

Mark Zuckerberg's recent rhetoric and strategic decisions can be interpreted in three principal ways⁴³, each offering insight into his motivations and Meta's positioning in the current political and regulatory climate.

A month later, the address of the Vice President of the United States, JD Vance, to the 61st Munich Security Conference held in February 2025 yet again turned EU at a subject of criticism⁴⁴. It was anticipated that Vance would utilize

⁴¹ Zuckerberg, M. [@Zuck] (2025, January 7) Announces Changes in Meta's Content Moderation Policies and Operations [Video]. Instagram., Available at: <https://www.instagram.com/zuck/reel/DEhf2uTJUs0/?hl=de>

⁴² Ibid.

⁴³ Bayer, J. (2025) Zuckerberg's Strategy: Leveraging Trump to Defy European Regulation?, *VerfBlog*, Available at <https://verfassungsblog.de/zuckerbergs-strategy/>, DOI: 10.59704/e94f730ca2e6b631

⁴⁴ MSC (2025) Munich Security Conference 2025 Speech by JD Vance and Selected Reactions, „Selected Speeches held at the Munich Security Conference“, Volume 2, Ed. Benedikt Franke, Mittler.

his statement in Munich to discuss potential negotiations aimed at ending the war in Ukraine. However, he devoted most of his speech to criticising European governments. In his speech JD Vance voiced strong concerns about the state of free speech and democratic values in Europe, warning of an internal erosion of the principles, in his view, that once defined the West during the Cold War. He criticised what he sees as a growing trend of censorship and suppression of dissenting voices across European nations saying that „in Britain and across Europe, free speech, I fear, is in retreat.“⁴⁵ He argued that the greatest threat to European security is not external – such as Russia or China, but internal – a retreat from foundational Western principles shared with the United States. Vance cited several examples to illustrate his concerns. He referenced Romania’s annulment of a presidential election, in his view, allegedly carried out under pressure from intelligence services and neighbouring governments. He criticised EU officials for expressing a willingness to shut down social media during times of civil unrest, in his view, based on their judgment of what constitutes hateful content. In Germany, he pointed to police actions targeting individuals for online speech, such as posting anti-feminist comments. In Sweden, he noted the prosecution of a Christian activist linked to Quran-burning incidents. And in the United Kingdom, he condemned buffer zone laws that have resulted in citizens being charged for engaging in silent prayer near abortion clinics - even, in some cases, within their own homes.

JD Vance acknowledged that according to his censorship is not a uniquely European problem, noting that the U.S. government, under the Biden administration, had pressured social media companies to suppress views it labels misinformation – such as the lab-leak theory of COVID-19’s origin. Vance pledged that a Trump administration would take the opposite approach, defending the right to free expression even for controversial or unpopular views. He called for European leaders to stop hiding behind terms like „misinformation“ and „disinformation“ to silence opposition, and instead to trust their own citizens. In his view, democracy cannot survive if leaders are afraid of their people’s voices.

Later JD Vance’s free speech claims were debunked and categorized as misleading by fact-checking organisation as DW’s Team Fact check⁴⁶. But there was an immediate reaction to the speech. During JD Vance’s speech Boris Pistorius, Minister of Defence of the Federal Republic of Germany, who sat in the second row of the audience, shouted that „That is unacceptable“. Two hours later, he officially replied in his introduction to a panel on European Defence with a statement spontaneously rewritten under the impression of JD Vance’s speech.⁴⁷ There were reaction to JD Vance all over the world during

⁴⁵ Ibid.

⁴⁶ Steffen, S., and Vera, A. (2025, February 17) Fact check: JD Vance’s free speech claims debunked, DW., Available at <https://www.dw.com/en/jd-vance-free-speech-claims-debunked/a-71642886>

⁴⁷ MSC (2025) Munich Security Conference 2025 Speech by JD Vance and Selected Reactions, „Selected Speeches held at the Munich Security Conference“, Volume 2, Ed. Benedikt Franke, Mittler.

the conference, for example, from Kaja Kallas, Vice President and High Representative for Foreign Affairs and Security Policy of the European Commission, from Olaf Scholz, Chancellor of the Federal Republic of Germany, from Alexander Stubb, President of the Republic of Finland, who pointed out that according to the Index of free speech Norway, Sweden, Denmark, Netherlands and Finland are on the top five places in the world⁴⁸. After the conference Ursula von der Leyen President of the European Commission also reacted.

A few days following JD Vance's remarks in Munich Security Conference 2025, U.S. President Donald Trump was asked to share his perspective during a brief Q&A session in the Oval Office where he stated that Europe „is losing, they're losing their wonderful right of freedom of speech.“⁴⁹

All these three statements are related and have embedded in them a strategic goal. They are clearly shaping a trend for changing the policies regarding the freedom of expressions in the digital world. In this context and in the narrative that it has been created, the EU is becoming a subject of criticism regarding the safeguard of the freedom of expression, because the Union is having the ambition to set high standards regarding the digital governance and it is rethinking the role of the different stakeholders in the process.

Both Trump and Vance have expressed strong criticism of what they perceive as limitations on free speech across Europe, particularly in relation to the European Union's regulation of social media, which is officially intended to address hate speech and disinformation, not to limit the freedom of expression. The researchers are trying to project what may be the reasons for them – are they principal, political or economic.

This paper argues that the justification is complex and has different reasons for all the positions supported by the participants involved, but in general the main topic is how to protect the freedom of speech in the digital age, mainly because we need a change in the balances and the share of responsibility of all the stakeholders involved. The main problem is should the safe harbours for the very large online platforms have to be kept or not.

The report contends that while individuals have a fundamental right to express themselves, this does not imply that private corporations should be immune from regulatory obligations when curating digital spaces that function as modern public spheres. Ultimately, the paper calls for a rights-based and accountability-oriented approach to platform governance that distinguishes between protecting individual expression and enabling unchecked corporate control over the digital public sphere.

⁴⁸ Ibid.

⁴⁹ Trump, D. [@Polialertcom] (2025, February 15) *Donald Trump's Statement on JD Vance speech in Munich conferences in 2025* [Video]. Instagram., Available at <https://www.instagram.com/polialertcom/reel/DGGTr0mJ-FP/?locale=de-DE>

The stakeholder analyses provided in the text below are giving a more profonde understanding for the reasons behind these statements and why this is happening now.

The first interpretation⁵⁰ views Zuckerberg's actions as submission to Trumps and its administration. This is particularly plausible given the substantial financial losses Meta suffered after Trump publicly criticised the platform before. The possibility of executive intervention under a renewed Trump presidency may have reinforced Zuckerberg's cautious posture, although this interpretation struggles to reconcile with his historically bold leadership style.

The second interpretation⁵¹ attributes Zuckerberg's stance to a genuine commitment to free speech. However, this narrative is undermined by evidence of inconsistency in Meta's content moderation practices, supported by former Facebook employees, including Cambridge Analytica scandal, as well the case with Frances Haugen, a former Facebook employee turned whistleblower, revealed that the company consistently prioritised profit over user safety by ignoring internal research showing its platforms amplified misinformation, hate speech, and harmful content⁵². She provided thousands of internal documents to regulators and the media, arguing that Facebook's algorithmic practices endangered public well-being, particularly among young users and in politically unstable regions. Joaquin Quiñonero Candela, a former director of AI at Facebook, did not publicly „blow the whistle“ in the way Frances Haugen did, but his work and insights have been cited in critiques of the platform's ethics and algorithmic design which is much more in collision with the ethical standards that the EU AI act is imposing. He stated to led efforts to improve fairness and accountability in Facebook's machine learning systems. However, according to internal reports and investigations (including those revealed by Haugen), his attempts to integrate ethical considerations into Facebook's algorithms were often sidelined or deprioritised in favour of financial growth and more engagement by the users. In this context, Zuckerberg's invocation of free speech is seen by many as more about deflecting regulatory scrutiny than principled defence of user rights⁵³.

The third⁵⁴ and most compelling interpretation positions Zuckerberg's behaviour as a strategic manoeuvre to resist European regulation, particularly the DSA. By aligning with Trump and politicising these regulatory conflicts,

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Menczer, F. (2021) Facebook whistleblower Frances Haugen testified that the company's algorithms are dangerous - here's how they can manipulate you. Available at: <https://theconversation.com/facebook-whistleblower-frances-haugen-testified-that-the-companys-algorithms-are-dangerous-heres-how-they-can-manipulate-you-169420>

⁵³ Bayer, J. (2025) Zuckerberg's Strategy: Leveraging Trump to Defy European Regulation?, *VerfBlog*, Available at <https://verfassungsblog.de/zuckerbergs-strategy/>, DOI: 10.59704/e94f730ca2e6b631

⁵⁴ Ibid.

Zuckerberg may be attempting to transform compliance issues into geopolitical disputes, thereby mobilising US government support to shield Meta from foreign oversight. His explicit criticisms of the EU further suggest an intent to forge political alliances that could challenge European digital regulation.

Regarding this interpretation this paper is supporting a more practical approach based on a stakeholder theory in policy making and the identification of mutual interests and it is considering Zuckerberg's actions as not only a way to be closer to Donald Trump's, but to have more political influence, including to synchronize action or to have a joint front with other Big Tech companies as Elon Musk's X and Jeff Bezos's Amazon. According to this view, it is more likely that Zuckerberg is attempting to avert potential retaliatory actions from a future Trump administration in US by aligning more closely with his agenda, but as well to have a political influence itself even outside US.

Ultimately, Zuckerberg's actions reflect a calculated effort to reshape the regulatory narrative in Meta's favour. The real issue is not censorship per se, but rather Meta's resistance to external accountability, particularly from the EU, whose framework prioritises users' rights over corporate discretion – unlike the US model, which protects platform immunity under Section 230 of the Communications Decency Act. Zuckerberg's strategic use of free speech rhetoric and political alignment with Trump appear to serve this broader aim: preserving corporate autonomy while resisting democratic oversight.

In the context, the remarks made by J.D. Vance at the Munich Security Conference, alongside former President Trump's criticisms of the European Union's approach to online freedom of expression, appear to be shaped by the interests of major US Big Tech companies, which are designated as VLOPs under DSA.

Comparing the EU and US regulatory regimes for online platforms

In the next part, the paper exploring the criticism over EU in the light of the differences between EU and US regulatory regimes. The regulatory frameworks governing online platforms in the EU and the US reflect fundamentally divergent legal traditions and normative priorities. While both jurisdictions recognise the central role of digital intermediaries in shaping public discourse, their respective approaches to platform liability, content moderation, and user rights differ, especially in the recent years.

As it is mentioned previously in the paper, in the EU, digital regulation is anchored in the Charter of Fundamental Rights of the EU, which is based on the protection of dignity, privacy, non-discrimination, freedom of expression, and access to information. The EU's regulatory model is explicitly rights-based and seeks to balance competing freedoms through enforceable obligations on intermediaries.

By contrast, the US' approach is primarily informed by First Amendment jurisprudence, which strongly protects freedom of expression, including that of corporations. The courts have traditionally construed this right as limiting government interference in private moderation decisions. As a result, online platforms in the US are treated not as public utilities but as private actors entitled to control the speech on their services.

The DSA preserves conditional immunity for hosting providers (Article 6), it introduces extensive due diligence obligations for VLOPs, which include: risk assessments (Articles 34-35); algorithmic transparency for the providers of online platforms that use recommender systems in their services (Article 27) and for online advertising (Article 39); Crisis response mechanisms (Article 36); Audits (Article 37); Data access for regulators (DSCs of the EU Member States) and for researchers(Articles 40). These measures reflect the EU's commitment to „technological sovereignty“ and a rules-based digital space that prioritises user safety, democratic integrity, and systemic accountability.⁵⁵

Conversely, in the United States, platform liability is governed by Section 230 of the Communications Decency Act. Section 230(c)(1) provides platforms with broad immunity from liability for third-party content, while Section 230(c)(2) permits them to moderate „objectionable“ content without losing that immunity – even if the moderation is inconsistent or biased⁵⁶. However, this immunity is not absolute and is subject to ongoing debate and legal challenges.

Regarding the **algorithmic accountability and transparency**, the DSA mandates algorithmic transparency (Article 27), requiring platforms to disclose the main parameters of their recommender systems and offer users alternative systems not based on profiling (Article 38). In contrast, the US has no general regulatory requirement for algorithmic transparency in the context of platform governance. Algorithmic decisions remain largely opaque, with platform design treated as proprietary business information. Although some state-level legislation and federal proposals have sought to introduce greater oversight, these efforts remain fragmented and unenforced at the federal level.

The DSA enhances procedural safeguards by introducing mandatory internal complaint-handling systems (Article 20), out-of-court dispute settlement mechanisms (Article 21), and mandatory explanations for content removals (Article 17). This procedural turn institutionalises transparency and fairness in platform-user interactions and aligns with principles of administrative law. By contrast, US law does not require platforms to offer users explanations or remedies for content decisions. While platforms have developed voluntary

⁵⁵ Bradford, A. (2020). *The Brussels effect: How the European Union rules the world*. Oxford University Press.

⁵⁶ United States Congress. (1996). *Communications Decency Act, 47 U.S.C. §/230* [PDF]. Retrieved July 31, 2025, Available at: Columbia University ecommerce statutes archive: <https://www.columbia.edu/~mr2651/ecommerce3/2nd/statutes/CommunicationsDecencyAct.pdf>

appeal systems, these are not enforceable, and users have limited legal recourse.

The transatlantic divide in platform regulation underscores broader ideological differences between **user-centric regulation (EU)** and **market-centric deregulation (US)**. The EU sees platforms as public-facing infrastructures that must be governed in the public interest, while the US tends to prioritise innovation and freedom over regulation. The US remains largely reactive, sector-specific, and with a heavy reliance on voluntary corporate codes. Despite growing criticism, platforms in the US enjoy significantly more discretion and legal protection than their counterparts in the European Union. However, the growing transatlantic regulatory gap may intensify pressure on the US to reconsider its laissez-faire approach, especially as platforms become more politically powerful and socially consequential or on the contrary, the platform may influence the decision making of the policymakers in order US to pressure EU.

Why cannot Facebook unilaterally stop working with fact-checking organisations in the EU?

In recent developments, both X (formerly Twitter) and Meta have demonstrated resistance to the European Union's voluntary self-regulatory frameworks. X officially withdrew from the EU Code of Practice on Disinformation in 2023⁵⁷, distancing itself from collective efforts to combat harmful online content. Similarly, in July 2025, Meta declined to sign the EU Code of Practice on General-Purpose AI⁵⁸ which complies with the AI Act legal obligations, citing concerns over legal ambiguity and the lack of clear regulatory scope, signalling a broader hesitation among major platforms to fully engage with the EU's co-regulatory approach to platform governance.

In the US, platforms are relatively free to determine how they moderate content and whether they wish to engage with fact-checkers. Unlike in the US, Facebook is unable to terminate its cooperation with fact-checking organisations within the EU, as such an action would be incompatible with the regulatory frameworks currently in force across EU Member States.

The EU co-regulatory backstop on disinformation, includes a self-regulatory mechanism – Code of Practice on Disinformation⁵⁹, that includes several voluntary commitments that tech firms and private companies, including fact-checking organizations, are expected to deliver on. On February 2025, the

⁵⁷ European Parliament. (2023, October 12). Applying EU law to fight the spread of illegal content and disinformation online. Available at: <https://www.europarl.europa.eu/news/en/agenda/briefing/2023-10-16/6/applying-eu-law-to-fight-the-spread-of-illegal-content-and-disinformation-online>

⁵⁸ Politico. (2023, July 26). *Meta won't sign EU AI code of conduct*. Available at: <https://www.politico.eu/article/meta-wont-sign-eu-ai-code/>

⁵⁹ Yurukova, M. (2023). Challenges to the Implementation of the European Approach to Countering Disinformation. Journal „DIPLOMACY“, 29, 140 149. <https://doi.org/10.5281/zenodo.16410091>

Commission and the European Board for Digital Services endorsed the integration of the 2022 Code of Practice on Disinformation as a Code of Conduct on Disinformation into the framework of the DSA⁶⁰.

In the Commitment 30, the Signatories of the Code are committed to establish a framework for transparent, structured, open, financially sustainable, and non-discriminatory cooperation between them and the EU fact-checking community regarding resources and support made available to fact-checkers. European fact-checking organisations will, directly (as Signatories to the Code) or indirectly (via polling by EDMO or an elected body representative of the independent European fact-checking organisations) report on the fairness of the individual compensations provided to them via the Code of Practice. In the Code it's written that the Signatories recognise the importance of setting up concrete steps, with clear targets and timelines, to extend their cooperation with fact-checkers to ensure the consistent application of fact-checking in their services, with a particular focus on Member States and languages where fact-checking is not yet provided. The Signatories of this Code acknowledge the importance of setting up a framework for robust access to platform data by the fact-checking community and adequate support for their activities as part of an effective strategy for tackling disinformation⁶¹.

In the American context, there are no equivalent federal laws mandating cooperation with fact-checkers, and the First Amendment restricts the government's ability to regulate speech. In contrast, the EU prioritises a risk-based governance model, in which platforms like Facebook must demonstrate active steps to protect the public from harm online – including disinformation – through mechanisms such as fact-checking partnerships.

Therefore, Facebook's cooperation with fact-checking organisations in the EU is not a matter of corporate preference, but a regulatory requirement embedded in the Union's legal framework. Facebook cannot unilaterally stop working with fact-checking organisations in the EU because it is subject to binding legal obligations under EU legislation. DSA imposes clear responsibilities on the VLOPs to address systemic risks, such as the spread of disinformation. One of the expected ways to meet these obligations is through cooperation with trusted third parties, including independent fact-checking organisations. Under the DSA, this cooperation is not optional. If Facebook were to end such partnerships, it could be seen as failing to comply with its legal duties, which might trigger regulatory investigations or financial penalties.

This example is showing the importance to integrate the self-regulatory instrument to the legislations which is the resistance of the very large online

⁶⁰ European Commission. (2025). *The Code of Conduct on Disinformation*. In *Shaping Europe's digital future*. Retrieved July 31, 2025, Available at: <https://digital-strategy.ec.europa.eu/en/library/code-conduct-disinformation>

⁶¹ Code of Practice on Disinformation (2022), Available at: <https://ec.europa.eu/newsroom/dae/redirection/document/87585>

platforms and search engines to the European Union's self-regulatory frameworks more difficult or costly.

„EU exports regulations, not innovation“ versus „Brussels effect“

The main narrative criticising EU policies related to digital regulation and freedom of speech is related to the regulations adopted by the EU. In the Mario Draghi's landmark report on EU competitiveness from 2024, the former European Central Bank president argued that the continent was facing an „existential challenge“ if it wanted to remain a global economic superpower, stating that „we claim to favour innovation, but we continue to add regulatory burdens on to European companies.“⁶²

The phrase „the EU exports regulations, not innovation“ and its variations serves as a long-lasting critique of the European Union, which is frequently perceived as a global regulator rather than a driver of technological or industrial progress. The arguments in these narratives are supported by the fact that the EU tends to produce complex regulatory frameworks, particularly in areas such as digital technologies, environmental policy, and taxation. This thesis the EU's digital legislation – specifically the GDPR, DSA, DMA, and AI Act are listed as a risk stifling Europe's chance to produce global tech „champions“.⁶³

On the opposite side stands the argument that EU has managed to shape policy in areas such as data privacy, online hate speech and disinformation and because of that EU has become the world's leading regulator, particularly in the digital sphere⁶⁴.

For some for an extended period, the EU has assumed the role of a global regulatory authority, establishing standards and norms that frequently exert influence well beyond its own borders. This phenomenon has been identified by scholars as the *Brussels Effect* – a term first introduced by Anu Bradford in 2012. Bradford further elaborated on this concept in her book, *The Brussels Effect: How the European Union Rules the World*⁶⁵, wherein she argues that the EU's large, affluent internal market, combined with its often-exacting regulatory framework, compels multinational corporations to comply with EU standards, even when operating outside the Union's jurisdiction.

The sheer scale of the EU market constitutes a powerful inducement: companies seeking access are required to observe its regulatory requirements.

⁶² European Commission. (2024). *The future of European competitiveness: A competitiveness strategy for Europe*. Available at: https://commission.europa.eu/document/download/97e481fd-2dc3-412d-be4c-f152a8232961_en?filename=The%20future%20of%20European%20competitiveness%20%20A%20competitiveness%20strategy%20for%20Europe.pdf

⁶³ Ibid.

⁶⁴ Bradford, A. (2020). *The Brussels effect: How the European Union rules the world*. Oxford University Press.

⁶⁵ Ibid.

In this respect, the Union's capacity to shape global market behaviour represents a form of *economic hard power*.

At a normative level, the international diffusion of EU legal standards also enables the indirect transmission of the values embedded within the EU digital regulation. Other jurisdictions, driven by similar pragmatic considerations, may voluntarily adopt these frameworks, effectively treating them as best practice. In doing so, the EU manages to project and externalise elements of its normative order, thereby exercising a form of *soft power* rooted in the appeal and transferability of its regulatory principles.

According to this paper the increase of the attacks against the EU digital policy is a symptom that some of the VLOPs are trying to oppose to the *Brussels Effect* and no longer want to change their own policy according to the European one. This opposition is shaped by the speeches and the statement listed previously in this paper. While till now the debate was between the platforms and the governments, now the debate is passing on a different lever where the US president and its administration is taking the side of the platforms against another Union such as EU.

Conclusion

„With great power comes great responsibility“⁶⁶, and this aphorism has never been more relevant than in the context of today's dominant online platforms. The Big Tech companies – commanded by figures such as Mark Zuckerberg, Elon Musk, and Jeff Bezos – exercise extraordinary influence over digital communication, public discourse, and democratic processes. As such, there is an increasing expectation, particularly within the EU, that they must be held accountable for the consequences of their power.

Unlike the United States, where the discourse around platform regulation is often framed by absolutist interpretations of the First Amendment and prioritises market capitalisation, the European Union places the protection of its citizens and the integrity of public discourse above the unchecked liberties of private corporations. The EU's approach to internet governance, although originally rooted in soft law mechanisms and self-regulation, has evolved into a robust co-regulatory framework aimed at ensuring transparency, accountability, and citizen protection online.

A cornerstone of this framework is DSA, which seeks to compel the very large online platforms to act with greater responsibility and openness. The DSA mandates increased transparency around algorithmic processes, content moderation, and the handling of disinformation and hate speech. In doing so, it challenges online platforms to operate within the bounds of European legal

⁶⁶ „With great power comes great responsibility“ is popularized by the Spider-Man comic book series and it emphasizes that those with significant influence or capabilities also have a moral obligation to use their power wisely and for the benefit of others.

and ethical standards. This insistence on accountability has provoked visible frustration among platform executives and triggered political reactions from United States policymakers, who interpret, without an in-depth understanding, such measures as encroachments on freedom of expression.

The tension is particularly acute around content moderation practices. When Zuckerberg speaks of „simplifying“ content policies or removing certain restrictions, it often signals a withdrawal from commitments to regulate harmful content, such as hate speech or disinformation. In the European Union, by contrast, freedom of expression is not regarded as absolute. It is understood as a right that must be balanced with the protection of democratic values, public safety, and the rights of others. Accordingly, the EU continues to prioritise combating hate speech, both online and offline, and rejects narratives that equate moderation with censorship or violation of free speech.

Furthermore, the EU has placed strong emphasis on increasing transparency in political and paid advertising, guaranteeing researchers' access to platform data, and ensuring the robust protection of citizens' personal data. This commitment is extended through new legislative instruments, which reinforces media pluralism and independence while ensuring that no actor – state or private – can dominate the information ecosystem without accountability.

These developments highlight a deepening transatlantic divide. Where the EU asserts that digital freedoms must serve democratic accountability and the public interest, US-based platforms continue to push back against regulatory efforts, often invoking the rhetoric of censorship and individual liberty. Yet, in the European context, platform regulation is not about silencing voices – it is about ensuring that the digital public sphere is governed by principles of fairness, transparency, and civic responsibility.

This report critically examines the growing conflation between the right to freedom of expression and the discretion exercised by private online platforms to moderate, amplify, or suppress content without adequate accountability. It challenges the prevailing narrative – particularly in the United States – that equates platform governance with constitutionally protected speech, arguing that this interpretation distorts the original democratic purpose of free expression. Drawing on comparative analysis between the United States and the European Union, the report highlights how platforms such as Facebook, YouTube, and X (formerly Twitter) have evolved into powerful information intermediaries whose algorithmic and commercial interests shape public discourse far beyond the reach of traditional legal safeguards.

This paper argues that the justification is complex and has different reasons for all the positions supported by the participants involved, but in general the main topic is how to protect the freedom of speech in the digital age, mainly because we need a change in the balances and the share of responsibility of all the stakeholders involved. The main problem is should the safe harbours for the very large online platforms have to be kept or not.

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GOVERNING AI AND CONTENT MODERATION ONLINE: THE EU REGULATORY APPROACH AND GLOBAL MULTISTAKEHOLDER DYNAMICS

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Abstract:

This article examines the key provisions of EU legislation concerning the regulation of online content moderation through the use of artificial intelligence (AI). These provisions, drawn from the General Data Protection Regulation (GDPR), the Digital Services Act (DSA), and the AI Act, are analysed in the context of the established global internet governance framework and the European Union's specific position on its development, including its foundational values and defining principles. The analysis supports the identification of key risks and challenges to the effective implementation of the EU's legislative framework and ultimately proposes recommendations to address these issues and support the consistent and rights-based application of the relevant regulations.

Keywords: artificial intelligence, online content moderation, internet governance, multistakeholder approach

During the 2020s, the discourse on content moderation in social media has emerged as a crucial dimension in broader debates concerning human rights and democracy in the digital era. This discourse is fuelled by the expanding role of social media platforms in shaping public opinion and influencing democratic processes, including political elections. In June 2024, the European Commission launched the DSA Transparency Database,¹ mandating online platforms to report their decisions regarding content moderation, including the rationale behind them. To date, the database has registered over 10 billion notifications, half of which have been processed using automated tools or artificial intelligence. As part of its comprehensive strategy to ensure the integrity of

¹ DSA Transparency Database: <https://transparency.dsa.ec.europa.eu/?lang=en>

information in the digital sphere, known as the European Democracy Shield,² the EU is adopting specific measures to address the risks associated with the use of AI in the complex task of balancing the protection of freedom of expression with the need to counter the dissemination of illegal and harmful content online.

This article aims to examine the key provisions of EU legislation concerning the regulation of online content moderation through the use of artificial intelligence (AI). These legal provisions will be analysed in the context of the established global internet governance model and the EU's specific stance towards its development, including its foundational values and defining characteristics. The ensuing analysis will support the identification of significant risks and challenges to the effective implementation of the EU's legislative framework, leading to proposed recommendations for their mitigation.

1. The EU on AI and content moderation online

Within the broader European Democracy Shield regulatory framework, issues concerning the application of AI in online content moderation addressed primarily in the General Data Protection Regulation (GDPR)³, the Digital Services Act (DSA)⁴, and the Artificial Intelligence Act (AI Act)⁵.

In 2016, the EU enacted the General Data Protection Regulation (GDPR), which became directly applicable across all Member States in 2018, thereby establishing a horizontal framework governing the automated processing of personal data. In its article 22, paragraph 1, the GDPR sets out a general prohibition on decisions based solely on automated processing, including profiling. In 2018, the Article 29 Data Protection Working Party adopted Guidelines on the application of this provision, stating that the prohibition applies regardless of whether the data subject takes any action related to the processing of their personal data.⁶ It has been clarified that decisions „based solely“ on automated

² BRIEFING EPRS | European Parliamentary Research Service, Author: Naja Bentzen, December 2024: „Information integrity online and the European democracy shield“ ([https://www.europarl.europa.eu/thinktank/en/document/EPBS_BRI\(2024\)767153](https://www.europarl.europa.eu/thinktank/en/document/EPBS_BRI(2024)767153))

³ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1-88

⁴ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1-102

⁵ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act), OJ L, 2024/1689, 12.7.2024.

⁶ Article 29 Data Protection Working Party, Guidelines on Automated individual decision-making and Profiling for the purposes of Regulation 2016/679, last Revised and Adopted on 6 February 2018

processing are to be interpreted as those where the decision-making process is entirely devoid of human intervention. Furthermore, the general prohibition on fully automated decision-making applies in cases where such decisions produce legal effects or similarly significantly affect the data subject. Thus, online content moderation processes conducted through automated means fall within the scope of this provision, as they have a direct and potentially far-reaching impact on individuals' freedom of expression.

The GDPR allows for exceptions to the general prohibition on decision-making based solely on automated processing when such processing is expressly authorized by EU law or the law of a Member State, when it is necessary for the conclusion or performance of a contract, or when the data subject has given their explicit consent. In such cases, the Regulation requires data controllers to implement safeguards, including the right to information as detailed in Articles 13 and 14. Specifically, they must provide meaningful information regarding the logic involved, along with the significance and anticipated consequences of such processing for the data subject. Additionally, the data controller shall establish appropriate safeguards, encompassing the right to human intervention and the right to contest the decision.⁷

In 2022, the EU adopted the Digital Services Act (DSA), establishing a novel legal regulation for content moderation on online platforms to counter the spread of illegal and harmful content, including disinformation, misinformation and propaganda. Simultaneously, the previously adopted self-regulatory mechanisms, the EU Code of Practice on Disinformation⁸ and the EU Code of Conduct on Countering Illegal Hate Speech Online,⁹ continued to be applied. In early 2025, the European Commission and the European Board for Digital Services formally endorsed the integration of these documents as Codes of Conduct within the framework of the DSA to facilitate enhanced oversight by EU institutions over their implementation.

The DSA sets out obligations for online platforms regarding content moderation but does not impose a general duty on social media platforms to monitor or proactively search for illegal content shared by their users. The Regulation requires online platforms to implement notice-and-action mechanisms that allow users to notify them of specific information hosted on their service which the notifier considers to be illegal. These systems must be easily accessible and permit the electronic submission of notifications. The DSA sets standards for the processing of such notifications, stipulating that platforms must act promptly, in good faith, and in an impartial and objective manner. Platforms are also required

⁷ Article 22, paragraph 3 of GDPR

⁸ The 2022 Code of Practice on Disinformation: <https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation>

⁹ The EU Code of conduct on countering illegal hate speech online: https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en#theeuicodeofconduct

to inform the notifier of the decision taken, indicate whether automated means were used in the process, and outline the available legal remedies. Additionally, online platforms must provide each affected service recipient with a clear and specific explanation of the reasons for any imposed access restrictions to content deemed illegal or in violation of their terms of service. Such measures may include restricting access to content, temporary suspension, or account termination. The explanation must be clear, easily understandable, and as accurate and specific as possible, reflecting the particular circumstances of the case.

In regulating content moderation processes, the DSA introduces safeguards to ensure that such processes are not carried out solely by automated means. Social media platforms are required to establish an easily accessible internal complaint-handling system for reviewing content moderation decisions. These decisions must be made under the supervision of staff with appropriate qualifications, rather than relying exclusively on automated tools. In addition to the legal avenues available for challenging platform decisions, the DSA also provides for the establishment of alternative dispute resolution bodies, certified by the Digital Services Coordinators. These bodies may be created or supported by the state. When a user files a complaint with such a body, the platform is not permitted to refuse participation in the dispute resolution process.

Through the DSA, the European Union seeks to establish clear standards for procedures implemented by private online platforms, ensuring that they conform to the principles of legality applicable to public regulation. The objective is to address the structural shortcomings of self-regulation by setting enforceable requirements for transparency and procedural fairness in decision-making carried out by private entities. It is of particular importance that the DSA reaffirms the obligation to respect and uphold core foundational principles such as the rule of law, accountability, and the protection of fundamental rights, even when regulatory or governance functions are exercised by private actors.

In 2024, the European Union adopted the Artificial Intelligence Act (AI Act), which shall enter into full application in August 2026. The objective of the Regulation is to promote the development and uptake of human-centric and trustworthy AI, while ensuring the protection of fundamental rights, democracy, and the principles of the rule of law against the potentially harmful effects of AI systems within the Union. In cases where online platforms, including social media employ automated content moderation systems that fall within the scope of the term „AI system,“¹⁰ they are required to comply with the obligations set forth by the AI Act. The Regulation addresses risks associated with AI, such as bias, discrimination, and shortcomings in accountability, categorizing them into four levels of risk according to the specific use of AI. Depending on the characteristics of the deployed automated system and the

¹⁰ Art. 3, par. 1 (1) of the AI Act

specific risks it entails, the Regulation stipulates the application of concrete rules, including, *inter alia*, obligations of transparency.

The AI Act also refers to the 2019 Ethics Guidelines for Trustworthy Artificial Intelligence,¹¹ formulated by the High-Level Expert Group on AI (AI HLEG), which was appointed by the European Commission.¹² Although these guidelines do not have legally binding force, they are regarded as complementary to the mandatory requirements set out in this Regulation, fostering the development of coherent, trustworthy, and human-centric AI systems in conformity with the Charter and the foundational values of the Union.¹³ The AI HLEG has articulated seven non-binding ethical principles designed to ensure that AI is both trustworthy and ethically sound: human agency and oversight; technical robustness and safety; privacy and data governance; transparency; diversity, non-discrimination and fairness; societal and environmental well-being; and accountability. Where feasible, these principles ought to be incorporated into the design and deployment of AI systems. The AI Act stipulates that these principles shall be taken into consideration in the development of codes of conduct under the regulation. All stakeholders, including industry, academia, civil society, and standardisation bodies, are encouraged to integrate these ethical principles, as appropriate, into the development of voluntary best practices and standards.

With the adoption of the GDPR, the DSA, and the AI Act, the EU has embraced a comprehensive approach to establishing a „co-regulatory backstop.“ This framework supplements self-regulatory mechanisms with legal safeguards, ensuring both transparency and accountability from digital platforms towards regulators and users, while simultaneously aiming to prevent content censorship. The adopted regulations provide for soft law tools, such as guidelines and best practices, intended to specify and elaborate upon the general rules of the legislative provisions, thereby facilitating their implementation by the relevant actors. In the development of these instruments, the expertise of private actors is frequently relied upon, ensuring that the resulting frameworks are both practically applicable and informed by sector-specific knowledge. The approach adopted by the EU requires each Member State to designate independent national authorities responsible for supervising the implementation of the regulatory framework. These authorities are also entrusted with facilitating the joint development and application of co-regulatory instruments, in close collaboration with all relevant stakeholders. The aim of these instruments is to combine the legal certainty and enforceability of hard law with the flexibility and adaptability of soft law mechanisms.

¹¹ Ethics Guidelines for Trustworthy Artificial Intelligence: <https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai>

¹² Recital 27 of the AI Act

¹³ European Union. (2012). *Charter of Fundamental Rights of the European Union*. Official Journal of the European Union, C 326, 391-407.

The EU's regulatory approach seeks to provide more robust safeguards for users, ensuring that content moderation procedures are transparent, well-justified, and inclusive of users' perspectives in the decision-making process. Simultaneously, the role of national governments is being reinforced through the involvement of competent public authorities in the oversight of social media platforms, including their content moderation practices. While this model is consistent with Europe's political and legal tradition, it may appear less intuitive in more libertarian regulatory environments, such as that of the United States. However, to fully assess the effectiveness and coherence of the EU's approach, it is essential to consider it within the broader context of global internet governance – particularly the multistakeholder model, which underpins the development of the Internet as an open and global network. Clarifying the EU's position within this global governance landscape remains crucial to ensuring both normative consistency and international legitimacy.

2. The global internet governance model

The concept of governance is central to contemporary regulatory theory, where it reflects a modern understanding of regulation as a flexible and evolving system of norms, institutions, and practices.¹⁴ Rather than a static set of rules, regulation is seen as a dynamic response to the prevailing social consensus, shaped by changing societal expectations and conditions. This dynamic nature is evident not only in the substantive content of regulation but also in the instruments employed, which must adapt to ensure effective and legitimate governance in a transforming environment.

The modern paradigm of governance refers to a broad concept of regulation that encompasses both public and private normative frameworks, distinguishing it from the traditional notion of regulation as a purely governmental function. In the context of internet regulation, the term governance has consistently been used to reflect the complex and multilayered process of developing and establishing mechanisms for the coordinated management of the global network. Within this framework, governance refers to the recognition and implementation of collectively accepted rules and procedures, whether initiated by public institutions or private actors, and regardless of whether they emerge through top-down authority or bottom-up, negotiated processes.¹⁵ Governance operates across multiple levels of social organization, ranging from internal organizational settings to national and global contexts. It may be institutionalized through a variety of mechanisms, including formal laws, regulatory frame-

¹⁴ „Modern regulation is the set of norms, institutions, and practices that guarantees the stability of expectations.“ - Santos, B. de S. (2020). *Toward a new legal common sense law, globalization, and emancipation* (Third edition). Cambridge University Press, p. 2

¹⁵ William J. Drake (2004) Reframing Internet Governance Discourse: Fifteen Baseline Propositions. - In, Don MacLean, ed., *Internet Governance: A Grand Collaboration*. New York: The United Nations Information and Communication Technology Taskforce, pp. 122-161. (p. 125)

works, public policies, as well as decisions and procedures originating from non-state actors.

In 2005, the Working Group on Internet Governance (WGIG) defined Internet governance as „the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet“.¹⁶ The broad definition adopted by the Working Group is regarded as a pivotal step in the development of Internet governance, as it enables the multi-stakeholder approach to become established and to extend into a wider range of areas. The broad definition adopted by the Working Group on Internet Governance (WGIG) constitutes a landmark in the conceptual evolution of Internet governance, as it provides the normative foundation for the institutionalisation and expansion of the multi-stakeholder model across a wide range of regulatory domains. This model is widely regarded as paradigmatic for Internet governance, reflecting its decentralised, inclusive, and participatory character. The WGIG, composed of 40 members drawn from governments, the private sector, and civil society, reached its conclusions on the basis of equal participation and deliberation. Members acted in their personal capacity rather than as representatives of institutional interests, thereby affirming the legitimacy of the multi-stakeholder approach as both a procedural principle and a normative standard for global Internet governance.

The WGIG’s definition underscores the inclusive character of Internet governance by affirming the involvement of governments, the private sector, and civil society, while recognising their distinct roles, interests, and levels of engagement across policy domains. It extends beyond the technical management of names and addresses by ICANN to encompass broader public policy issues, including the governance of critical Internet resources, cybersecurity, and the developmental dimensions of Internet access and use.

The adoption of the broad definition of Internet governance continues the legacy of the Internet’s early architects, who deliberately embedded its core features into the network’s design. Although the Internet originated as a government-funded project in the United States, its development was primarily driven by academic and technical communities. With the formal opening of the Internet to commercial use in 1991, the U.S. government embraced a light-touch regulatory model, which facilitated the emergence of a bottom-up, self-regulating technical community that played a foundational role in shaping the Internet’s institutional and normative architecture.¹⁷

At the core of the internet evolution lay the influence of cyber-libertarian thought, which advanced the view that the Internet should remain a domain

¹⁶ Working Group on Internet Governance. (2005). *Report of the Working Group on Internet Governance*. United Nations. <https://www.wgig.org/docs/WGIGREPORT.pdf>

¹⁷ U.S. Department of Commerce. (1997). A framework for global electronic commerce.

of individual freedom, shielded from excessive state control. This ideological framework, rooted in scepticism toward the capacities and legitimacy of traditional governmental institutions, contributed decisively to the adoption of a distributed, non-hierarchical model of governance premised on community-driven innovation and voluntary coordination. The Internet's technical architecture was intentionally designed to promote decentralisation, resilience, and autonomy among its participants. Its distributed structure precludes centralised control and reflects core design principles that prioritise adaptability and the independence of individual network entities. Foundational concepts such as network neutrality, openness, and the end-to-end principle are embedded within this architecture. These principles ensure non-discriminatory data transmission, facilitate global interoperability and information exchange, and allocate complex functions to the network's endpoints – thereby fostering innovation and maintaining the Internet as a universal, open communication space.

Internet governance functions within a highly dynamic and decentralized network of actors, procedures, and institutions, which inherently resists systematic organization and poses considerable challenges to achieving coherent and coordinated action across its diverse components.¹⁸ From a systematic standpoint, the Internet Corporation for Assigned Names and Numbers (ICANN) proposes a three-layer framework for Internet governance, comprising the infrastructure layer, the logical layer, and the economic and societal layer.¹⁹ Each governance layer presents distinct challenges that require differentiated responses, including technical standards, policy instruments, best practices, and institutional mechanisms. These responses are typically developed through collaborative multistakeholder processes involving governments, private sector actors, civil society, academia, and technical experts. The infrastructure layer encompasses the physical components of the Internet, such as cables, satellites, and exchange points, and involves national authorities, private operators, and technical specialists. The logical layer governs domain names, IP addresses, and protocols essential for the Internet's stability and interoperability, primarily through expert-driven multistakeholder frameworks. The social and economic layer addresses broader legal, cultural, and economic issues relating to Internet use and engages a diverse range of actors including states, intergovernmental organizations, private platforms, and civil society. Collectively, these layers illustrate the inherent complexity and multistakeholder nature of Internet governance. Key institutions and forums such as the Internet Corporation for Assigned Names and Numbers (ICANN), the Internet Engineering Task Force (IETF), the Internet Governance Forum (IGF), and the International Telecommunication Union (ITU) play central roles in shaping policies and coordinating governance activities across these layers.

¹⁸ Jeanette Hofmann, Internet Governance: A Regulative Idea in Flux, in Ravi Kumar Jain Bandamutha (Ed.), *Internet Governance: An Introduction* (Icfai University Press, 2007), pp. 74-108.

¹⁹ ICANN. (n.d.). *The Internet ecosystem* [Infographic]. ICANN. <https://www.icann.org/news/multimedia/1563>

3. The EU position on internet governance and the European Democracy Shield

Since the global reach of the Internet as a communications infrastructure, its governance has been the subject of sustained debate concerning the appropriate institutional model, in particular whether it should be exercised through an intergovernmental framework, led primarily by states, or through a multistakeholder approach that ensures the equal participation of governments, the private sector, civil society, and the technical and academic communities. Within this discourse, the European Union has consistently taken the position of a strong proponent of the multi-stakeholder approach, advocating for inclusive, transparent, and collaborative mechanisms in the formulation of internet governance principles, rules, and procedures. The EU remains a staunch advocate of a single, open, free, neutral and unfragmented internet, conceived as a decentralised network of networks. This vision stands in clear contrast to more centralised and state-controlled models promoted by certain governments, where access to information is restricted and user activity is subject to systematic surveillance. At the same time, the EU acknowledges that the integrity and openness of the internet can also be compromised by private actors, especially when companies establish proprietary infrastructure or enforce exclusive technical standards that may result in the fragmentation of the global internet ecosystem.²⁰

In 2022, the European Union adopted the European Declaration on Digital Rights and Principles, a political document intended to steer the digital transformation in alignment with core European values such as digital sovereignty, democracy, and the protection of fundamental rights and freedoms. Although not legally binding, the Declaration functions as a guiding framework for the formulation of sustainable, human-centric digital policies and reinforces the principles of the Charter of Fundamental Rights of the EU by affirming the continuity of rights in both online and offline environments. It carries normative and interpretative weight, with the potential to influence EU legislation, judicial interpretation, and national digital strategies. Furthermore, the Declaration aspires to serve as a global reference point for digital rights, with the European Commission assessing progress through the annual State of the Digital Decade report.²¹

²⁰ Niestadt, M. (2024, November 29). *Internet governance: Keeping the internet open, free and unfragmented* (EPRI Briefing No. 766272). European Parliamentary Research Service. Available at: [https://www.europarl.europa.eu/thinktank/en/document/EPRI_BRI\(2024\)766272](https://www.europarl.europa.eu/thinktank/en/document/EPRI_BRI(2024)766272)

²¹ European Commission. (2022). *European Declaration on Digital Rights and Principles for the Digital Decade*. Publications Office of the European Union. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0028> /European Commission. (2022, December 14). *Commission proposes European Declaration on Digital Rights and Principles* (Press Release No. IP/22/452). European Commission - Press Corner. Available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_22_452

In line with its vision for the digital transformation of the Union, in 2022, the EU, together with 70 other like-minded states, launched the Declaration for the Future of the Internet.²² The document constitutes a non-binding political commitment among its signatory partners to promote a shared, affirmative vision for the development and governance of the internet and digital technologies in the 21st century. It reasserts support for a single, open, global, and interoperable internet that upholds human rights, fosters fair competition, protects privacy, and ensures democratic accountability. The Declaration sets out a number of foundational principles, including the protection of fundamental rights and freedoms, the promotion of the free flow of information, universal and affordable connectivity, trust in the digital ecosystem (particularly through robust privacy protections), and the preservation of the multi-stakeholder model of internet governance. Participating states commit to advancing these principles globally, while acknowledging and respecting each other's regulatory autonomy within their respective jurisdictions and in accordance with both domestic legal frameworks and international legal obligations.

The EU has identified critical risks to democratic information ecosystems in the digital sphere. The online environment, as the main forum for information and expression, has become a geostrategic space where authoritarian states manipulate public discourse and deepen divisions, threatening democratic governance. This is intensified by the intersection of geopolitical rivalry and corporate competition, especially with emerging technologies like artificial intelligence that alter information flows. The EU highlights that AI-driven disinformation campaigns significantly increase these threats, undermining freedom of expression and human rights. In response, the EU calls for upholding democratic values online and advancing coordinated multilateral actions to strengthen information ecosystem resilience. These aims are central to initiatives such as the European Democracy Shield, which offers a legislative and strategic framework to protect information integrity.²³

Information integrity has emerged as a central concept in international and multilateral efforts to address the complex challenges facing the digital information environment. While no single definition prevails, the concept generally reflects a positive, rights-based approach aimed at promoting access to trustworthy information, safeguarding freedom of expression, and ensuring the sustainability of the information ecosystem. In the European Union, information integrity is a key pillar of the forthcoming European Democracy Shield, launched in 2024, which integrates existing initiatives to counter foreign information

²² European Commission & Council of the European Union. (2022, April 25). *Declaration for the Future of the Internet*. Publications Office of the European Union. Available at: <https://digital-strategy.ec.europa.eu/en/library/declaration-future-internet>

²³ Bentzen, N. (2024, December 10). *Information integrity online and the European democracy shield* (EPRI Briefing No. 767153). European Parliamentary Research Service. Available at: [https://www.europarl.europa.eu/thinktank/en/document/EPRI\(2024\)767153](https://www.europarl.europa.eu/thinktank/en/document/EPRI(2024)767153)

manipulation and interference (FIMI) with major legislative instruments such as the Digital Services Act, the AI Act, the European Media Freedom Act, and the Regulation on Transparency and Targeting of Political Advertising. These measures collectively seek to enhance the resilience and integrity of the EU's information space by combining regulation, oversight, and multistakeholder cooperation.

The European Democracy Shield is part of a wider international effort to enhance information integrity and promote responsible digital governance. This global momentum was highlighted on 22 September 2024, when world leaders at the United Nations Summit of the Future adopted the Pact for the Future, including the Global Digital Compact. The Compact provides a comprehensive framework for international digital cooperation, focusing on the governance of emerging technologies such as artificial intelligence. It calls on digital companies and social media platforms to improve transparency and accountability in key areas, including terms of service, content moderation, recommendation algorithms, and personal data processing, especially in local languages. These measures aim to empower users to make informed choices and support sustainable development and digital inclusion.²⁴

Conclusions

This article aimed to critically examine the key provisions of European Union legislation governing online content moderation through the use of artificial intelligence included in the GDPR, DSA and AI Act. These legal instruments were analysed in light of the global Internet governance framework and the EU's normative vision for a single, open, global, and interoperable Internet. Based on this analysis, several important conclusions may be drawn regarding the proper interpretation and effective implementation of these regulatory frameworks.

Although EU regulations such as the GDPR, DSA and AI Act are directly applicable and possess primacy over conflicting national legislation, their practical effectiveness ultimately depends on the extent to which they are successfully integrated into domestic legal systems. The capacity of national regulatory authorities to monitor compliance, enforce obligations, and engage with stakeholders is indispensable for the achievement of the Union's policy objectives. For this reason, the interpretation and application of these legal instruments at national level must be situated not only within the framework of the EU's internal policy agenda but also in light of the evolving global landscape of internet governance. International instruments and initiatives such as the United Nations' Global Digital Compact, the OECD's recommendations on AI, and the Council of Europe's work on algorithmic systems

²⁴ United Nations. (2024, September 22). *Global Digital Compact*. Office of the Secretary-General's Envoy on Technology. Available at <https://www.un.org/digital-emerging-technologies/global-digital-compact>

illustrate a growing convergence around common principles, including transparency, accountability, and the protection of fundamental rights. Aligning EU implementation practices with these global efforts is essential to fostering regulatory coherence, enhancing cross-border interoperability, and reinforcing the EU's role in shaping a rights-based, inclusive digital order.

Furthermore, the interpretation and application of these regulations must be anchored within the broader framework of the European Union's strategic policy on Internet governance. This policy envisions a single, open, global, and interoperable Internet, which respects fundamental rights, guarantees fair competition, ensures privacy, and reinforces democratic accountability. Therefore, any interpretative approach that compromises these foundational principles would not only conflict with the Union's normative vision but would also constitute a misapplication of the legal framework.

In addition, the implementation of EU regulations should reflect the Union's firm commitment to the multistakeholder approach in internet governance. This entails the inclusive and collaborative participation of all relevant actors, including governmental institutions, private sector organisations, civil society, technical experts and academic institutions, throughout all phases of regulatory execution. Furthermore, the effective use of soft law instruments such as guidelines, self-regulatory codes and voluntary standards should be actively encouraged in order to support and complement the binding legal framework.

Finally, the inherently dynamic and multilayered nature of Internet governance necessitates that regulatory enforcement remains attuned to the evolving institutional landscape. As technological, geopolitical, and societal developments reshape the digital environment, the implementation of EU law must remain flexible, adaptive, and responsive to ensure coherence with broader governance processes at the international, European, and national levels.

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WASPER: A BULGARIAN-LANGUAGE MODEL FOR DETECTING PROPAGANDA IN SOCIAL MEDIA CONTENT

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Abstract:

This paper introduces WASPer, a classification model designed to detect propaganda in Bulgarian-language social media content. In response to the rising threat of AI-generated disinformation and the regulatory requirements of the EU's Digital Services Act (DSA), WASPer aims to provide a practical and scalable solution for identifying manipulative narratives online. A thematically diverse dataset was constructed by combining manually annotated organic content and synthetic examples generated with a Bulgarian language model (BgGPT). Each text was human-annotated based on the presence of rhetorical techniques commonly associated with propaganda. The dataset was used to train WASPer (a fine-tuned version of the BgGPT 7B Instruct v0.2 model), achieving an F1 score of 0.853 on the test set. WASPer supports the detection of harmful or misleading content in digital spaces such as comment sections and social media threads, contributing to efforts to meet DSA obligations for transparency and risk mitigation.

Keywords: propaganda detection, digital service act, social media, artificial intelligence

1. Introduction

Large Language Models (LLMs), such as Llama, Mistral, GPT-4¹ and their successors, represent a significant leap in artificial intelligence (AI), capable of generating text that is virtually indistinguishable from human writing. These models, trained on vast datasets from the internet, have a deep understanding

¹ Achiam, J., Adler, S., Agarwal, S., Ahmad, L., Akkaya, I., Aleman, F. L., ... & McGrew, B. (2023). Gpt-4 technical report. *arXiv preprint arXiv:2303.08774*.

of language patterns, enabling them to produce coherent, contextually relevant, and persuasive narratives. While this technology has numerous beneficial applications, from automating customer service to leveraging content creation, it also poses significant risks when misused.

In fact, one of the most concerning instances of misuse of LLMs is their potential to generate propaganda on a massive scale. Synthetically generated content can be created rapidly and in large volumes, with minimal oversight. LLMs can tailor messages to specific audiences, mimic individual writing styles, and even generate responses in real time. This turns them into a particularly effective tool for shaping public opinion in a subtle and efficient manner, turning AI-generated propaganda into a critical challenge for democracy and national security. This issue, a key aspect of „digital warfare,“ threatens the integrity of both traditional and social media.

Sophisticated troll networks and automated bots are increasingly being deployed to manipulate online discourse and shape public perception. A recent example involves Russian operatives allegedly using nearly 1,000 fake AI-generated accounts on the social media platform *X* to impersonate Americans and spread propaganda, which highlights the real-world impact of such tools². This case is just a single illustration of how AI technologies are being leveraged to amplify propaganda efforts, enabling the large-scale creation and dissemination of disinformation. Moreover, recent research³ reveals that between January 1, 2022, and May 1, 2023, the presence of AI-generated news articles on mainstream websites increased by 55.4%, while on sites well-known for spreading misinformation, it surged by 457%.

As these tactics evolve and AI-driven content grows rapidly, the need for effective methods to identify AI-driven propaganda becomes increasingly urgent. Ensuring the credibility of information across digital platforms is essential to preserve public discourse. The growing threat of (AI-enabled) disinformation has not gone unnoticed by regulators. The Digital Services Act (DSA), adopted by the European Union, seeks to create a safer digital environment by imposing legal obligations on platforms to address illegal content, increase algorithmic transparency, and mitigate systemic risks to public discourse. In particular, the DSA mandates that very large online platforms implement measures to counter disinformation and protect the democratic process. This regulatory framework highlights the urgent need for technical solutions that can support compliance efforts, including the detection of AI-generated propaganda. In the digital age, where information spreads at an unprecedented speed, the ability to identify and counteract propaganda is more crucial than ever – particularly when it is generated or amplified by sophisticated AI systems.

² Pequeño IV, A. 2024, *Russia Impersonated Americans Using Nearly 1,000 Fake AI-Generated X Accounts, Feds Allege.*

³ Hanley, H. & Durumeric, Z. (2023). Machine-Made Media: Monitoring the Mobilization of Machine-Generated Articles on Misinformation and Mainstream News Websites. arXiv 2305.09820.

The work of the Identrics team addresses this challenge through the development of WASPer, a model designed to detect propaganda in Bulgarian social media content. By focusing on a non-English language context, the approach fills a significant gap in the existing literature and aligns with the DSA's broader goal of safeguarding the integrity of online communication across diverse linguistic and regional landscapes.

1.1. What is propaganda and why focus on it?

According to the often-quoted definition by the Institute for Propaganda Analysis, „*propaganda is the expression of opinions or actions carried out deliberately by individuals or groups with a view to influence the opinions or actions of other individuals or groups for predetermined ends through psychological manipulations.*“⁴ In his seminal work on the topic, Jacques Ellul⁵ further expands the concept, noting that propaganda encompasses various forms of psychological influence – including psychological action (efforts to „modify opinions by purely psychological means“), psychological warfare (attempts to destroy an adversary's morale), re-education and brainwashing (actions to transform „an adversary into an ally“), and public and human relations (efforts „to adapt the individual into a society, to a living standard, to an activity“).

Ellul also distinguishes between two major types of propaganda: *political* and *sociological*⁶. Political propaganda is relatively easy to identify, as it is closely related to the domain of politics - such as election campaigns, referendums, protests, and armed conflicts. In contrast, sociological propaganda is less direct but permeates different aspects of our daily lives, including our digital surroundings. It permeates everyday life – including our digital environments – and works by integrating individuals into dominant social norms and belief systems. As Ellul observes, „*nothing is easier than to graft a direct propaganda onto a setting prepared by sociological propaganda.*“⁷ In other words, sociological propaganda lays the groundwork for political propaganda by shaping the underlying narratives and belief systems through which people interpret events – even when those events initially appear apolitical.

In a more recent influential study, Jowett and O'Donnell⁸ define propaganda as „*the deliberate, systematic attempt to shape perceptions, manipulate cognitions, and direct behaviour to achieve a response that furthers the desired intent of the propagandist*“. They emphasize the calculated nature of propaganda – it „*is carefully thought out ahead of time to select what will be the most effective strategy*

⁴ Lee, A. & Lee, E. (1937) *The Fine Art of Propaganda: A Study of Father Coughlin's Speeches*. Institute for Propaganda Analysis [online].

⁵ Ellul, J. (1973) *Propaganda. The Formation of Men's Attitudes*. New York: Vintage Books.

⁶ Ibid.

⁷ Ibid.

⁸ Jowett, G. & O'Donnell, V. (1999). *Propaganda and Persuasion*. Thousand Oaks, CA: Sage.

*to promote an ideology and maintain an advantageous position*⁹. Emotional appeal and logical fallacy are central tools: propaganda exploits emotional triggers, cognitive biases, and reasoning errors to suppress critical thinking and encourage audiences to adopt simplified, polarized interpretations of complex issues.

Importantly, the rhetorical strategies commonly referred to as „propaganda techniques“ are not exclusive to propagandistic discourse. Techniques such as exaggeration, oversimplification, whataboutism, or stereotyping also appear in everyday human communication. What transforms these into instruments of propaganda is their deliberate use to influence public opinion toward a predetermined, often political, objective. Therefore, the presence of propaganda techniques in a text should be seen as a strong indication but not absolute evidence that the text is propagandistic, as their classification ultimately depends on the communicator’s intent and the broader communicative context¹⁰.

1.2. Why focus on social media data?

Social media platforms – and increasingly, the comment sections of traditional media – are among the primary venues for public discourse and information exchange today. These spaces are particularly vulnerable to the spread of propaganda, due to the unmoderated nature of user-generated content and the speed at which information can be shared and amplified. The rapid advancement and democratization of large language models (LLMs), combined with the low barrier to entry for participating in online discussions, have significantly increased the risk of synthetic propaganda infiltrating public conversations. WASPer is therefore designed to focus specifically on social media data and related digital environments, where propaganda can spread quickly and where detection tools are most urgently needed.

2. Defining Propaganda for Binary Classification - Training dataset

To support a binary classification task – determining whether a given text contains propaganda – we constructed a labelled dataset sourced from Bulgarian social media platforms and online news comment sections. Trained annotators labelled each example as Propaganda or No Propaganda, depending on the presence of identifiable persuasive or manipulative techniques.

The labelling process was informed by a comprehensive review of established propaganda theory. One of the earliest systematic classifications comes from *The Fine Art of Propaganda*¹¹, published by the Institute for Propaganda Analysis,

⁹ Jowett, G. & O’Donnell, V. (1999). *Propaganda and Persuasion*. Thousand Oaks, CA: Sage.

¹⁰ Jowett, G., & O’Donnell, V. (2018). *Propaganda & persuasion*. (Seventh edition). SAGE.

¹¹ Lee, A. & Lee, E. (1937) *The Fine Art of Propaganda: A Study of Father Coughlin’s Speeches*. Institute for Propaganda Analysis [online].

which introduced seven classic methods such as *Name-calling*, *Glittering Generalities*, and *Bandwagon*. Later contributions by Silverman¹², Torok¹³, and Piskorski et al.¹⁴ extended this body of work by introducing additional, context-sensitive techniques. Drawing from these studies, a reference list of 32 textual propaganda techniques was compiled. These were used not for multi-label annotation, but to guide binary decisions: if a text exhibited *any* of these techniques, it was labelled Propaganda. If none were present, the text was labelled No Propaganda. To ensure relevance in text-only environments, the criteria for inclusion in this reference list were as follows: 1) Techniques must be recognisable using only textual content, without the need for visual, auditory, or behavioural context; 2) Recognition must be possible without relying on external fact-checking or verifying the truth value of the message; and 3) Techniques must be detectable within standalone documents (e.g., individual comments or posts), without requiring patterns across multiple messages.

To ensure thematic diversity, the dataset includes content from the comment sections of four major Bulgarian online news platforms, as well as publicly available social media posts. Collection was focused on topics frequently associated with online propaganda, including:

- *Domestic politics* – e.g., Bulgarian politicians, attitudes towards Russia and the West;
- *International politics* – e.g., US politics and elections, conspiracy theories;
- *Military conflict* – e.g., Ukraine/Russia, the Middle East;
- *Environment* – e.g., the Green Deal, wind turbines, solar energy;
- *Society, social conflicts* – e.g. LGBT, gender, the Istanbul convention;
- *Science* – e.g., vaccines, food;
- *Artificial intelligence* – e.g., deep fakes.

This thematic coverage helps ensure the model's generalization ability and mitigates the risk of topic-specific overfitting. The dataset comprises both organic (naturally occurring) and synthetic examples. All organic texts were manually reviewed and labelled by trained annotators following the binary criteria. Annotators consulted the 32-technique reference list to assess whether texts employed manipulative rhetorical strategies but did not label specific techniques.

To supplement the naturally occurring propaganda data, we generated synthetic examples using the BgGPT language model¹⁵. These examples were created through few-shot prompting, using organic propaganda samples as seeds. Prompts

¹² Silverman, H. (2011) *Reuters: Principles Of Trust Or Propaganda?* Journal of Applied Business Research; Laramie Vol. 27, Iss. 6, 93-115.

¹³ Torok, R. (2015) *Symbiotic radicalisation strategies: Propaganda tools and neuro linguistic programming*. In Proceedings of the Australian Security and Intelligence Conference, ASIC '15, pages 58-65.

¹⁴ Piskorski, J. et al. (2023) *News Categorization, Framing and Persuasion Techniques: Annotation Guidelines*, European Commission, Ispra, JRC132862.

¹⁵ Alexandrov, A., Raychev, V., Müller, M. N., Zhang, C., Vechev, M., & Toutanova, K. (2024). *Mitigating Catastrophic Forgetting in Language Transfer via Model Merging*. arXiv preprint arXiv:2407.08699.

were designed to elicit outputs corresponding to different persuasive styles and propaganda strategies. The generated content was manually reviewed and annotated using the same binary labelling criteria. This approach ensured sufficient representation of propaganda examples, particularly for underrepresented topics or styles. To avoid topic-based label leakage (e.g., associating certain topics only with propaganda), topic modelling was applied to balance the No Propaganda samples. Using BERTopic¹⁶, we performed unsupervised clustering of text samples based on semantic similarity. This ensured that No Propaganda examples were drawn from the same thematic space as Propaganda examples. To guarantee that the non-propaganda dataset includes content related to the same topics as the propaganda examples, zero-shot topic modelling was also applied. In this approach, the topics described in Section 2 were used as a guide to locate non-propaganda examples discussing similar themes. This approach ensures that non-propaganda examples are present across the same range of topics as propaganda, allowing for balanced and comprehensive coverage of themes. This approach allowed us to balance the dataset effectively while minimizing manual annotation burden. We compiled a final training dataset of 734 examples. An evaluation set of 50 examples (25 *Propaganda*, 25 *No Propaganda*) was also constructed.

3. Binary Classification for Propaganda Detection

Binary classification is a machine learning approach where the objective is to assign each data instance to one of two predefined classes. In our case, the goal is to determine whether a given text is classified as Propaganda or No Propaganda. We used the previously described dataset and adopted the following data splits: 80% for training (587 examples), 10% for validation (73 examples), and 10% for testing (74 examples). During training, the model learns to distinguish between propaganda and non-propaganda based on the labelled examples. The validation set is used to tune hyperparameters and monitor overfitting. The test set is reserved for final evaluation on unseen data.

We fine-tuned BgGPT 7B Instruct v0.2¹⁷, a model selected for its robust pretraining on Bulgarian-language data, which enhances its ability to capture the linguistic and contextual nuances relevant to this task. The performance of WASPer (the fine-tuned Propaganda classification model) was assessed using three primary metrics: F1-micro (measures overall performance across all instances), F1-macro (gives equal weight to each class, regardless of class size), and F1-weighted (balances precision and recall while accounting for label distribution). The model demonstrated consistent improvements across all metrics over the course of training. After 11 epochs of training (on a single

¹⁶ Grootendorst, M. (2022). *BERTopic: Neural topic modeling with a class-based TF-IDF procedure*. arXiv preprint arXiv:2203.05794.

¹⁷ Alexandrov, A., Raychev, V., Müller, M. N., Zhang, C., Vechev, M., & Toutanova, K. (2024). *Mitigating Catastrophic Forgetting in Language Transfer via Model Merging*. arXiv preprint arXiv:2407.08699.

V100 GPU), it achieved a final training loss of 0.2335 and a final F1 score on the test set 0.853 (out of 1.00).

The resulting model is publicly available¹⁸ to support further research, development, and operational use - particularly for social media platforms seeking to comply with the Digital Services Act (DSA) in the context of AI-generated disinformation and online manipulation.

4. Conclusions

The spread of propaganda, particularly when amplified by powerful AI tools, represents a significant challenge to the health of digital information ecosystems. With the growing accessibility of large language models (LLMs) and their proven capability to generate persuasive and realistic synthetic content, it becomes increasingly urgent to develop effective tools for detecting manipulative communication online. This paper addresses that need by introducing WASPer. WASPer was developed in response to both societal and regulatory imperatives. On one hand, the growing risk of AI-generated propaganda demands scalable, accurate detection mechanisms. On the other hand, legislative frameworks such as the European Union's Digital Services Act (DSA) impose explicit obligations on platforms to mitigate systemic risks related to disinformation and content manipulation. WASPer supports both objectives by offering a language-specific solution capable of identifying rhetorical manipulation in real-world digital content.

A key strength of our approach lies in the construction of a carefully curated dataset that combines organic and synthetic text examples across a wide thematic range, reflecting the complex and multifaceted nature of propaganda today. Guided by a theoretically grounded set of 32 rhetorical techniques, the binary labelling strategy enabled a clear and actionable classification task. We fine-tuned the BgGPT 7B Instruct v0.2 model on this dataset, leveraging its strong performance in Bulgarian language understanding. The resulting model achieved an F1 score of 0.853 on the held-out test set, demonstrating strong predictive performance across both classes. While promising, the model's performance is limited by the small size of the dataset and the subjective nature of manual annotations, which may not fully capture the diversity of real-world propaganda styles. Despite these constraints, the model shows potential not only for standalone classification tasks, but also for integration into real-time moderation workflows and content auditing pipelines.

The WASPer model and its methodology contribute to the body of tools aimed at empowering content moderation, platform accountability, and public discourse integrity. Although focused on Bulgarian, the approach can be generalized to other low-resource languages that currently lack tailored disinformation detection infrastructure. It also supports the broader EU policy objective of ensuring digital safety across linguistic and regional contexts, not just English-dominant environments.

¹⁸ https://huggingface.co/identrics/wasper_propaganda_detection_bg

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THE ROLE OF OPEN SOURCE INTELLIGENCE IN COUNTERING DISINFORMATION AND STRENGTHENING THE EUROPEAN UNION'S DIGITAL RESILIENCE

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Abstract:

As the European Union confronts increasingly sophisticated campaigns of foreign information manipulation and interference, it must navigate the delicate balance between protecting democratic discourse and preserving fundamental rights. Unlike overt propaganda, modern disinformation efforts are subtle, often technically disguised, and designed to exploit the openness of the EU's media and political environment. In this context, Open Source Intelligence (OSINT) has emerged as a powerful tool – not only for uncovering such operations, but for doing so in a way that aligns with the Union's legal and ethical commitments.

This paper¹ examines the evolving role of OSINT in the EU's disinformation response strategy, focusing on its methodological underpinnings, institutional adoption, and integration with emerging technologies like artificial intelligence. Drawing on concrete examples from recent threat reports, including the EEAS and France's VIGINUM, the analysis explores how OSINT contributes to a more resilient, transparent, and accountable model of digital defence. The article argues that for OSINT to remain both effective and legitimate, it must be embedded within a governance framework that prioritises proportionality, oversight, and public trust with a goal to maximize information resilience of our Alliance.

Keywords: OSINT, disinformation, information resilience, foreign interference, EU information policy

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Introduction

In recent years, the information environment in Europe has undergone a transformation as rapid as it is destabilising. What was once a stable public sphere – anchored by national media systems and institutional gatekeepers – has given way to a fragmented and algorithmically mediated space, vulnerable to manipulation at scale. Nowhere is this vulnerability more apparent than in the context of foreign information manipulation and interference, or FIMI directly attacking our information resilience.² These activities, typically orchestrated by state-linked actors and networks of proxy operatives – including cybercriminal groups and ideologically aligned third parties, involve the deliberate use of deceptive tactics to influence public opinion, sow division, and erode institutional trust within EU Member States. The goal is not merely to mislead, but to shape the political terrain over time through repetition, misdirection, and strategic ambiguity³.

Responding to this challenge requires more than reactive fact-checking or platform regulation. It demands the ability to anticipate, detect, and analyse disinformation campaigns as they unfold – before they cause political harm or polarise public debate beyond repair (it means to detect „weak signals“ and monitor preparation activities in the attacking networks). This is where Open Source Intelligence has become increasingly valuable. By harnessing publicly available data – from social media posts and domain registries to satellite imagery and digital forensics – OSINT allows analysts to construct a clearer picture of how manipulation is orchestrated and disseminated. What distinguishes OSINT from more traditional intelligence approaches is not only the nature of its sources, but its transparency and replicability. It is, in effect, intelligence for open societies: observable, auditable, and consistent with democratic norms.

However, the integration of OSINT into policy and institutional frameworks is not without complications. While its potential for strengthening information resilience is considerable, its growing influence also raises legal, ethical, and methodological questions. Who decides which content is flagged? How can attribution be handled responsibly? And what safeguards ensure that surveillance does not masquerade as public interest research? As the EU moves to scale up its OSINT capacity, these questions become more than theoretical – they are foundational.

In the sections that follow, this paper traces the strategic evolution of OSINT within the EU, examining how it has been institutionalised and operationalised through tools like the DISARM framework and the FIMI Exposure Matrix. It

² European External Action Service (EEAS). (2023). *Foreign Information Manipulation and Interference: Threats and Policy Responses*. Brussels: EEAS.

³ European External Action Service (EEAS). (2025). *Enhancing EU Information Resilience through FIMI Mapping and OSINT Integration*. Brussels: EEAS.

explores the interplay between human analysts and AI-assisted methods, drawing attention to the strengths and limits of automation in this domain. Case studies from recent EU elections, the MH17 investigation⁴, and French-led initiatives such as Portal Kombat⁵ provide a concrete basis for evaluating what OSINT can – and cannot – accomplish in the face of a complex and adversarial information landscape.

The Strategic Challenge of Foreign Information Manipulation

Foreign information manipulation and interference does not unfold as a singular event, nor can it be reduced to the spread of a false statement or image. Rather, it operates through layered, adaptive, and often transnational networks that blend technological infrastructure with strategic narrative design. These campaigns are rarely deployed in isolation. They are typically developed over time, often drawing from earlier patterns of manipulation, and are crafted to resonate with the local political and cultural environment of the targeted country.

What makes these operations particularly effective is their capacity to imitate and embed themselves within the legitimate information landscape. FIMI actors often appropriate the visual language, tone, and rhetorical structure of independent journalism, academic research, or citizen commentary. They create websites that mirror real news outlets, social media accounts that mimic credible individuals, and multimedia content that appears familiar and trustworthy. This capacity for mimicry, when combined with coordinated inauthentic amplification, allows disinformation to circulate widely before it is detected – if it is detected at all⁶.

This complexity makes attribution especially challenging. Without specialised tools and interdisciplinary collaboration, it becomes nearly impossible to distinguish between an authentic citizen expression and a coordinated manipulation campaign. OSINT provides an entry point into this hidden architecture. Through domain tracing, digital fingerprinting, reverse image searches, and network analysis, investigators can reconstruct how narratives emerge, how they travel, and who is behind them. These methods are not speculative; they are grounded in verifiable data and can be peer-reviewed – a key feature that gives OSINT its institutional credibility.

The investigations conducted by VIGINUM into the disinformation networks dubbed „Portal Kombat“ and „TigerWeb“ offer an illustrative case. Analysts

⁴ Bellingcat. (2015). *MH17 Investigation: Tracing the Trail of Buk Missile Launcher*. Retrieved from: <https://www.bellingcat.com>

⁵ VIGINUM. (2025). *Annual Report on Foreign Digital Interference and FIMI Campaigns Targeting France*. Paris: Secrétariat général de la défense et de la sécurité nationale (SGDSN).

⁶ VIGINUM. (2024). *Rapport d'activité 2023: Lutte contre les manipulations de l'information*. Paris: Service du Premier ministre - SGDSN.

uncovered a network of more than 190 websites, each designed to appear like a local or regional news outlet, but in reality, connected through shared design templates, hosting infrastructure, and content republishing patterns. These sites pushed coordinated narratives that aligned with Russian strategic interests – particularly regarding NATO, energy dependency, and the war in Ukraine. The exposure of this network was not based on leaks or classified data, but on open-source forensic techniques and public documentation⁷.

Tools such as the DISARM framework⁸ have further enabled analysts to categorise observed tactics in a consistent way. Developed by European researchers and fact-checkers, DISARM offers a standardised vocabulary for describing disinformation behaviours, including impersonation, narrative laundering, suppression, and distortion. Meanwhile, the FIMI Exposure Matrix goes beyond content analysis to include the infrastructural and behavioural indicators of manipulation – providing a structured lens through which to examine disinformation campaigns over time.

By moving beyond isolated content and focusing on structure, OSINT transforms disinformation analysis into something both forensic and strategic. It allows policymakers to identify not only what narratives are being pushed, but how they are operationalised and by whom. This knowledge, in turn, informs everything from diplomatic responses and platform engagement to public awareness campaigns and regulatory design.

From Concept to Capability: Institutionalising OSINT within the European Framework

The evolution of OSINT within the European Union has not been uniform. Initially, many of the most notable applications of open-source intelligence came from independent actors – investigative journalists, civil society analysts, and academics – working outside the confines of government institutions. However, as disinformation campaigns became more coordinated and technically sophisticated, so too did the need for a coherent, institutionally grounded response. What began as a decentralised, grassroots method has incrementally been integrated into formal structures of state and supranational governance.

A broader European framework has gradually developed to coordinate these efforts, encompassing regulatory, institutional, and collaborative elements. This co-regulatory framework includes instruments such as the Code of Practice on Disinformation, the Digital Services Act (DSA), and the European Democracy Action Plan (EDAP). The Code of Practice, in particular, serves as a key self-

⁷ VIGINUM. (2025). *Portal Kombat: Une opération de manipulation de l'information d'origine russe*. Paris: SGDSN.

⁸ EDMO & Fulde-Hardy, D. (2024). *DISARM Framework and FIMI Exposure Matrix: Analytical Tools for Disinformation Monitoring*. European Digital Media Observatory.

regulatory tool: developed initially in 2018 and strengthened in 2022, it brings together online platforms, civil society, and independent researchers to tackle disinformation⁹. Significantly, it requires signatories to produce regular transparency reports, which offer insight into detection mechanisms, content moderation, and data access – resources that OSINT practitioners increasingly rely on in their analyses.

In the Member States, for example, France's creation of the VIGINUM¹⁰ agency in 2021 marked one of the earliest and most comprehensive national attempts to institutionalise OSINT as part of a broader strategy against foreign digital interference. Operating under the General Secretariat for Defence and National Security (SGDSN), VIGINUM was tasked with detecting, analysing, and publicly reporting on FIMI campaigns targeting French public debate. Its reports are methodologically transparent, accessible to the public, and anchored in open-source data – a combination that reinforces both credibility and democratic legitimacy.

At the EU level, the establishment of the European Digital Media Observatory (EDMO) has played a pivotal role in coordinating OSINT efforts across Member States. EDMO does not function as a top-down authority, but rather as a networked platform that links regional hubs, fact-checkers, academic researchers, and technical experts¹¹. This decentralised model¹² reflects the Union's broader ethos of subsidiarity and respect for national diversity, while enabling common standards and interoperable methodologies. It is through EDMO, for example, that the DISARM framework gained traction as a shared reference point for coding disinformation behaviours across countries and languages.

Other initiatives embedded within the EU framework include the East StratCom Task Force (ESCTF) and the Rapid Alert System (RAS), both coordinated by the European External Action Service. The ESCTF, created in 2015, originally addressed Russian disinformation and has since evolved into a permanent fixture in the EU's strategic communication apparatus. The RAS complements these efforts by facilitating near real-time exchange of

⁹ Yurukova, Mariya, Challenges to the Implementation of the European Approach to Countering Disinformation, *Journal Diplomacy*, February 29 / 2023, Diplomatic Institute, Ministry of Foreign Affairs, Republic of Bulgaria, issue:29, 2022, pages:140-150

¹⁰ France SGDSN - VIGINUM. *Rapport d'activité 2024 - La lutte contre les ingérences numériques étrangères*. Paris: Secrétariat général de la défense et de la sécurité nationale (SGDSN), 2024.

¹¹ EDMO & Fulde-Hardy, J. *DISARM Framework: Harmonising the Detection of Disinformation*, European Digital Media Observatory, 2024.

¹² For Bulgaria and Romania as part of EDMO network under BROD project the regional approach is evolving and with the efforts of CIDC-AUBG to establish Balkan regional disinformation observatory the efforts are further enhanced. As of 2024 the established regional Sofia Information Integrity Forum for SEE and Black region provides a platform for consolidating various efforts around the base outlined by the EU.

intelligence related to foreign information manipulation and interference (FIMI), especially in times of crisis or elections¹³.

Complementing these efforts, the G7 Rapid Response Mechanism (RRM) provides an international layer of coordination. Although not exclusively focused on the EU, the RRM has served as a valuable platform for sharing alerts and methodologies, particularly in the context of election security. It recognises that the vectors of FIMI are rarely confined to national borders and that robust response mechanisms must reflect this reality¹⁴. When disinformation narratives emerge in one jurisdiction, they often resurface – tweaked and translated in others. The ability to track these patterns in real time is essential for pre-emptive mitigation.

These institutional arrangements, while diverse in form, are unified by a common recognition: that disinformation is not simply a communicative nuisance, but a strategic threat to democratic stability. As such, it requires a response that is equally strategic – rooted not only in technical capability but in political will and shared responsibility (it is why a concept of the comprehensive approach to information resilience is getting traction). OSINT, when embedded within this framework, functions as more than a tool of detection. It becomes a lens through which institutions can understand their own vulnerabilities and develop a more resilient approach to public discourse.

This shift from fragmented initiatives to coordinated strategy marks a maturation of the EU’s digital information security posture. Yet it also raises new questions about capacity, consistency, and control. How can Member States with differing levels of technical expertise contribute equally to a shared intelligence ecosystem? What mechanisms ensure that OSINT practices remain accountable across jurisdictions? And how can the EU maintain coherence without centralising authority to the point of eroding democratic flexibility?

Nonetheless, these challenges are addressed through increasingly interconnected governance mechanisms that balance EU-wide coordination with national flexibility. As the implementation of the DSA progresses and more Member States designate Digital Services Coordinators, there is growing momentum to incorporate OSINT findings into broader regulatory risk assessments and democratic resilience frameworks.

These tensions are not easily resolved. But they point to a necessary realisation: that the effectiveness of OSINT depends not only on what is seen, but on how institutions choose to respond. Intelligence, after all, is only as useful as the decisions it informs.

¹³ Yurukova, M. (2024). Countering disinformation in EU Member States: the Importance of Not Going Back to Where We Started. In: Disinformation: Reloaded, Book Proceedings from the International Conference, University Press Sofia University „St. Kliment Ohridski“.

¹⁴ G7 Rapid Response Mechanism. *Annual Report on Foreign Interference and Election Security*, 2022.

OSINT in Practice: Real-World Case Studies and Their Strategic Significance

The practical value of open-source intelligence becomes most evident when applied to real-world situations. While theoretical frameworks and institutional models are important, the credibility of OSINT rests on its performance under pressure. Over the past decade, several high-profile cases have demonstrated how open-source methods can meet – and at times exceed the evidentiary standards of more traditional intelligence operations. These cases also reveal OSINT's capacity not only to expose manipulation but to shift the political and legal response to it.

The investigation into the downing of Malaysia Airlines Flight MH17 over eastern Ukraine in 2014 remains one of the most widely cited examples of OSINT's power. In the absence of declassified government intelligence, independent researchers – most notably from Bellingcat – used satellite imagery, social media footage, vehicle identification techniques, and geolocation tools to reconstruct the movement of a Russian Buk missile launcher believed to be responsible for the attack. Their findings were detailed, independently verifiable, and cited in both journalistic and judicial proceedings¹⁵. What made the MH17 case particularly significant was not only its technical sophistication, but the fact that it emerged from public data and was made available for scrutiny. It demonstrated that even the most politically sensitive and technically complex investigations could be advanced through transparent, collaborative intelligence.

More recently, within the EU's own borders, OSINT has played a critical role in exposing election-related disinformation. In the lead-up to the 2024 European Parliament elections, analysts across several EU member states documented coordinated efforts to amplify false or misleading narratives targeting democratic institutions and political candidates. These campaigns blended authentic and deceptive content, often localised to match the cultural and political sensitivities of particular regions. They made strategic use of AI-generated imagery and text, pseudonymous personas, and carefully timed narrative deployment. What distinguished these operations from earlier forms of digital manipulation was their cross-platform design: disinformation would often originate on encrypted messaging apps or fringe websites, only to resurface on more mainstream platforms after being repackaged by sympathetic influencers or alternative news outlets¹⁶.

OSINT practitioners were instrumental in tracing these campaigns across platforms and languages. Tools such as the DISARM codebook¹⁷ and FIMI

¹⁵ Bellingcat. *MH17 - Forensic Analysis and Open-Source Investigations*, 2015. Available at: <https://www.bellingcat.com>

¹⁶ European External Action Service (EEAS). *Foreign Information Manipulation and Interference: Threat Report*, 2024.

¹⁷ EDMO & Fulde-Hardy, J. *DISARM Framework and the FIMI Exposure Matrix: Methodologies for Tracking Disinformation Campaigns in the EU*, European Digital Media Observatory, 2024.

Exposure Matrix allowed analysts to classify tactics and infrastructure consistently, making it possible to compare events across countries and time periods. This standardisation, in turn, supported early warning systems and informed media literacy efforts aimed at debunking narratives before they reached critical mass.

Another case that illustrates the operational maturity of OSINT was the exposure of the Portal Kombat network by France's VIGINUM. This operation consisted of dozens of cloned websites designed to look like legitimate European news outlets, but in fact operated from servers registered through Russian-linked intermediaries. The sites distributed false or misleading stories, often mixing real events with manipulative framing, designed to undermine EU unity, cast doubt on Ukraine's sovereignty, and erode confidence in transatlantic alliance. VIGINUM's approach combined technical forensics with OSINT methodologies, such as link analysis, reverse image searches, and content correlation, to not only identify the fake domains, but also trace their connections to previously exposed Russian operations¹⁸.

These case studies underscore OSINT's versatility. In moments of geopolitical tension, it can be a tool of strategic communication, reinforcing the EU's position with verifiable evidence. In legal or regulatory contexts, it can provide the documentation needed to justify sanctions or platform interventions. And in civil society, it empowers journalists and researchers to contest manipulation with facts. Yet each of these roles comes with different expectations and risks, reinforcing the need for clearly articulated norms and institutional guardrails.

What all these examples reveal is that OSINT is not simply a method of observing the digital world – it is a means of shaping how societies understand themselves in relation to it. Through its visibility, it creates accountability; through its openness, it strengthens legitimacy. And through its adaptability, it prepares democratic institutions to face a rapidly shifting information landscape.

Artificial Intelligence and OSINT: Expanding Capacity, Raising Questions

The integration of artificial intelligence into OSINT workflows has dramatically changed the scale and speed with which disinformation can be identified, mapped, and analysed. As the volume of digital content continues to grow exponentially, human analysts alone can no longer monitor, categorise, and assess manipulation campaigns in real time. AI offers the potential to filter signal from noise, to detect patterns across vast linguistic and cultural contexts, and to assist in generating timely responses. Yet this promise is tempered by

¹⁸ France SGDSN - VIGINUM. *Rapport d'activité 2024 - La lutte contre les ingérences numériques étrangères*. Paris: Secrétariat général de la défense et de la sécurité nationale (SGDSN), 2025.

a range of limitations and ethical concerns that require careful governance. One of the most widespread uses of AI in OSINT today involves natural language processing (NLP). These systems can scan large volumes of text across multiple platforms and languages, identify common themes or emotional triggers, and flag content that fits predefined disinformation criteria. For example, during the 2024 European election monitoring period, OSINT analysts employed NLP models¹⁹ to detect shifts in sentiment around key political issues, revealing how divisive narratives were being seeded in multiple languages but followed similar rhetorical patterns. In France, VIGINUM's work analysing thousands of political ads through Facebook's transparency tools demonstrated how NLP helped group content based on strategic framing, uncovering coordinated messaging clusters designed to stoke division and polarisation.

AI also supports visual OSINT through image recognition and deepfake detection. Given the growing use of synthetic media – particularly manipulated videos and AI-generated faces – such tools are essential for verifying authenticity. Visual similarity detection helps trace the origin of images and detect reuse or repurposing across contexts, allowing analysts to spot when old footage is recycled to present fabricated „evidence“ of current events. These capabilities, while powerful, are not infallible. They rely on training data and algorithms that may perform differently depending on the language, topic, or cultural context of the content they process.

Indeed, a major challenge identified in recent research is the uneven performance of AI systems across the EU's diverse linguistic landscape. The 2025 evaluation conducted by the International Network of AI Safety Institutes (INESIA) revealed that AI models demonstrated significantly lower accuracy when applied to languages with limited digital resources, such as Maltese or Latvian. These discrepancies pose a serious equity issue: if OSINT tools cannot reliably detect manipulation in all EU languages, some populations may be more exposed to interference simply because they are algorithmically underserved²⁰.

Moreover, the use of AI in OSINT raises urgent questions about explainability and accountability. Unlike traditional analytical processes, many AI systems – especially large language models – operate as „black boxes,“ producing results without clear pathways for understanding how those results were generated. This poses a risk in legal or regulatory settings where OSINT findings might inform policy decisions, content moderation, or even judicial action. Without transparent methodologies and human oversight, AI-generated intelligence may undermine rather than enhance institutional legitimacy.

To mitigate these risks, a hybrid approach has become increasingly important. Rather than replacing human analysts, AI should support them – enhancing

¹⁹ France SGDSN - VIGINUM. *Rapport d'activité 2024 - La lutte contre les ingérences numériques étrangères*. Paris: Secrétariat général de la défense et de la sécurité nationale (SGDSN), 2025.

²⁰ INESIA (International Network of AI Safety Institutes). *Cross-Linguistic Evaluation of NLP and Disinformation Detection Systems in the European Union*, 2025.

their capacity while allowing for contextual judgement, critical reflection, and ethical oversight. This also calls for deeper investment in open, multilingual AI systems tailored to European values and linguistic diversity. If OSINT is to be a public good, the tools that power it must reflect that orientation – not only in how they function, but in who benefits from them.

In sum, artificial intelligence holds enormous potential for enhancing OSINT. But that potential can only be fully realised if technical innovation is matched by thoughtful design, robust regulation, and a commitment to fairness and transparency. Otherwise, the tools meant to detect disinformation risk becoming opaque and unaccountable themselves – contributing to the very confusion they are meant to resolve.

Governing OSINT: Legal Limits and Ethical Imperatives

While OSINT offers a transparent and democratic approach to intelligence gathering, its growing influence in policy and security contexts calls for a clear and enforceable normative framework. Operating within the public domain does not exempt OSINT from legal and ethical scrutiny. On the contrary, its visibility and potential impact on public debate and rights protections demand a higher standard of care.

The General Data Protection Regulation (GDPR) remains the cornerstone of the EU's data governance regime, and its relevance to OSINT cannot be overstated. Even when information is publicly accessible, the act of aggregating, analysing, and interpreting it – particularly in ways that may profile individuals or communities – can trigger GDPR provisions²¹.

For instance, linking metadata across platforms or inferring political or ethnic affiliations from behavioural data may constitute processing of sensitive data, which is tightly regulated under EU law. As such, any OSINT practice that touches on personal information must meet tests of necessity, proportionality, and legitimate interest, and must provide clear justification for its public utility.

In addition to the GDPR, other key legislative frameworks contribute to shaping the boundaries of responsible OSINT practice. The Digital Services Act (DSA)²², in force since 2023, imposes obligations on very large online platforms to provide researchers – including OSINT analysts – with access to public data, risk assessments, and content moderation practices. This creates a legal basis for the use of platform data in scientific and investigative contexts.

²¹ Nagendran, S. *GDPR and the Ethics of Open-Source Intelligence: Navigating Public Data and Private Rights*. Journal of Digital Law and Society, 2024.

²² European Commission, *The Digital Services Act: Ensuring a Safe and Accountable Online Environment*, 2023. Available at: <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package>

Similarly, the EU Artificial Intelligence Act (AI Act)²³ introduces requirements for transparency, human oversight, and ethical use of AI systems, including those applied in OSINT contexts. These instruments collectively promote responsible innovation and empower research while safeguarding against the misuse of personal and societal data.

Beyond data protection, the EU Charter of Fundamental Rights provides the normative foundation for all intelligence practices within the Union. Article 8 enshrines the right to the protection of personal data, while Article 11 guarantees freedom of expression and information. These rights are not absolute but must be balanced against each other. Any effort to track, categorise, or publicly attribute disinformation must be done in a way that does not chill legitimate speech or create a culture of over-surveillance. This is particularly relevant when OSINT is deployed in politically sensitive contexts, such as election monitoring, protests, or minority discourse.

To navigate these tensions, scholars and practitioners have called for dedicated ethical oversight of OSINT activity. Claire Benoit²⁴ and others have proposed the creation of OSINT ethics boards – independent bodies tasked with reviewing high-risk analyses, ensuring transparency in methodology, and advising on the proportionality of investigations. These bodies would not function as censors or compliance auditors, but as facilitators of responsible practice. Their presence would help ensure that OSINT remains a tool of public interest rather than a vector of institutional overreach.

More broadly, the rise of OSINT calls for a cultural shift in how intelligence is conceptualised in open societies. Intelligence should not be the exclusive domain of secrecy and coercion. When practised ethically and legally, OSINT represents a new model – an epistemology of democratic accountability. It brings visibility not only to threats but also to the processes of knowledge production itself. And in doing so, it invites scrutiny, participation, and dialogue, rather than reliance on authority alone.

The EU is uniquely positioned²⁵ to lead in this domain. With its strong legal foundations, commitment to digital rights, and diversity of media cultures, the Union has the normative architecture to define what ethical OSINT looks like in practice. But that leadership must be intentional. It requires investment in governance, training, and institutional reflexivity – not only to avoid misuse, but to model a form of intelligence that is worthy of the societies it aims to protect.

²³ European Commission, *Proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act)*, COM/2021/206 final. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0206>.

²⁴ Benoit, C. *Towards an Ethics Framework for OSINT: Transparency, Proportionality, and Oversight*. European Review of Intelligence Studies, 2023.

²⁵ At the same time in order EU to be effective is important to have level of maturity in each and every Member State in order to participate in the consultations and to reach well informed consensus-based decisions.

Conclusion: Open Intelligence for Open Societies / Open Source Intelligence as a Pillar of Democratic Resilience

In an era where information is contested, weaponised, and algorithmically amplified, the ability to see clearly – both technically and ethically – has become a strategic necessity. For the European Union, Open Source Intelligence is not merely a method of threat detection. It is a response to a deeper crisis: one in which the integrity of public discourse is under attack, and where trust in institutions cannot be defended through secrecy alone.

As this article has argued, OSINT enables the EU to confront foreign information manipulation not with suppression, but with exposure; not through centralized control, but through shared verification. It provides a toolkit for identifying disinformation, attributing its origins, and understanding its structural dynamics. But just as importantly, it offers a framework for democratic intelligence – one that is visible, contestable, and rooted in fundamental rights.

The examples examined – from the forensic reconstruction of MH17 to the coordinated defence of the 2024 EU elections – demonstrate that OSINT is more than a reactive instrument. It is proactive, strategic, and adaptable. It empowers not only institutions but citizens, researchers, and journalists to participate in the safeguarding of Europe’s digital public sphere. And when combined with thoughtful regulation and ethical oversight, it serves as a bulwark against both disinformation and authoritarian overreach – helping to sustain the informational resilience that modern democracies depend on.

Yet OSINT’s promise is not self-fulfilling. It must be continuously earned – through transparency in methodology, fairness in application, and humility in interpretation. As the Union expands its capabilities, it must also deepen its commitment to democratic principles. Artificial intelligence, multilingual coordination, and institutional integration are essential components, but none of them are sufficient without public trust.

In this sense, the future of OSINT is not only technical – it is political and cultural. It demands a vision of intelligence that is accountable to the public, responsive to pluralism, and anchored in law. The European Union has an opportunity to lead by example. Not simply by countering disinformation, but by showing how open societies defend themselves: not by closing down debate, but by insisting that truth matters, and that it can be pursued openly, together. OSINT will only succeed if it is thoughtfully embedded within a broader framework of information resilience – one that supports a comprehensive, coordinated, and principled approach to defending democratic discourse.

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TACKLING DISINFORMATION ONLINE WITH MEDIA LITERACY BY DESIGN AND COMMUNITY-CENTRED PLATFORM REGULATION: THE WIKIPEDIA MODEL

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Abstract:

This paper examines Wikipedia's participatory governance model as a framework for informing European digital public sphere development. Through analysis of Wikipedia's two-decade experience with community-driven content moderation, reliable source verification, and decentralized decision-making, the study demonstrates how public-interest platforms can maintain information quality while fostering democratic participation. Drawing on Henry Jenkins' participatory culture theory, the research shows how Wikipedia's collaborative editing processes naturally develop users' media literacy competencies through active engagement rather than passive consumption. The paper analyses Wikipedia's recent regulatory experiences under the EU Digital Services Act and European Media Freedom Act, highlighting both compliance challenges and opportunities for policy learning. The findings suggest that adapting Wikipedia's model could inform the design of a European digital public sphere that prioritizes information quality, user empowerment, and democratic discourse over commercial engagement metrics.

Keywords: platform governance, digital public sphere, media literacy, participatory culture, information integrity

This paper examines Wikipedia's unique position in the digital landscape as a resilient, decentralized community-governed information platform that has endured for over two decades while many commercial social media platforms have faltered. Conceived as a free, collaborative online encyclopaedia from the very beginning, it contains almost 65 million articles in more than 300 languages¹

¹ Wikipedia:Statistics. [en.wikipedia.org](https://en.wikipedia.org/wiki/Wikipedia:Statistics). <https://en.wikipedia.org/wiki/Wikipedia:Statistics> [visited on May 26, 2025]

which makes it the largest single resource for open and free knowledge in the world.

The research analyses Wikipedia's participatory governance model, highlighting how its commitment to verifiability and reliable sources creates a self-regulatory mechanism that enhances information quality and combats disinformation. Drawing on Henry Jenkins' framework of participatory culture, the study demonstrates how Wikipedia fosters critical media literacy skills through its transparent editorial processes.

Taking into account the significance of the official acknowledgment of Wikipedia as a digital public good by the Digital Public Goods Alliance², this analysis has particular relevance for European policymakers seeking to develop digital public sphere alternatives to commercial social media platforms. As the EU implements new platform regulations through the Digital Services Act and European Media Freedom Act, Wikipedia's two-decade experience offers concrete insights into how community-driven governance can maintain information quality while fostering democratic participation in knowledge creation.³

1. Philosophy, Structure, and Governance of Wikipedia

Launched on January 15, 2001, Wikipedia has been present for longer than any modern global online platform, such as Facebook, Twitter, and Instagram. From its inception, Wikipedia has distinguished itself from centralized, commercial platforms driven by corporate interests. Unlike these platforms, Wikipedia operates as a non-profit entity with the mission to provide free access and a direct gateway to the world's knowledge. This vision was articulated by Wikipedia's co-founder Jimmy Wales, who emphasized creating a global resource that is open and accessible to all⁴, without the influence of commercial advertising or profit motives.

The Wikimedia Foundation (WMF) – the nonprofit organization that hosts Wikipedia and other free knowledge projects, provides infrastructure, tools and resources but does not directly control content⁵, allowing for a more democratic and open form of knowledge sharing. The access to all Wikimedia projects is free, registration is not required to edit articles on most Wikimedia projects⁶, and personal data used to register an account is minimal.

² EU Policy Team (2025), *Wikipedia recognized as a digital public good*, Wikimedia Europe. <https://wikimedia.brussels/wikipedia-recognized-as-a-digital-public-good> [visited on May 26, 2025]

³ The Economist (2021), Wikipedia is 20, and its reputation has never been higher. [visited on May 26, 2025]

⁴ Wales, J. (2012), Wikipedia edit by User:Jimbo Wales, 22:49, 14 October 2012 (UTC). https://en.wikipedia.org/w/index.php?title=User_talk:Jimbo_Wales&diff=prev&oldid=517818454 [visited on May 26, 2025]; Wikipedia:Prime objective https://en.wikipedia.org/wiki/Wikipedia:Prime_objective

⁵ WMF does not take an editorial role and the users are responsible for your own actions as stated at Wikimedia Foundation Terms of Use: https://foundation.wikimedia.org/wiki/Policy:Terms_of_Use/en#1._Our_Services

⁶ Registration is mandatory for editing the Portuguese Wikipedia (pt.wikipedia.org). Since 2020, edits from unregistered users (IP addresses) are no longer allowed. A community vote in 2020 implemented this change https://pt.wikipedia.org/wiki/Wikip%C3%A9dia:Vota%C3%A7%C3%B5es/Necessidade_de_registro_para_editar_a_Wikip%C3%A9dia_lus%C3%B3fona

This community-led, rules-based approach ensures that Wikipedia – funded primarily through a donation-based model managed by WMF – remains true to its mission to be a neutral and reliable source of information contrasting sharply with the top-down governance typical of commercial platforms.⁷

Wikipedia's distinctiveness, endurance and success are deeply rooted in the sociotechnical dynamics that define its ecosystem and the collective action of its communities. They shape not only the content but also the governance and culture of the platform. The majority of the Wikipedians primarily edit articles and/or negotiate over content-related issues, but if interested in other aspects beyond that they are also allowed to participate in decision-making, software development, and the formulation and enforcement of strategies, policies, and guidelines.

Unlike traditional content production models, Wikipedia's community is self-organized, with decisions about content and policies made through consensus rather than hierarchical control.⁸ This collaborative approach fosters a sense of ownership among contributors and ensures that Wikipedia remains a dynamic and evolving environment.

The platform operates on a model of commons-based peer production, where a decentralized group of volunteers contributes to the creation and curation of knowledge. Even small communities can thrive, be innovative and progressive, demonstrating the ability to apply the Wikipedia governance model effectively.

Building a regulatory system that monitors and controls behaviour following clearly spelled out rules that are applied consistently is one of the most challenging goals of every online community. Wikipedia's governance model can be compared with certain caveats more to that of Reddit than those of platforms such as Facebook, YouTube or X, though significant differences remain in content focus and governance flexibility. Reddit is not an encyclopaedia, but a forum-like social sharing and news aggregation online platform with decentralized moderation. Wikipedia, on the other hand, is strictly a knowledge repository comparable to a library that discourages socialization unrelated to content creation and is highly structured content-wise.

The social fabric of Wikipedia is defined not only by content creation but also by positive social interactions and ties building over time between contributors. That fosters a sense of good faith collaboration and belonging within the community which encourages sustained participation.

However, research by Morgan and Halfaker identified concerning trends: a decline in active contributors since 2007, partly attributed to increasing hostility

⁷ Wikimedia Foundation (2023), *Wikimedia Foundation contribution to the Global Digital Compact*, Un.org. <https://w.wiki/84dn>

⁸ Reagle J. (2010), *Good Faith Collaboration: The Culture of Wikipedia*, MIT Press, p.52

toward well-intentioned newcomers, resulting in reduced retention rates for sincere new editors.⁹

To address this challenge, the so-called Growth team was formed in July 2018 with the goal to help wikis exhibit healthy characteristics, such as being supportive and non-confrontational environments, where contributors can learn and edit in a diverse and inclusive way¹⁰. Growth features were developed and introduced, i.e. newcomer tasks and a set of tools to match newcomers looking for advice with experienced editors ready to help¹¹. Scaling the onboarding of new Wikipedia volunteers with guided mentorship found its place in the just published Wikipedia's AI strategy as well.¹²

2. Content creation, evaluation and moderation on Wikipedia

Understanding how Wikipedia creates and maintains content quality requires examining three interconnected elements: the collaborative creation process, the enforcement of source reliability standards, and the power dynamics that shape community governance. Each of these components reinforces the others to create Wikipedia's distinctive approach to information validation.

Wikipedia's content creation and review process demonstrates these principles in practice through its collaborative editing model and transparent revision system. The platform operates on reputation-based assessment, where experienced editors evaluate others' ability to follow rules and make meaningful contributions. Registered users who have the so-called patroller rights are empowered to monitor and review content more easily.

It could be argued that this is the role that most closely fits the general definition of a content moderator and moderation, but it is important to understand that anyone can make the changes that users with such rights make, including returning other users' edits. This mechanism has proven to work, insofar as it prevents abuse of rights, while at the same time encouraging users to prove themselves as bona fide and capable.

An overview of moderation in online communities by James Grimmelmann suggests a framework based on the following techniques: excluding, pricing, organizing, and norm-setting, and on three goals whose achievement demonstrates

⁹ Morgan, J. and Halfaker, A. (2018), *Evaluating the impact of the Wikipedia Teahouse on newcomer socialization and retention*. In Proceedings of The 14th International Symposium on Open Collaboration (OpenSym '18).

ACM, New York, NY, USA, 7 pages. <https://doi.org/10.1145/3233391.3233544> https://www.opensym.org/wp-content/uploads/2018/07/OpenSym2018_paper_15-1.pdf

¹⁰ MediaWiki. <https://www.mediawiki.org/wiki/Growth>

¹¹ MediaWiki. <https://www.mediawiki.org/wiki/Growth/Results>

¹² Albon, C., & Zia, L. (2025), *Our new AI strategy puts Wikipedia's humans first*, Wikimedia Foundation. <https://wikimediafoundation.org/news/2025/04/30/our-new-ai-strategy-puts-wikipedias-humans-first/> [visited on May 26, 2025]

that an online community is well moderated: productivity, increased access (openness) and minimal maintenance costs. By moderation Grimmelmann means the governance mechanisms that structure participation in a community to facilitate cooperation and prevent abuse.

Wikipedia's content moderation stands out due to its reliance on distributed organization, as opposed to concentrating moderation in a small group, and community-enforced norms, constantly re-articulated and reinforced through community interaction.¹³ At the same time, Wikipedia's lack of reliance on advertising revenue reduces the incentive for clickbait and sensationalized content¹⁴ and its commitment to open access aligns with its emphasis on transparency and verifiability.

While some platforms have implemented fact-checking initiatives and policies against harmful content, the volume of user-generated content uploaded and shared often make it difficult to effectively moderate for reliability.¹⁵

Wikipedia's commitment to reliable sources is enshrined in its Verifiability policy, which mandates that articles draw from trustworthy, independent, published materials known for rigorous fact-checking and precision.^{16,17} This policy, first articulated in August 2003, establishes that accuracy depends on verification. The detailed Reliable Sources guideline, developed since 2005 with over 4,000 revisions from more than 1,400 editors, provides comprehensive guidance on source evaluation.

Each language version can establish its own reliability criteria and unreliable source lists. Bulgarian Wikipedia, for example, maintains a source filter list containing 588 sites assessed as unreliable, with changes made through consensus decisions.¹⁸ It also extensively implements the reliability principles, with nearly 1,700 main namespace pages and over 15,200 talk pages linking to Reliable sources guidance.

When disputes arise over pieces of content on Wikipedia, editors use article talk pages to share perspectives publicly and reach agreements that fairly represent all valid viewpoints. The platform's transparency allows anyone to view page histories to assess the number and perspectives of contributors to

¹³ Grimmelmann, J. (2015) *The Virtues of Moderation*, 17 Yale Journal of Law & Technology 42

¹⁴ McDowell, Z.J., & Vetter, M.A. (2021), *Wikipedia and the Representation of Reality*(1st ed.), Routledge. <https://doi.org/10.4324/9781003094081>

¹⁵ McDowell, Z. J., & Vetter, M. A. (2020), *It Takes a Village to Combat a Fake News Army: Wikipedia's Community and Policies for Information Literacy*. Social Media + Society, 6(3). <https://doi.org/10.1177/2056305120937309>

¹⁶ *Wikipedia:Verifiability*. Wikipedia in English. <https://en.wikipedia.org/wiki/Wikipedia:Verifiability>

¹⁷ *Wikipedia:Verifiability. Reliable Sources*. Wikipedia in English. https://en.wikipedia.org/wiki/Wikipedia:Verifiability#Reliable_sources

¹⁸ Уикипедия:Патрульори/СФИН. bg.wikipedia.org <https://bg.wikipedia.org/wiki/Уикипедия:Патрульори/СФИН> [visited on May 26, 2025]

any article. This is important for anyone who reads Wikipedia, even if they never write a line, because it allows them to compare and evaluate content.

Wikipedia's community-driven approach to reliable sources operates within complex power structures that can both strengthen and potentially undermine the platform's information quality goals. While some communities, like English Wikipedia, appear to be remarkably resistant to coordinated influence campaigns, this resistance is not universal.

Through qualitative comparison of the Croatian, Serbian, Bosnian, and Serbo-Croatian Wikipedia, Kharazian, Starbird and Hill investigate the case with the Croatian Wikipedia, framed as an example of „governance capture in a self-governing community“.¹⁹ Their findings illustrate that online community governing infrastructures can play a crucial role in systematic disinformation campaigns.

The authors propose that the convergence of three features set the conditions for governance capture: seen as valuable to control by potential information operations, limited early bureaucratic openness, and a preference for personalistic, informal forms of organization over formal ones. Their research shows how self-governed communities built on the same underlying software, situated in a common sociolinguistic environment, diverge in outcomes based on differences in organizational and institutional design.

Tendencies of power concentration and bureaucratization have been observed by researchers as Butler, Joyce²⁰, and others who described an increase in the number and complexity of formal rules as Wikipedia expanded. Based on extensive interviews, Rijshouwer, Uitermark and De Koster determined that both those who are more involved in the implementation of the rules and average collaborators are aware of these issues and actively try to intervene, though bureaucratization often emerges as an unintended consequence of efforts to increase democratic accountability.²¹

3. Enhancing Participatory Culture and media literacy through Wikipedia

The informal mentorship structures characteristic of Wikipedia creates optimal conditions for knowledge transfer from experienced members to novices. This creates healthier communication environments where learning and growth

¹⁹ Kharazian, Z. et al (2024), *Governance Capture in a Self-Governing Community: A Qualitative Comparison of the Croatian, Serbian, Bosnian, and Serbo-Croatian Wikipedias*. Proc. ACM Hum.-Comput. Interact. 8, CSCW1 <https://doi.org/10.1145/3637338>

²⁰ Butler, B.; Joyce, E.; and Pike, J. (2008), *Don't Look Now, but We've Created a Bureaucracy: The Nature and Roles of Policies and Rules in Wikipedia*. In Proc. CHI 2008, 1101-1110.

²¹ Rijshouwer, E. et al (2023), *Wikipedia: a self-organizing bureaucracy, Information, Communication & Society*, 26:7, 1285-1302, DOI: 10.1080/1369118X.2021.1994633

are embedded in the social fabric, reducing hierarchical barriers and promoting collective intelligence. It also exemplifies participatory culture theory in practice, demonstrating its concrete application in digital knowledge creation.

Henry Jenkins' participatory culture framework provides valuable insight into Wikipedia's role as a community-led knowledge repository. Jenkins defines participatory culture as having low barriers to expression, strong support for content creation and sharing, informal mentorship, and members' belief that their contributions matter while feeling socially connected.²²

As early as 2007, Jenkins examined the Wikipedian movement as „one space where young people could acquire the kinds of social skills and cultural competencies necessary to meaningfully participate in the new media landscape“.²³ He emphasized how Wikipedia's transparent standards and protocols enable users to evaluate information quality, making even passive readers more active and critical consumers who question factual claims, evidence, and sources. In short, making them more media literate and aware of the importance of verifiability and objectivity of the information they encounter, distribute and co-create.

Among core activities students might perform examining Wikipedia are systematically comparing how topics get dealt with within traditional and emergent reference works, flagging the selection process in text production, and questioning what information is not included and why.

Jenkins suggested how some of the core media education questions that people should be taught to ask themselves and turn into reflexes executed as they interact with media content and information of all kinds could be revised and rethought in relation to the Wikipedia-specific context of media production, circulation, and consumption (see table 1). He identified four key media literacy skills enhanced through Wikipedia engagement:

- **Collective Intelligence** – the ability to pool knowledge toward common goals
- **Judgment** – the ability to evaluate source reliability and credibility
- **Networking** – the ability to search, synthesize, and disseminate information
- **Negotiation** – the ability to navigate diverse communities and respect multiple perspectives

Jenkins' theoretical framework becomes concrete when applied to Wikipedia's specific features and practices. The platform's design naturally cultivates the media literacy competencies that Jenkins identified as essential for participatory culture. Table 1 demonstrates how Wikipedia's structural elements directly correspond to key media literacy skills, showing both Jenkins' original insights and additional competencies that emerge from Wikipedia's unique collaborative environment.

²² Jenkins, H., Ito, N. and Boyd, D. (2015), *Participatory culture in a networked era : a conversation on youth, learning, commerce, and politics*, Polity Press, Cambridge, UK and Malden, MA, ISBN 9780745660714

²³ Jenkins, H. (2007), *What Wikipedia can teach us about the new media literacies* (part two), henryjenkins.org http://henryjenkins.org/blog/2007/06/what_wikipedia_can_teach_us_ab_1.html

Table 1. Wikipedia-tailored general media literacy questions

General media literacy questions	Wikipedia-tailored questions as suggested by Jenkins	Wikipedia-tailored questions as suggested by the author
Who made this message, and for what purpose (e.g. sponsored by whom)?	Understand the incentives and stimulus for content creation and dissemination from the perspective not of someone who is consuming media produced elsewhere but of someone who is invited to actively participate in the production and circulation of media content	<p>and</p> <ul style="list-style-type: none"> • Understand the instructing and constructive role Wikipedia's policies, rules and principles for creating encyclopaedic articles with precise citation and reference to reliable sources, and the nuances in their enforcement across language communities from contributing volunteers shape content and play a specific role% • Understand how Wikipedia's fundamental infrastructure features and principles like transparency-and-traceability by-design, verifiability, notability, proportionality and consensus seeking differentiate its environment, mechanics and output from other platforms and media
Who is the target audience, and how is the message specifically tailored to them?	Examine, identify and consider the sets of norms and shared ideologies that are shaping the Wikipedia movement	<p>and</p> <p>Compare and assess how, in different language projects and even on different topics, same overarching rules and norms can be applied differently depending on different cultural, social and political contexts, focusing on the specificities of the local media environment and the degree of (dis)trust in media, institutions, science and between people</p>
What are the different techniques used to inform, persuade, entertain, and attract attention?	Examine, identify and consider the rhetorical tools which establish credibility or motivate participation	<p>and</p> <p>Explore and master the multimodal nature of Wikipedia content and the added value of open access, ever-changing state of the articles, dual hypertextuality with internal and external references, datafication of everything, references and notes lists, live registers of edits and talk-pages accompanying all pages</p>

General media literacy questions	Wikipedia-tailored questions as suggested by Jenkins	Wikipedia-tailored questions as suggested by the author
What messages are communicated (and/or implied) about certain people, places, events, behaviours, lifestyles, etc.?	Have in mind the different kinds of expertise that different participants in the Wikipedia movement bring to the project, looking at the ways that these diverse perspectives get negotiated through the production of any given article	and Identify the influences exerted on them depending on the media environment and agenda, historical context, language and cultural norms, community health measured quantitatively and qualitatively in intensity, diversity and civility of interactions between project participants, civic activism, political and educational systems in the states and regions the main contingent of contributors are based/coming from
How current, accurate, and credible is the information in this message?	Focus attention on the devices which make the research process more transparent and the ways to deploy them to test the reliability of the information	then, <ul style="list-style-type: none"> • Assess the overall structure and writing quality of the article • Evaluate the comprehensiveness and scope of coverage • Check for neutral point of view in the writing style • Look for potential gaps or biases in the information presented which are not always obvious when utilizing these transparency devices (inline citations and references checked by lateral reading, the presence of meaningful discussions resulting in consensus, the stability of the content through edit history and the date of the last change)
What is left out of this message that might be important to know?	Reflect on the systemic biases of the project and how they emerge from the participation gap and from other obstacles which limit individuals' ability to access technologies and participate within networked culture	and Understand why the present content guidelines exist, how they developed and evolved in time, and what Wikipedia is not (e.g. a repository of links, images, or media files, a dictionary, a newspaper, or a scientific journal)

These competencies develop organically through Wikipedia participation because the platform's governance structure makes media literacy practices essential for effective contribution. Users cannot successfully edit Wikipedia without learning to evaluate sources, negotiate with diverse perspectives, and understand how information is constructed and validated.

The Wikimedia Foundation's Brand Health Tracker identified knowledge gaps as primary editing barriers: users do not know how or feel they lack necessary skills.²⁴ Addressing this gap through media literacy initiatives benefits both Wikipedia and internet users by developing critical information competencies.

The Foundation invests in educational initiatives and free learning resources and defines the implementation of educational components and tools in its projects, led by Wikipedia, as part of its long-term work.²⁵ The project (Wikipedia) itself, with its philosophy, infrastructure and huge build-up over the 20+ years of its existence in parallel with the evolution of web and the convergence of media, offers a natural environment for learning and developing skills, even just by helping users understand how it works and what its greatest merits and vulnerabilities are. And how the rational use of information and the recognition of the incentives and objectives of the one behind a given piece of information - whether in push or pull mode, requires purposefully and constantly improving skills while taming one's own biases and attitude.

The Reading Wikipedia in the Classroom Program (RWiC) represents WMF's flagship teacher training initiative. Targeting secondary school teachers, the program has been implemented in Bolivia, Morocco, Philippines, and Nigeria, with materials translated into over a dozen languages including English, Spanish, Ukrainian, Arabic, and Bulgarian.

The program aligns with UNESCO's media and information literacy definition as „a set of competencies that empowers citizens to access, retrieve, understand, evaluate and use, to create as well as share information and media content in all formats“. During the 2020 COVID-19 pilot implementation, over 7,000 teachers viewed training sessions, 580 actively participated, and 169 earned completion certificates.²⁶

Initial teacher surveys revealed scepticism: 44% disagreed that Wikipedia was valuable, and 43% opposed classroom use. However, post-training results showed dramatic attitude shifts, with approximately 90% strongly agreeing that Wikipedia is valuable and should be used in schools. Teachers reported improved understanding of digital platforms and enhanced critical thinking skills.

The program helped teachers learn to incorporate Wikipedia as a learning tool into lesson planning and evaluate student use of Wikipedia to access information. These pedagogical outcomes are especially relevant for teachers following certain programs and standards with limited room for manoeuvre.

²⁴ Wikimedia Foundation, *Motivating factors for users to contribute to content on the internet* in The Wikimedia Brand Health Tracker. https://meta.wikimedia.org/wiki/Wikimedia_Foundation/Communications/Research/Brand_Health_Tracker#Motivating_factors_for_users_to_contribute_to_content_on_the_internet

²⁵ Wikimedia Foundation, (2023), *Wikimedia in Education*. <https://wikimediafoundation.org/our-work/education/>

²⁶ Wikimedia Education, (2021), *Reading Wikipedia in the Classroom. Final Report*. https://upload.wikimedia.org/wikipedia/commons/a/af/Reading_Wikipedia_Final_Report.pdf

In 2023, an online edition was conducted for Ukrainian teachers in partnership with Prometheus, a major regional online learning platform. The Bulgarian translation was promoted by the Media Literacy Coalition, addressing local needs given Wikipedia's high visibility as one of the most visited websites globally and in Bulgaria.

4. Wikipedia's Model: Potential for improving existing and future online platforms

Wikipedia's theoretical advantages and practical successes in community governance become particularly relevant when examining how these principles might inform broader platform policy. The platform's recent experiences with EU regulation provide concrete examples of how public-interest platforms can adapt to new regulatory frameworks while maintaining their core values, offering a roadmap for developing European digital public sphere alternatives.

Examining Wikipedia's specific advantages reveals three key principles that could inform European platform development.

First, Wikipedia's non-profit structure eliminates financial incentives to prioritize engagement over accuracy, allowing focus on reliable information without personalization algorithms that can promote disinformation.

Second, Wikipedia's community-mediated policies ensure information quality through verifiability, neutral point of view, and notability standards developed and enforced through social processes. By participating in these processes, contributors develop transferable skills for recognizing these characteristics.

Third, Wikipedia's transparency and verifiable source requirements make it valuable for media and information literacy development. Citation tools and projects like WikiProject Reliability, which works to achieve the goals of the verifiability and no original research policies²⁷, encourage critical information engagement.

A public-interest platform modelled on Wikipedia's governance and community-driven ethos can more effectively cultivate media and information literacy by turning passive consumers into active participants under clear, enforceable rules.

The theoretical advantages of Wikipedia's model become practical design principles when considering how to build alternative platforms that prioritize public interest over commercial engagement. Table 2 outlines specific mechanisms through which a Wikipedia-inspired platform could more effectively cultivate media literacy than current commercial alternatives.

²⁷ *Wikipedia:WikiProject Reliability*. Wikipedia in English https://en.wikipedia.org/wiki/Wikipedia:WikiProject_Reliability [visited on May 26, 2025]

Table 2. Arguments for a Wikipedia-inspired public-interest platform

Community-mediated governance	Participants jointly develop and enforce content and conduct policies, learning the „why“ behind each rule as they help shape it. This consensus-based model embeds media-literacy principles - like sourcing and neutrality - into everyday editorial practice, rather than treating them as abstract guidelines.
Embedded verifiability requirements	By mandating that every factual claim be backed by reliable, published sources, contributors internalize source-evaluation skills. Actively seeking, assessing, and citing verifiable references teaches critical judgment more effectively than passive consumption of curated feeds
Transparent revision histories	Open access to every edit and discussion thread exposes users to the process of fact-checking, dispute resolution, and collaborative improvement. Observing and participating in these debates develops an understanding of how information quality is negotiated and upheld in real time
Reputation-based incentives	A system of badges, patrol flags, and community recognition rewards contributors for adherence to standards. Earning trust within the community reinforces correct application of content rules and discourages superficial or malicious edits, aligning personal motivation with media-literacy outcomes
Non-profit, public-interest focus	Freed from advertising or engagement-maximization algorithms, the platform can prioritize accuracy and depth over sensationalism. This structural choice models ethical information practices and reduces exposure to clickbait or filter-bubble effects that undermine critical thinking
Localized subsidiarity	Allowing regional or language communities to tailor reliability criteria fosters contextual understanding of source credibility. Contributors learn how cultural and linguistic factors influence information standards, broadening their literacy skills beyond a single media environment
Dedicated educational integrations	Embedding structured programs - akin to Reading Wikipedia in the Classroom - into the platform’s onboarding and outreach can guide new users through media literacy competencies. Empirical studies show Wikipedia assignments improve students’ critical thinking, research abilities, and source evaluation skills ²⁸
Anti-disinformation toolkits	Providing community-developed resources (e.g., deprecated-source lists, AI-powered vandalism detectors) offers hands-on training in spotting and countering falsehoods. Contributors practicing with these tools gain practical insight into disinformation strategies and defence mechanisms

²⁸ See the Zachary McDowell Research report from 2017 and *Research project on effectiveness of Wikipedia in education as a platform of improving the cognitive ability among students* https://meta.wikimedia.org/wiki/Research_project_on_effectiveness_of_Wikipedia_in_education_as_a_platform_of_improving_the_cognitive_ability_among_students#Final_Report; some researchers even see Wikipedia as a leader in digital and media literacy and education, i.e. Dr Amanda Lawrence (RMIT University) https://meta.wikimedia.org/wiki/Research:Reliable_sources_and_public_policy_issues_on_Wikipedia

Clear behavioural standards	Strict policies on civility and edit-wars reduce hostile interactions that deter newcomers. A supportive environment encourages sustained engagement, giving learners time and space to master media-literacy tasks without fear of harassment
Scaffolded participation pathways	Tiered editing roles ²⁹ - from casual reader to experienced editor - allow users to progress as their skills grow. Each level introduces more complex media-literacy challenges, ensuring learning remains aligned with actual contribution activities

These design choices represent a fundamental shift from consumption-based to participation-based media literacy development. Rather than teaching users to be better consumers of information, a Wikipedia-inspired platform would make critical evaluation and collaborative knowledge construction the basic requirements for platform participation.

Together, these design choices transform users into critical navigators of information. By making media-literacy practices the very mechanisms of content creation and community governance, a Wikipedia-inspired public-interest platform can not only disseminate reliable knowledge but also leave participants with enduring, transferable skills for evaluating and producing information across digital environments.

Wikipedia's Experience with the Digital Services Act

Notwithstanding Wikipedia's specific profile as a space for interaction between Internet users and hosting user-generated content that does not have a commercial entity behind it, Wikipedia fits the definition of an online intermediary and is subject to platform regulation. The European Commission has designated Wikipedia as a „Very Large Online Platform“ (VLOP) under Article 33 (4) of Digital Services Act (DSA), placing it under greater regulatory scrutiny due to its large EU readership (more than one hundred million monthly active EU users)³⁰.

As of May 2025, it is one of 23 platforms with this designation. This classification subjects Wikipedia to stringent transparency requirements, including mandated risk assessments and detailed reporting on content moderation practices³¹.

²⁹ Wikipedia: Wikipedians. *User permissions*. https://en.wikipedia.org/wiki/Wikipedia:Wikipedians#User_permissions

³⁰ Wikimedia Foundation (2024), *EU Digital Services Act information*. <https://wikimediafoundation.org/about/transparency/2023-2/eu-digital-services-act-information/>

³¹ Bradley-Schmieg, P. (2023), *Wikipedia is now a Very Large Online Platform (VLOP) under new European Union rules: Here's what that means for Wikimedians and readers*. Diff. <https://diff.wikimedia.org/2023/05/04/wikipedia-is-now-a-very-large-online-platform-vlop-under-new-european-union-rules-heres-what-that-means-for-wikimedians-and-readers/>; Wikimedia Foundation. (2025). *EU Digital Services Act information*. <https://wikimediafoundation.org/about/transparency/2024-2/eu-digital-services-act-information/> [visited on May 26, 2025]

Since Wikipedia became subject to DSA regulatory rules for VLOPs,³² its assessment is focused on areas like electoral disinformation and the safety of young people online.

During 2024's EU electoral cycles, Wikipedia's volunteer editors successfully maintained information integrity against disinformation threats. Their provision of verified, multilingual content on candidates and electoral matters to millions of readers exemplifies the convergence between Wikipedia's public service mission and the DSA's goals for societal benefit.³³

Unlike commercial platforms, Wikipedia's compliance strategy emphasizes preserving its community-led governance model while meeting DSA obligations. The Wikimedia Foundation implemented enhanced transparency reporting mechanisms but upheld the position that existing initiatives and community empowerment will help address these risks³⁴ and maintained its principle of minimal data collection, protecting editor anonymity even while disclosing moderation statistics³⁵.

This dual approach demonstrates how public interest platforms can adapt to platform regulation without compromising core values.

Implications of the European Media Freedom Act

The European Media Freedom Act (EMFA) creates new interfaces between Wikipedia's policies and EU media regulation. Since Article 18 of the EMFA specifically targets VLOPs and their relationships with media service providers, Wikipedia would fall within their scope as a platform operator.³⁶ Furthermore, Article 19 establishes provisions for structured dialogue between providers of VLOPs, representatives of media service providers and representatives of civil society.

³² The DSA's general date of applicability is 17 February 2024. However, the DSA has applied to Wikipedia since August 2023 - four months following the Commission's notification of the decision designating 17 online platforms as VLOPs.

³³ EU Policy Team (2024, September 11). *Wikipedia and the Digital Services Act: Lessons on the strength of community and the future of internet regulation*, Wikimedia Europe. <https://wikimedia.brussels/wikipedia-and-the-digital-services-act-lessons-on-the-strength-of-community-and-the-future-of-internet-regulation/>

³⁴ see note 33, Bradley-Schmieg, P. (2023)

³⁵ Wikimedia Foundation. *Transparency report - July to December 2024. EU Digital Services Act information*. <https://wikimediafoundation.org/about/transparency/2024-2/eu-digital-services-act-information/>

³⁶ Allioui, S. (2024) *EU Media Freedom Act: the convolutions of the new legislation*. EU Law Analysis <http://eulawanalysis.blogspot.com/2024/06/eu-media-freedom-act-convolutions-of.html>

Failla, M. (2023), *European Media Freedom Act: some reflections from Wikimedia Europe*. Wikimedia Europe. <https://wikimedia.brussels/european-media-freedom-act-some-reflections-from-wikimedia-europe>

Wikipedia's source verification protocols align with EMFA objectives to enhance media transparency. The platform's Anti-Disinformation Repository³⁷ and source reliability guidelines demonstrate community-developed solutions to disinformation challenges that both the DSA and EMFA seek to address through legislation. This presents Wikipedia as both a regulatory challenge and potential model for EMFA implementation, particularly in demonstrating how decentralized communities can maintain information quality without centralized editorial control.

Wikipedia's regulatory engagements underline how community-driven platforms can inform the shaping of a robust European digital public sphere. Lessons from its designation as a Very Large Online Platform under the Digital Services Act and interactions with the European Media Freedom Act offer concrete policy guidance for fostering resilient, public-interest-oriented online environments.

Building on this foundation, European policymakers can adapt this model to establish platforms that empower volunteer moderation through clear, consensus-based policies rather than centralized, opaque algorithms and encourage subsidiarity by allowing language or regional editions to adapt reliability criteria to local contexts, as seen with Bulgarian Wikipedia's source-filter list of almost 600 unreliable digital press publishers.

5. Conclusion

This study demonstrates that Wikipedia's participatory governance model offers more than just an alternative to commercial platforms - it provides a proven framework for building resilient digital public spheres. Through its decentralized community structure and commitment to reliable sources, Wikipedia has maintained information quality and democratic participation for over two decades, even while adapting to new regulatory requirements under the EU's Digital Services Act.

The platform's success in fostering critical media literacy through active participation, rather than passive consumption, offers concrete guidance for European policymakers seeking to develop public-interest digital infrastructure. Wikipedia's experience shows that community-driven platforms can maintain information quality without relying on opaque algorithms or commercial incentives, while simultaneously developing users' critical evaluation skills through collaborative knowledge construction.

As Europe grapples with the limitations of commercial social media platforms and seeks to build more democratic digital spaces, Wikipedia's governance principles provide a tested foundation. The platform's ability to combine transpa-

³⁷ Wikimedia Foundation. *Anti-Disinformation Repository*. https://meta.wikimedia.org/wiki/Anti-Disinformation_Repository [visited on May 26, 2025]

rency, accountability, and user empowerment while meeting regulatory compliance requirements demonstrates the viability of public-interest platform models.

Future European digital public sphere development should incorporate Wikipedia's key insights: the importance of clear, community-enforced standards; the value of transparent processes that enable user learning; and the necessity of governance structures that prioritize information quality over engagement metrics.

By adapting these principles to new contexts, European policymakers can foster digital environments that serve democratic discourse rather than commercial extraction, creating lasting alternatives to the current platform ecosystem dominated by profit-driven corporations.

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CONCEPTUAL EVOLUTION OF INFORMATION DISORDER: A DECADE OF DISCURSIVE TRANSFORMATION IN BULGARIAN

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Abstract:

This paper traces the conceptual evolution of „information disorder“, examining how the term has developed from earlier concerns about propaganda and media manipulation to a more complex understanding in the digital age. Reviewing key literature and policy debates, the study explores how disinformation, misinformation, and malinformation have been defined and distinguished across academic, governmental, and civil society contexts. The analysis highlights how evolving technological, political, and cultural forces have shaped the framing and governance of information disorder. Ultimately, the study argues for a historically grounded and multidisciplinary approach to understanding information disorder as a persistent and adaptive phenomenon.

Keywords: Information, misinformation, pragmatics, integrity, trends

Introduction, motivation and methodology

The discursive framing of problematic information phenomena fundamentally shapes our understanding of the problem and the potential strategies in response^{1,2}. The linguistic and conceptual frameworks deployed within public discourse serve as both reflective indicators and generative mechanisms that shape cognitive schemata regarding information integrity challenges. Terminological choices delineate the boundaries of public discourse.

¹ Lakoff, G., & Johnson, M. (2008), *Metaphors we live by*, University of Chicago Press.

² Entman, R. M. (1993), *Framing: Toward clarification of a fractured paradigm*, Journal of Communication, Vol. 43, No. 4, pp. 51-58.

This study³ employs a mixed-methods approach to examine the conceptual evolution of information disorder terminology in Bulgarian media discourse from January 2013 to April 2025. Our methodological framework integrates quantitative trend analysis with qualitative discourse analysis to provide a comprehensive understanding of terminological shifts and their contextual determinants.

The primary quantitative component utilises Google Trends as an analytical tool to track the relative frequency of search queries related to key terminology. We systematically monitored five central concepts: „fake news“ (фалшиви новини), „disinformation“ (дезинформация), „propaganda“ (пропаганда), „hybrid warfare“ (хибридна война), and „information integrity“ (информация и неправдата). Google Trends data was retrieved using the following parameters: Geographic scope: Bulgaria; period: January 1, 2013, to April 30, 2025).

Through systematic analysis of these explanatory factors, the study will contribute to our understanding of how societies conceptualise, problematise, and respond to emerging information threats in democratic contexts.

For each term, the study documented temporal patterns of usage frequency, peaks, popularity across terms and some correlations with significant geopolitical events.

The selection of terminology was formed by preliminary expert analysis identifying the most prevalent concepts within Bulgarian media discourse regarding problematic information phenomena. This initial mapping drew on manual content analysis of major Bulgarian news outlets (mentioned in Reuters Institute Digital News Report 2024⁴) and policy documents (parliamentary corpora⁵) to establish the conceptual terrain.

The qualitative component involved analysing contextual factors surrounding significant peaks in search interest, examining some media coverage during peak periods and connections to international events and frameworks. This contextualisation allowed us to identify potential causal factors for shifts in terminology usage and analyse the semantic evolution of key concepts as they moved between international and Bulgarian contexts.

While this research provides valuable insights into the conceptual evolution of information disorder discourse in Bulgaria, several limitations warrant acknow-

³ This research on which this work is based is part of the GATE project funded by the Horizon 2020 WIDESPREAD-2018-2020 TEAMING Phase 2 programme under grant agreement no. 857155, the programme „Research, Innovation and Digitalization for Smart Transformation“ 2021-2027 (PRIDST) under grant agreement N BG16RFPR002-1.014-0010-C01, and the BROD project, funded by the European Union under Contract number: 101083730 - BROD. The author thanks Borislav Bankov and Yana Naydenova for their comments.

⁴ Reuters Institute Digital News Report 2024, https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2024-06/RISJ_DNR_2024_Digital_v10%20lr.pdf

⁵ <https://www.clarin.eu/parlamint>

ledgement. Our reliance on Google Trends data introduces certain constraints. The platform provides only relative search volume rather than absolute numbers, making precise quantification difficult. Additionally, Google Trends data reflects search behaviour rather than media usage directly, serving as a proxy measure for public engagement with concepts. Search queries may not perfectly align with how terms are used in media discourse. While our study spans over a decade, Google Trends' historical data granularity varies, with more detailed information available for recent years. This potentially creates an imbalance in analytical depth across the study period. The translation of international concepts into Bulgarian presents challenges. We have attempted to account for various Bulgarian formulations of key terms, but some semantic variations may not be fully captured in search queries.

This research does not encompass questions concerning cybersecurity, artificial intelligence, and their role within the broader disinformation landscape. Furthermore, the integration of other concepts into the context of disinformation is not discussed.

Literature review

Navigating the intricate landscape of contemporary information threats necessitates a rigorous understanding of the conceptual differentiations among disinformation, misinformation, malinformation, information operations, and foreign information manipulation and interference (FIMI). The definitional frameworks articulated by entities such as the European Union, the North Atlantic Treaty Organisation, and the Council of Europe furnish a robust analytical basis for dissecting the multifaceted character of information manipulation. Effectively mitigating the challenges posed by these activities demands a comprehensive, multidimensional strategy integrating regulatory frameworks, technological innovations, educational initiatives, and robust international collaboration.

In *Tackling Online Disinformation*, the EU authorities define the concept of disinformation as 'verifiably false or misleading information that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm'⁶. The same definition was repeated in the Action Plan Against Disinformation⁷ and in the Code of Practice of Disinformation (2018) and The Strengthened Code of Practice on Disinformation (2022). The European External Action Service (EEAS) has taken a leading role in addressing the FIMI, and on 7 February 2023, the High Representative and Vice-President of the European Union Josep Borrell announced the creation of an Information Sharing and Analysis Centre at the EEAS⁸.

⁶ Commission, 'Tackling Online Disinformation: A European Approach' (Communication) COM (2018) 236 final (the Communication), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52018DC0236>

⁷ https://www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf

⁸ <https://fimi-isac.org/index.html>

FIMI shows the role of state actors in information manipulation aimed at achieving geopolitical objectives and it has also been adopted in the European Union's conceptual framework through several documents, such as the Report on StratCom activities⁹, and the two reports on FIMI threats published up to date¹⁰. What is worth mentioning is that the activities falling under FIMI are mostly non-illegal¹¹.

The period following 2016 marked a turning point in public awareness of information disorder, with the term „fake news“ gaining widespread currency during the BREXIT referendum in the United Kingdom and the United States presidential election^{12,13}. However, this simplistic binary classification proved inadequate for capturing the complex ecosystem of problematic information. Consequently, scholars and policymakers gradually developed more nuanced taxonomies, differentiating between disinformation (deliberate falsehoods), misinformation (unintentional inaccuracies), and malinformation (contextually manipulated truths)¹⁴. The notion of a „post-truth“ era¹⁵ gave way to discussions of „information disorder“¹⁶ and subsequently to the concept of an „infodemic“¹⁷ during the COVID-19 pandemic. Most recently, discourse has coalesced around the more holistic concept of „information integrity,“ emphasising systemic approaches to fostering resilient information ecosystems rather than merely combating individual instances of falsity¹⁸.

The accuracy of the emerging EU anti-disinformation framework is linked to the European Court of Human Rights' consolidated standards¹⁹.

Acknowledging that various risks related to the spreading of disinformation in the „digital ecosystem“ are very serious, the precise definition of the term

⁹ 2021 StratCom Activity Report - Strategic Communication Task Forces and Information Analysis Division, EEAS', 2021, https://www.eeas.europa.eu/eeas/2021-stratcom-activity-report-strategic-communication-task-forces-and-information-analysis-division_en

¹⁰ European Union External Action 2023, 2; 2024, https://www.eeas.europa.eu/_en

¹¹ Munteanu, D. (2024), *Societal Resilience to Disinformation - What Is It and How Can We Bolster It?*, XXIV Summer Seminar Future Scenarios for Central and Eastern Europe, p. 90.

¹² Waisbord, S. (2018), *Truth is What Happens to News: On journalism, fake news, and post-truth*, Journalism Studies, Vol. 19, No. 13, pp. 1866-1878. <https://doi.org/10.1080/1461670X.2018.1492881>

¹³ Tandoc, E. C., Lim, Z. W., & Ling, R. (2017), *Defining „Fake News“: A typology of scholarly definitions*, Digital Journalism, Vol. 6, No. 2, pp. 137-153. <https://doi.org/10.1080/21670811.2017.1360143>

¹⁴ Wardle, C., & Derakhshan, H. (2017), *Information Disorder: Toward an Interdisciplinary Framework for Research and Policy Making*, Council of Europe.

¹⁵ <https://global.oup.com/academic/content/word-of-the-year/>

¹⁶ <https://www.coe.int/en/web/freedom-expression/information-disorder>

¹⁷ <https://www.who.int/health-topics/infodemic>

¹⁸ Posetti, J., & Bontcheva, K. (2020), Disinfodemic: Deciphering Covid-19 disinformation, Policy Brief, 1

¹⁹ Cavaliere, P. (2022), The truth in fake news: How disinformation laws are reframing the concepts of truth and accuracy on digital platforms, European Convention on Human Rights Law Review, Vol. 3, No. 4, pp. 481-523.

disinformation is difficult to draw and the consequence of certain ambiguities in the various definitions used by international organisations augments risks of human rights violations, especially of the freedom of expression²⁰. Concerns about misinformation's impact on democracy have grown, especially after events like the 2020 US election and COVID-19 vaccine debates. Interventions such as fact-checking, media literacy, and increased news coverage emerged, but their effectiveness is mixed. Fact-checking can sometimes reinforce false beliefs or reduce trust in institutions, while media literacy efforts may increase scepticism toward all information. News coverage that repeats falsehoods without context can also undermine trust. Recent research suggests that focusing on claim verification (not just blaming sources) and teaching about bias, rather than only misinformation, can reduce negative spillover effects and improve trust and discernment²¹.

In Bulgarian scientific literature, the terms disinformation, manipulation and propaganda exist together. Most of the studies define the concepts they use, but there is no separate study, except for Nina Venova's translation of Journalism, fake news & disinformation: handbook for journalism education and training²², which focuses on the definitions of the phenomenon. Many efforts are concentrated on the NLP detection of fake news, disinformation, propaganda and media bias^{23, 24, 25, 26} as well as on the Bulgarian specifics^{27, 28, 29}.

²⁰ Scheu, H. C. (2022), The concept of disinformation in the practice of international organizations, *Public Security and Public Order*, (31), pp. 183-196.

²¹ Hoes, E., Aitken, B., Zhang, J. et al. (2024), Prominent misinformation interventions reduce misperceptions but increase scepticism, *Nature Human Behaviour*, Vol. 8, pp. 1545-1553.

²² Ireton, Ch., & Posetti, J. (2018), Journalism, fake news & disinformation: Handbook for journalism education and training, UNESCO.

²³ Martino, G. D. S. et al. (2020), *A survey on computational propaganda detection*, arXiv preprint arXiv:2007.08024

²⁴ Nakov, P. (2020), *Can We Spot the „Fake News“ Before It Was Even Written?*, arXiv preprint arXiv:2008.04374

²⁵ Nakov, P., & Da San Martino, G. (2021a), Fake news, disinformation, propaganda, media bias, and flattening the curve of the COVID-19 infodemic, *Proceedings of the 27th ACM SIGKDD Conference*, pp. 4054-4055

²⁶ Nakov, P., & Da San Martino, G. (2021b), Fake news, disinformation, propaganda, and media bias, *Proceedings of the 30th ACM International Conference on Information & Knowledge Management*, pp. 4862-4865.

²⁷ Margova, <https://bpos.bg/publication/57700>; Temnikova, I. et al. (2023a), New Bulgarian resources for studying deception and detecting disinformation; Temnikova, I. et al. (2023b), Looking for traces of textual deepfakes in Bulgarian on social media, *Proceedings of the 14th International Conference on Recent Advances in Natural Language Processing*, pp. 1151-1161.

²⁸ Temnikova, I. et al. (2023a), New Bulgarian resources for studying deception and detecting disinformation.

²⁹ Temnikova, I. et al. (2023b), Looking for traces of textual deepfakes in Bulgarian on social media, *Proceedings of the 14th International Conference on Recent Advances in Natural Language Processing*, pp. 1151-1161.

In political analysis in Bulgaria, the focus is on Russia and its ambitions, especially in former Soviet states, using disinformation as a key destabilising tool. A series of reports shows the systematic Russian influence^{30, 31, 32}.

A series of detailed analyses of anti-democratic propaganda and especially of the role of Russian propaganda in Bulgaria by the team of the Foundation for Humanitarian and Social Research - Sofia³³).

Analysing the use of hybrid warfare in the Bulgarian media during the first five months of 2019, Kovatcheva concluded that „hybrid warfare“ (and its synonyms) are the most common it is mentioned in the informational materials, without being explained and specified, and it is observed that the purposeful use of the phrase „hybrid war“ has a meaning that is completely different from the meaning of the concept contained in the definition³⁴. Analysing the presented definitions of „hybrid war“ in the Bulgarian space is enough to search for a more adequate concept to replace „hybrid war“³⁵. The connection between climate change and the interference with the overall risk of new hybrid conflicts because it accelerates the development and the implementation of innovations, related to the conduct of hybrid wars³⁶.

1. Analysis

The impetus for this study arises from the dynamic evolution of the lexicon associated with the pervasive phenomenon of misinformation, a concern highlighted as a significant global risk in the World Economic Forum's Global Risk Report (2025). This report identified misinformation as a prominent threat for both 2024 and 2025³⁷.

Employing Google Trends (Table 1, Google Trends, comparison of terms) as a freely accessible analytical tool, this research examines the diachronic trends in the utilisation of key terms – *disinformation, fake news, information integrity, and propaganda* – within the period spanning January 1, 2013, to

³⁰ Trifonova, G., & Malinov, S. (2024), *Operation „Disinformation“: Uncovering Kremlin Influence in Ex-Military Networks in Bulgaria*. <https://csd.eu/publications/publication/operation-disinformation/>

³¹ Georgiev, G., & Novossiolova, T. (2023), Disinformation Storm: WMD Hybrid Threats in Bulgaria and Romania, CSD. Available at: <https://csd.eu/publications/publication/disinformation-storm/>

³² Shentov, O., Stefanov, R., & Vladimirov, M. (2020), Countering the Kremlin playbook in Europe after Russia Invasion in Ukraine.

³³ <https://hssfoundation.org/%d0%b4%d0%be%d0%ba%d0%bb%d0%b0%d0%b4%d0%b8/>

³⁴ Kovacheva, R. (2019), „The hybrid war“ in Bulgarian media, Медиалог.

³⁵ Bakalov, Y. (2022), Semantics and thesaurus of the terminology of hybrid warfare, Scientific Almanac of the Bulgarian University of Finance and Economics „Chernorizets Hrabar“, Ser. Legal Sciences and Public Security, Book 42, pp. 34-42.

³⁶ Bankov, B. (2023), Are hybrid wars changing because of climate change, Doctoral Readings, 7, p. 179.

³⁷ https://reports.weforum.org/docs/WEF_GRR25_Shareable_Risks_by_severity_2_Years.jpg and <https://www.weforum.org/press/2025/01/global-risks-report-2025-conflict-environment-and-disinformation-top-threats/>

April 2025. This timeframe is pertinent due to its overlap with significant geopolitical events, notably the annexation of Crimea by the Russian Federation on March 18, 2014, and the preceding period of intense sociopolitical unrest in Ukraine during the winter of 2013-2014, triggered by the Ukrainian government's decision to suspend the signing of an association agreement with the European Union on November 21, 2013.

The initial scope of the Google Trends analysis was intended to encompass online discourse within Bulgaria more broadly, rather than being exclusively limited to media sources. However, the recent development of the Google Trends platform and its limitations in providing granular historical data necessitated a focus on observable trends within the available timeframe. Despite this constraint, discernible patterns in the usage of the selected terms are evident.

The selection of the mentioned terms was formed by expert analysis identifying the most prevalent concepts within the media landscape concerning misleading information. Further comparative analysis of more specific term combinations is intended for subsequent investigation.

Table 1. Google Trends, comparison of terms



1.1. Propaganda

The analysis reveals a consistent and enduring presence of the term „propaganda“ throughout the entire ten-year period under scrutiny, marked by a notable peak in usage. This suggests that „propaganda“ is the most stable and consistently employed concept among those examined, exhibiting minimal fluctuation throughout the research period. This stability likely stems from its historical embeddedness within the Bulgarian linguistic and socio-political context. The collective memory of socialist-era propaganda renders the term readily recognisable, particularly among older segments of the population,

obviating the need for extensive contextualisation. However, the analysis further indicates that the application of „propaganda“ is not exclusively confined to the domain of disinformation. Preliminary examination suggests a strong correlation between the use of „propaganda“ and discussions surrounding LGBT rights, a connection that appears more prominent than its association with Russian propaganda, despite prior in-depth analyses conducted by the Humanitarian and Social Research Foundation³⁸. This observation raises pertinent questions regarding the accessibility and comprehension of these nuanced terminological reports by a wider public, a consideration of particular salience given the importance of disseminating research findings effectively within the ongoing efforts to counter disinformation.

The latest spike in the word propaganda comes in the context of the president's decision in August 2024 to promulgate legislative amendments banning the propaganda and promotion of „non-traditional sexual orientation“ and „gender identity other than biological“ in schools. This was announced by the press office of the head of state³⁹. This direct connection between propaganda and LGBT rights must be taken into account in the Bulgarian environment. It can even be considered intentional since it was directly multiplied by media.

1.2. Hybrid war

In the Bulgarian space, the first peak of the hybrid war came in November 2015, when reports appeared in the media that Russia was waging a hybrid war against Bulgaria. Before, in August Ministry of Defence announced that Russia is a risky factor for the national security of Bulgaria⁴⁰. In Bulgaria, a hybrid war was waged, as stated in the reports on the status of armed forces in 2014⁴¹. During the same period, the word propaganda also dominated. The next peak of hybrid war coincides with the beginning of the war between Russia and Ukraine, in February 2022. The introduction of the notion of hybrid warfare into the Bulgarian media discourse in 2014 appears to have been characterised by novelty and a lack of established definitional boundaries, potentially contributing to its unconstrained application. While the term gained traction by 2019, inconsistencies and inaccuracies in its usage persisted, raising concerns about its potential co-option within disinformation campaigns orchestrated by specific media outlets⁴². However, this study posits that a unified understanding and application of the concept of „hybrid“ within the Bulgarian context has yet to be achieved. Establishing a precise and consistently applied definition for this term, enforced across media outlets and among policymakers, is crucial. Such definitional clarity would mitigate the current reliance on metaphorical

³⁸ <https://hssfoundation.org/en/team2/>

³⁹ <https://news.lex.bg>

⁴⁰ https://www.dnevnik.bg/bulgaria/2014/08/26/2368889_ministerstvo_na_otbranata_oficialno_obiavi_rusija_za/

⁴¹ <https://dariknews.bg/novini/bylgariia/mo-v-bylgariq-se-vodi-hibridna-vojna-zaradi-ukrajna-1412304>

⁴² Kovacheva, R. (2019). „The hybrid war“ in Bulgarian media, Медиалог.

and improvisational usage, fostering a more coherent and strategically advantageous framework for countering disinformation efforts.

1.3. Fake news and disinformation

The term „fake news“ entered the Bulgarian online sphere in March 2017, achieving considerable establishment by the year’s end. This emergence coincided significantly with two prominent international information events: United Kingdom’s withdrawal from the European Union (BREXIT) and the United States presidential elections. While these processes commenced in 2016, their reverberations within the Bulgarian information environment became pronounced several months thereafter. The English phrase „fake news“ has also become integrated into Bulgarian colloquial speech, often used in its transcribed form.

The designation of „fake news“ as the most impactful word of 2017 by the British publishing house Collins was mirrored in Bulgaria’s linguistic landscape. Notably, an examination of the „word of the year“ selections by various British dictionaries over the preceding decade reveals a consistent thematic focus on concepts related to disinformation, exemplified by terms such as „permacrisis“ in Collins, 2022⁴³, „gaslighting“ in Merriam-Webster, 2022⁴⁴, „hallucinate“ in Cambridge 2023⁴⁵, and „brainrot“ in Collins, 2024⁴⁶. This seemingly disparate observation underscores a broader trend in the English language, as a lingua franca, towards the prominence of vocabulary concerning disinformation, a trend that subsequently influences other linguistic contexts.

Subsequently, in April 2020, the term „disinformation“ gained traction within the Bulgarian online environment, gradually establishing itself in parallel with „fake news.“ Concurrently, the frequency of „fake news“ usage experienced a relative decline. While „disinformation“ exhibited a minor peak in 2014, its consistent and sustained presence dates from 2021 onwards, suggesting a gradual displacement or „unlearning“ of „fake news.“ This shift can potentially be attributed to the increasing institutional efforts of the European Union to counter disinformation. Consequently, the definition and understanding of „disinformation“ have gained prominence among Bulgarian researchers investigating its societal impact. This trend is further evidenced by the establishment of the Bulgarian-Romanian Observatory of digital media BROD⁴⁷, a hub within the European Digital Media Observatory (EDMO)⁴⁸, in late 2022. The nuanced definitions of disinformation, misinformation, and malinformation are receiving increasing scholarly attention within Bulgaria. Furthermore, the accreditation of fact-checking initiatives, such as the Bulgarian branch of AFP⁴⁹ and the

⁴³ <https://blog.collinsdictionary.com/language-lovers/a-year-of-permacrisis/>

⁴⁴ <https://www.merriam-webster.com/wordplay/word-of-the-year-2022>

⁴⁵ <https://www.cambridge.org/news-and-insights/hallucinate-is-cambridge-word-of-the-year-2023>

⁴⁶ <https://www.collinsdictionary.com/woty>

⁴⁷ <https://brodhub.eu/en/>

⁴⁸ <https://edmo.eu/>

⁴⁹ <https://proveri.afp.com/>

Bulgarian National Television (BNT)⁵⁰ fact-checking team (both licensed in 2023), alongside the established Factcheck.bg⁵¹ team (licensed by the European Fact-Checking Standards Network - EFCSN)⁵², signifies a growing emphasis on fact-checking within the Bulgarian media ecosystem. These socio-political and media developments are reflected in the evolving public perception of information integrity challenges, with „disinformation“ emerging as a dominant concept, increasingly associated with misleading political information carrying the potential for public harm and frequently featured in the titles and themes of academic and professional conferences in Bulgaria.

Despite its contentious nature, the definition of disinformation demonstrates functional utility, exhibiting relative conceptual clarity in its application. While the terms „disinformation“ and „fake news“ are often employed indiscriminately by political actors – a phenomenon warranting distinct scholarly investigation into their manipulative potential – a discernible consistency prevails in their usage within academic research and policy documentation. This definitional coherence represents a positive attribute, facilitating a more precise delineation of the problem domain necessitating concerted and targeted interventions.

1.4. Information integrity

The countermeasures against disinformation are in five broad domains: legal and regulatory, educational, political and governance, psychological and social-psychological, and technological⁵³, even though there are some overlaps between domains. National information resilience is important for information integrity⁵⁴.

The concepts of „information integrity“ and „resilience“ present significant challenges within the Bulgarian linguistic context. The term „integrity“ lacks a direct and comprehensive equivalent in Bulgarian, encompassing multiple semantic layers that complicate its translation. Similarly, „resilience“ is not a commonly employed term in everyday Bulgarian usage, contributing to a perceived distance and lack of immediate recognition for these concepts within the language environment. This linguistic barrier is reflected in the limited visibility of „information integrity“ within the Bulgarian online sphere in our study. While „integrity“ predominantly appears in association with regional development programs, „resilience“ is primarily linked to the domain of economics.

⁵⁰ <https://bntnews.bg/proverka-na-fakti-102533tag.html>

⁵¹ <https://factcheck.bg/>

⁵² <https://efcsn.com/>

⁵³ Rød, B., Pursiainen, C., & Eklund, N. (2025), Combatting Disinformation - How Do We Create Resilient Societies? Literature Review and Analytical Framework, European Journal for Security Research, pp. 1-43.

⁵⁴ Dragomir, M., Rúas-Araújo, J., & Horowitz, M. (2024), Beyond online disinformation: assessing national information resilience in four European countries, Humanities and Social Sciences Communications, Vol. 11, No. 1, pp. 1-10.

Conversely, research on countering disinformation emphasises the importance of employing positive and constructive communication strategies, avoiding accusatory or insinuating language. Current efforts in Bulgaria to address disinformation align with this approach, focusing on promoting media literacy and fostering understanding to engage individuals who have not yet solidified their opinions based on reasoned arguments. While these positive communication endeavours are crucial and should be sustained, the translation of key concepts into accessible Bulgarian remains a significant impediment to broader public comprehension. Consequently, media literacy from early childhood through adulthood assumes paramount importance. Equipping individuals with critical thinking skills can mitigate the reliance on complex, difficult-to-translate terminology for understanding and navigating specific information phenomena.

Our experiment showed that integrity is not recognised as part of the semantic field of disinformation.

2. Con clusions

This study has traced the conceptual evolution of information disorder terminology in Bulgarian media discourse from 2013 to 2025, revealing significant shifts in how problematic information phenomena are framed and understood. Our analysis yields several important insights with implications for research, policy, and practice.

2.1. Key Findings

The diachronic analysis of terminology usage reveals three distinct patterns. First, „propaganda“ demonstrates remarkable stability throughout the period, reflecting its deep historical embeddedness in Bulgarian socio-political contexts. However, its semantic application has expanded beyond disinformation to encompass other domains, particularly LGBT discourse, complicating its utility as a precise analytical term.

Second, „hybrid war“ emerged abruptly in the Bulgarian information space following Russia’s annexation of Crimea in 2014 but has suffered from definitional inconsistency. This terminological ambiguity has potentially undermined its effectiveness in public discourse and made it vulnerable to co-option within disinformation campaigns.

Third, we observe a clear transition from the colloquial „fake news“ (peaking after 2017) toward the more institutionally backed „disinformation“ (gaining prominence after 2020) in Bulgaria. This shift coincides with increasing EU initiatives to counter disinformation and the creation of fact-checking infrastructure within Bulgaria, suggesting the influence of institutional frameworks on discursive practices.

Most notably, concepts central to contemporary international discourse on information resilience – particularly „information integrity“ – have not gained

traction in Bulgarian media. This represents a significant linguistic and conceptual gap that may impede efforts to foster more resilient information ecosystems.

2.2. Theoretical and Practical Implications

These findings underscore how deeply embedded issues of trust, power, and media systems are in our understanding of truth and communication. Information disorder emerges not only from technological changes but also because of a complex historical, political, and cultural transformation. The linguistic barriers to translating key concepts like „integrity“ and „resilience“ into Bulgarian highlight the importance of culturally sensitive approaches to addressing disinformation.

Our analysis suggests several practical applications. The study provides a foundation for comparative analysis with other linguistic and national contexts. For policymakers, our findings indicate the need for more precise and consistent terminological frameworks to enable coherent public discourse and policy formulation. For media literacy practitioners, understanding these conceptual gaps can inform more effective educational approaches.

2.3. Future Directions

This research opens several avenues for further investigation. First, more granular analysis of how different stakeholders (government, media, civil society) employ these terms could reveal power dynamics in shaping public discourse. Second, audience reception studies could explore how these terminological shifts affect public understanding and trust. Third, comparative analysis with other post-communist contexts could identify regional patterns in information disorder discourse.

As Bulgaria faces complex information threats, particularly foreign information manipulation and interference, developing a shared conceptual vocabulary becomes increasingly critical. The positive communication strategies currently employed by anti-disinformation initiatives are valuable but must be complemented by efforts to address fundamental linguistic and conceptual barriers.

Ultimately, this study demonstrates that addressing information disorder requires not just technological or regulatory solutions, but a deeper engagement with the cultural, linguistic, and historical contexts through which societies make sense of truth, deception, and the information environment. By mapping the evolution of these concepts in Bulgarian media discourse, the study contributes to a more historically informed and contextually sensitive understanding of information disorder – one that recognises its persistence and adaptability across different media environments and political contexts.

The Bulgarian media landscape has unique characteristics shaped by post-communist transition and specific geopolitical influences. Information disorder continues to evolve rapidly, potentially outpacing the conceptual frameworks used to analyse it. Terms that emerge after our data collection period may significantly reshape the discourse.

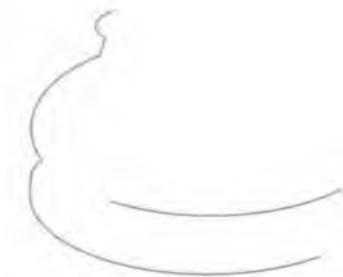
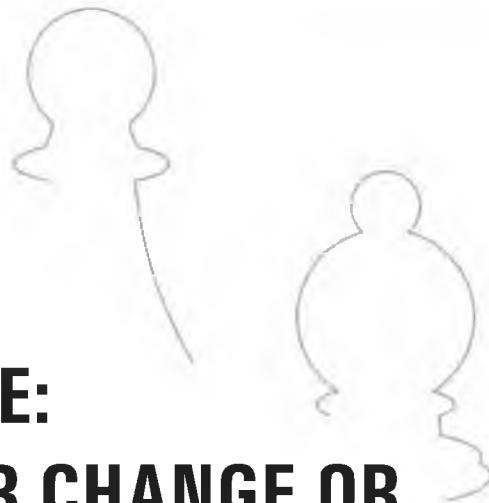
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Fourth panel:

AI IN EUROPE: A FORCE FOR CHANGE OR A CHALLENGE TO OVERCOME?



THE ROLE OF ARTICLE 114 TFEU IN BALANCING FUNDAMENTAL RIGHTS AND PRODUCT SAFETY IN THE AI ACT

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Abstract:

This paper explores the legal foundation of the EU's AI Act, with a specific focus on the use of Article 114 TFEU as its legal basis. It argues that the role of Article 114 TFEU – in the Digital Single Market, and more specifically AI Act – represents a shift from merely facilitating a common market to constructing a common regulated market that embeds public interest objectives, particularly the protection of fundamental rights. Through analysis of the evolving scope and function of Article 114 TFEU, the paper examines how the AI Act navigates the balance between harmonising internal market rules and addressing ethical and societal concerns posed by AI technologies. The contribution also discusses the strength of Article 114 TFEU as a legal basis, especially when the regulation extends into non-economic domains like privacy, non-discrimination, and transparency. Finally, this contribution concludes that the AI Act reflects a new governance approach, acknowledging that the complexity of harmonising emerging technologies within the EU's Digital Single Market framework involves market building as well.

Keywords: Article 114 TFEU, AI Act, Fundamental Rights, Common Regulated Market, Reflexive Harmonisation

1. Introduction

The galloping development of artificial intelligence (AI) technologies – that is being witnessed in real time – has proven to be a challenge for lawmakers around the world. In the European Union (EU) this challenge has been met with dual imperative. The first being the safeguarding of fundamental rights as enshrined in the Charter of Fundamental Rights of the European Union (Charter),¹ and the second being the ensuring the safety and integrity of products

¹ Charter of Fundamental Rights of the European Union [2008] OJ C 326/391 ('Charter').

circulating within the internal market. The new Artificial Intelligence Act (AI Act)² aims to address this challenge by establishing a harmonised regulatory framework applicable across the EU – and its Member States.

In the centre of this effort to create a harmonised regulatory framework rests Article 114 of the Treaty on the Functioning of the European Union (TFEU).³ Article 114 TFEU has been a cornerstone of the EU internal market enabling the approximation of national laws that affect the functioning of the internal market. In 1996 Bernard⁴ dubbed the use of this article as a tool for creating a *common* market, rather than a tool for creating a *common market*. In 1996 this sentence held true. The EU's physical internal market was subject to differing national laws that had proven themselves to be a hindrance in the free circulation of goods, services and persons. The EU had an internal market, what was lacking – in certain spheres – was commonality of rules. Fast forward to 2015, and to the launch of the Digital Single Market Strategy for Europe,⁵ the contours of Bernard's sentiment become blurred, and the question arises – is the strategy of Digital Single Market one of creating a *common* market, or one of creating a *common market*.

The use of the words 'common', 'single' or 'internal' when referring to the market established in the territory of the EU should not be interpreted as a reference to different markets. These words should be understood as interchangeable since they are used in the EU law parlance to signify the same market. The term 'digital market' refers to the market framework made possible by digital technologies – such as the internet – and is used in the Single Market Act⁶ (a document that was issued to highlight the transition to digital market) to refer to this framework that is operational on the territory of the 'common', 'single' or 'internal' market.

The idea that this contribution is putting forward is that in the digital manifestation of the internal market, Article 114 TFEU has been used for market building through establishment of common rules. Here the constellation is not mutually exclusive as Bernard suggested in 1996. It is rather mutually

² Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (Text with EEA relevance) OJ L 2024/1689 ('AI Act').

³ Consolidated version of the Treaty on the Functioning of the European Union [2008] OJ C 326/47 ('TFEU').

⁴ Bernard, N. (1996), *Future of European economic law in the light of the principle of subsidiarity* 33(4) CMLR 633, 640-1.

⁵ Commission, 'Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions A Digital Single Market Strategy for Europe' COM(2015) 0192 final ('Digital Market Strategy').

⁶ Commission, 'Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions Single Market Act Twelve levers to boost growth and strengthen confidence - „Working together to create new growth“' COM(2011) 0206 final (the 'Single Market Act').

inclusive – creating a *common* market is interlocked with the creation of a *common market*. This contribution will explore this idea on the example of the AI Act, an act that signifies a seminal development in the supranational regulation of emerging technologies, seeking to establish a harmonised legal framework to govern the development, deployment, and use of AI systems within the internal market. With this – both creating a regulated market for AI systems within the EU, as well as common rules. Granted, market building – in its basic form – only requires a venue where buyers and sellers can meet to facilitate the exchange or transaction of goods and services. This contribution acknowledges this fact, while focusing on the concept of regulated market – one on which government bodies or, less commonly, industry or labour groups, exert a level of oversight and control.

In order to make the argument for market building through establishment of common rules – and with it balancing fundamental rights and product safety – this contribution first looks into the scope and the meaning of Article 114 TFEU, which is followed by the approaches to harmonisation, concluding with the discussion on the strength of Article 114 TFEU as a legal basis and its relationship to the AI Act.

2. The Scope and the Meaning of Article 114 TFEU

In order to legislate in any specific area of law – and hence regulate a market, the legislator must possess the necessary competences to undertake such action. Under the principle of conferral of powers,⁷ the EU is granted legislative authority only when the Treaties⁸ explicitly empower it to act in order to achieve the objectives outlined therein. As a result, any legislative measure must be grounded in a specific Treaty provision, providing a clear legal basis.

However, the Treaties – that form the regulatory framework of the EU – have been written in the 1960s, and amended last in 2009. The Treaties makers did not envisage, yet alone regulate, the proverbial explosion of technological progress. Therefore, the Treaties lack express conferral of competence in digital matters – more specifically AI technologies. In the absence of a dedicated AI clause, harmonisation efforts in this field have been pursued primarily under the objective of establishing and enhancing the internal market. More specifically, Recital 3 of the AI Act stipulates ‘...[a] consistent and high level of protection throughout the Union should therefore be ensured in order to achieve trustworthy AI, while divergences hampering the free circulation, innovation, deployment and the uptake of AI systems and related products and services within the internal market should be prevented by laying down uniform obligations for operators and guaranteeing the uniform protection of overriding reasons of public interest and of

⁷ Article 5 consolidated version of the Treaty on European Union OJ C 326, 26.10.2012, p 13-390 ('TEU').

⁸ Consolidated version of the Treaty on European Union [2008] OJ C 326/13 ('TEU'); Consolidated version of the Treaty on the Functioning of the European Union [2008] OJ C 326/47 ('TFEU'); Charter of Fundamental Rights of the European Union [2008] OJ C 326/391 ('Charter') ('Treaties').

rights of persons throughout the internal market on the basis of Article 114 of the [TFEU]...’. As seen in this snippet from Recital 3 of the AI Act, the internal market approach stems from the fact that the *possibility* of differences in national legislation may obstruct the free movement of goods and services that involve AI.

Article 114 TFEU contains a functional competence rule,⁹ since it has no normative or substantial content. By this, this provision is quite a flexible competence norm, in the meaning that it enables the EU to harmonise a wide range of subjects, as long as these subjects can be linked with the idea of the internal market. However, this flexibility can be seen as making the harmonisation process dependent on the legislator’s discretion, creating a situation of what Weatherill calls a competence creep.¹⁰

The scope and the meaning of Article 114 TFEU has been clarified by the Court of Justice of the European Union (CJEU) that stated that this article could be used to adopt EU measures in two situations. The first is when such a measure can contribute to the elimination of obstacles to the exercise of fundamental market freedoms – that of goods, services, persons and capital. In *Tobacco Advertising I*¹¹ the CJEU made clear that not only could Article 114 TFEU be used to adopt measures dealing with actual obstacles to trade, but it could also be used to address future obstacles to trade which might emerge due to ‘multifarious development of national laws’. In this case the emergence of such obstacles had to be ‘likely’ and the measure in question had to be ‘designed to prevent them’. In *Inuit II*¹² the CJEU added that the preamble of the measure need only to indicate the general situation which led to its adoption and the general objectives it was intended to achieve; there was no need to identify the number and identity of the Member State whose national rules were the source of the measure. This ‘likely’ and ‘general situation’ is visible in the formulation of Recital 3 of the AI Act that states ‘...[c]ertain Member States have already explored the adoption of national rules ... Diverging national rules may lead to the fragmentation of the internal market and may decrease legal certainty for operators that develop, import or use AI systems...’.

The second situation is where the EU adopts the measures to remove distortions of competitions arising from the diverse national rules. From the above formulation of ‘certain Member States have already explored the adoption of national rules’ the conclusion comes to forefront that this situation does not apply to the present example.

From the above, an interim conclusion can be made that Article 114 TFEU has been used as a functional competence rule to pre-empt the diverging national

⁹ Ramalho A. (2016) *The Competence of the European Union in Copyright Lawmaking - A Normative Perspective of EU Powers for Copyright Harmonization*, Springer, 20.

¹⁰ Weatherill S. (2010) *Union legislation relating to the free movement of goods*, In: Oliver P (ed) *Oliver on the free movement of goods*, Hart Publishing Oxford, 639.

¹¹ Judgement in *Germany v Parliament and Council*, C-376/98, EU:C:2000:544, paras 97-98.

¹² Judgement in *Inuit Tapiriit Kanatami and Others v Commission*, C-398/13 P, EU:C:2015:535, para 29.

solutions in regulating AI technologies. More importantly, since it is a harmonising measure which aims to pre-empt divergence, question arises on what type of approach the legislator can take to use this legal basis.

3. The New Governance Approach to Harmonisation

The start of the 1990s witnessed a growing interest to a more procedural approach to regulation in the EU. This approach is characterised by legislation that does not seek to achieve its aim by direct norm giving prescription – for example exhaustive harmonisation of a field – but it is centred on empowering the local actors in promoting diverse local-level approaches to regulatory problems. This approach was set in contrast – or rather nuance – to legislation which was done in order to make the market function better. This ‘market function’ approach was based on focusing on the substantive approach to legislation that presupposes that there exists an ‘optimal’ legislative solution which can be identified – and then prescribed – by the legislators. Within the sphere of AI technologies – as well as other disruptive market occurrences – this type of approach possess a challenge to legislators since it is quite difficult to identify an ‘optimal’ legislative solution.

This is why, the ‘reflexive harmonisation’ – a term coined by Deakin¹³ – where the legislation seeks to devolve or confer rule-making powers to self-regulatory practices, gained traction. The reflexivity of the norms can be seen in minimum standard setting, which allow Member States or other actors to exceed them by taking into account national interest. A gentler tool in the reflexive harmonisation toolbox is the open method of coordination that involves fixing guidelines for the EU (such as code of practices) and establishing quantitative and qualitative indicators and benchmarks as a means of comparing best practices that can be translated into national and regional policies (for example by setting targets). What is important is that the open method of coordination is explicitly about experimentation and learning.

An interesting development regarding the reflexive harmonisation approach is that within the framework of approaches to legislation under Article 114 TFEU this technique has been reinforced in the harmonisation of the Digital Single Market, most notably the AI Act and the regulation of AI.¹⁴ To be precise, to implement the AI Act effectively, the EU has established a multi-layered governance structure that fosters cooperation among institutions, stakeholders, and society. Central to this structure is the newly created European AI Office (AI Office), launched in February 2024. This office, housed within the European Commission, plays a crucial role in building AI expertise, overseeing enforcement of the AI Act, and coordinating with both national and international bodies – for example creating and drafting ethical

¹³ Deakin S., (2006) Legal Diversity and Regulatory Competition: Which Model for Europe?, 12(4) ELJ 440.

¹⁴ de Vries S., (2024) *Recent trends in EU internal market legislation* In: van den Brink and Passalacqua (eds) *Balancing Unity and Diversity in EU Legislation*, Edward Elgar, 17, 24.

guidelines, best practices or codes of conduct and similar. It focuses especially on general-purpose AI models, developing tools to evaluate risks, investigating violations, and aligning AI policy across the EU. Supporting the AI Office is the European Artificial Intelligence Board (Board), composed of representatives from each Member State. This Board works to ensure consistency in applying the AI Act and facilitates the exchange of best practices and regulatory advice. In addition, two key advisory bodies (an advisory forum of stakeholders and a scientific panel of independent experts) provide technical insight and balanced perspectives from industry, academia, civil society, and small and medium size enterprises. At the national level, each Member State must designate competent authorities to enforce AI regulations domestically. These authorities must operate independently, be well-resourced, and have deep expertise in relevant AI domains such as data protection, cybersecurity, and ethical standards.¹⁵

The significance of the reinforcement of the reflexive harmonisation approach – within the legislation on the basis of Article 114 TFEU – is acknowledgment of a more complex reality of harmonisation, particularly the harmonisation of the Digital Single Market. To paraphrase de Vries¹⁶ this complex reality of harmonisation now consists of market building (regulated market) intertwined with public interests (such as preservation of fundamental rights).

The AI Act exemplifies this approach, emphasising the EU's commitment to safeguarding fundamental rights through a risk-based framework for product safety. With this the EU creates a specific type of regulated market for AI with an aim of balancing the importance of fundamental rights – especially in terms of high level of protection of health, safety, and fundamental rights. How this legislative logic applies to the AI Act, and whether reflexivity balances innovation with oversight or creates a competence creep will be analysed in the following section.

4. ‘Strength’ of a Legal Basis for Harmonisation

Article 114 TFEU, as a functional competence rule, has been dubbed a rule that is capable of creating a competence creep.¹⁷ This sentence provides an indirect reflection on the quality of a legal basis. If a provision is capable of creating a competence creep, is that legal provision ‘not strong’ enough i.e. is it ‘weak’ to be used as a legal basis for harmonisation? This section discusses when Article 114 TFEU can be described as ‘strong’.

As a general rule, and as fleshed out in the above sections, the strength of a legal basis for harmonisation can be measured in its legal sufficiency as well as the constitutional appropriateness under EU law.

¹⁵ For more detail see Cancela-Outeda C (2024) *The EU’s AI act: A framework for collaborative governance* 27 Internet of Things (doi.org/10.1016/j.iot.2024.101291).

¹⁶ de Vries (n 14), 27-40.

¹⁷ Weatherill (n 10).

The meaning of legal sufficiency should be understood to encompass the understanding that a strong legal basis must be appropriate and sufficient to justify the aim and scope of the proposed legislation.¹⁸ This can be viewed, in the context of Article 114 TFEU, through the following elements: The first one is the objective of the measure. Within the framework of Article 114 TFEU that would encompass the idea whether the objective of the legal instrument improves the internal market. The second one is the provisions that are contained in the measure. Here, the focus is on the content of the provisions of the measure – their formulation and scope or in other words, what does the measure regulate. Within the framework of Article 114 TFEU that would be differing (potential) national laws that are proving (or could prove) to present obstacles to trade or significant distortions of competition. Lastly, the actual effects of the measure – does the measure bring change or harmonises the differences that cause obstacles – in practice. Conversely, the use of Article 114 TFEU as a ‘weak’ legal basis would entail a situation where these objectives are only marginally served, or where the regulation seems to pursue entirely different goals (such as protecting fundamental rights) without a clear link to internal market functioning.

A strong legal basis also entails that the article used must respect the EU’s constitutional limits and values. This would mean that the proposed measure is in line with the principles of subsidiarity and proportionality (Article 5 TEU), respects fundamental rights (as per the Charter), and there exist a competence boundary between the EU and Member States.¹⁹ Conversely, if the EU uses Article 114 TFEU to pass legislation that deeply affects areas traditionally reserved to Member States (e.g., fundamental rights, criminal law, or healthcare), the legal basis might be challenged as being too weak or overreaching. In other words, a legal basis that has an effect of creating a competence creep.

Therefore, a ‘strong’ legal basis in EU harmonisation would entail all of the above ingredients. The legal provision that is used as a legal basis would clearly align with the objectives of the cited article, and would be legally defensible in terms of content and effect. Most importantly, it would respect the constitutional framework, including fundamental rights. How does the AI Act factor in within the above framework through the lenses of reflexive harmonisation – and the issue of balancing innovation with oversight – will be analysed in the following section.

5. The AI Act and Article 114 TFEU

The above analysis fleshes out the fact that the AI Act is a regulation, created on the basis of Article 114 TFEU – a legal basis for harmonising laws to ensure the functioning of the internal market. The aim of this regulation, as

¹⁸ See for example the obiter dictum in Judgement in *Germany v Parliament and Council*, C-376/98, EU:C:2000:544, paras 95-118.

¹⁹ Bernard C., (2019), *The Substantive Law of the EU: The Four Freedoms* Oxford University Press 6th ed, 576-578.

cited in Recital 3 is ‘...to achieve trustworthy AI, while divergences hampering the free circulation, innovation, deployment and the uptake of AI systems and related products and services within the internal market should be prevented...’. In other words, the AI Act introduces a risk-based approach to AI regulation, focusing particularly on ‘high-risk’ AI systems, and includes some provisions aimed at protecting fundamental rights.²⁰

However, concerns have been raised about whether Article 114 TFEU provides a strong enough legal foundation for a law that reaches deeply into areas like privacy, non-discrimination, freedom of expression, and human dignity²¹ – areas traditionally protected through fundamental rights instruments, not market regulation.

As stated in the above section, a case can be made for Article 114 TFEU to be a ‘strong’ legal basis, and a ‘weak’ legal basis. In essence, to be a strong legal basis, the use of Article 114 TFEU must genuinely serve the internal market. The AI Act does aim to remove fragmentation by preventing diverging national AI rules, and in that sense, it does support harmonisation. Echoing Bernard’s²² sentiment, the AI Act does create a *common* market, and therefore it is a strong legal basis to use.

In *Tobacco Advertising I*²³ the CJEU made clear Article 114 TFEU should not be used as a legal basis in the situation where the real purpose of the law is something else, for example public health or, in this case, fundamental rights, and market harmonisation is only incidental. A similar problem could be raised against the AI Act. This is since relying solely on Article 114 TFEU may – as a consequence – lead to weaker fundamental rights protections, as the AI Act suggests a slight preference for safety over fundamental rights concerns.²⁴ Secondly, a fundamental rights protection could be affected due to a technical and procedural framing of rights issues – for example through conformity assessments – rather than one based on substantive human rights law.²⁵ Lastly, an issue of legal clarity

²⁰ Ebbers M., (2024), *Truly Risk-based Regulation of Artificial Intelligence How to Implement the EU’s AI Act*, European Journal of Risk Regulation, 1.

²¹ See for example Almada M., Petit N., (2025) *The EU AI Act: Between the rock of product safety and the hard place of fundamental rights* 62(1) CMLR, 85; Castets-Renard C., BesseP. (2023), *Ex Ante Accountability of the AI Act: Between Certification and Standardization, in Pursuit of Fundamental Rights in the Country of Compliance*, in Castets-Renard C. and Eynard J. (eds), *Artificial Intelligence Law. Between Sectoral Rules and Comprehensive Regime. Comparative Law*, Bruylants, 597; Hildebrandt M., (2024) *The Risk Approach: Risk of Harm or Violation?*, ERA Annual Data Protection Conference; Gornet M., and Maxwell W., (2024) *The European Approach to Regulating AI through Technical Standards* 13 Internet Policy Review.

²² Bernard (n 4).

²³ Obiter dictum in *Tobacco Advertising I* (n 11) paras 95-118.

²⁴ Almada and Petit (n 21) 95.

²⁵ See for example Paul R., (2024) *European Artificial Intelligence „Trusted Throughout the World“: Risk-based Regulation and the Fashioning of a Competitive Common AI Market* 18 Regulation & Governance, 1065.

and judicial oversight might arise given the fact that Article 114 TFEU does not create new rights obligations, only regulatory procedures.²⁶

Recital 3 to some extent covers these concerns in data privacy by adding a secondary legal basis in the form of Article 16 TFEU – a right that grants all individuals the right to the protection of their personal data. Nevertheless, situations under provisions that regulate areas like law enforcement, administration of justice, education and vocational training and critical infrastructure – to name a few, that fall out of the scope of threshold of ‘harm’²⁷ – remain problematic (in relation to the legal basis for competence).

Nevertheless, this contribution advocates that Article 114 TFEU – in the digital market sphere – both creates a *common* market while at the same time creating a common (regulated) *market*. By this, confirming de Vries²⁸ sentiment that Article 114 TFEU – today – addresses the complex reality of harmonisation by market building intertwined with public interests. With this in mind, the AI Act, in Recital 3, declares to establish a harmonised framework for AI across the EU by eliminating (potential) regulatory fragmentation between Member States. From this perspective, it clearly aligns with the objective of Article 114 TFEU, which enables the EU to adopt measures for the approximation of national laws to ensure the establishment and functioning of the internal market. However, it is necessary here to distinguish between two subtly different notions: a *common* market and a common *regulated market*, and to discuss which of these the AI Act truly supports.

The *common* market dimension, as previously discussed elsewhere in the text, refers to the removal of barriers to the free movement of goods, services, capital, and persons across Member States. A measure that facilitates such free movement, by removing national restrictions or divergent technical standards, is typically considered to support the creation or functioning of the *common* market. In this context, the AI Act does create uniform rules for placing AI systems on the EU market. With this, the AI Act prevents a patchwork of national laws that could otherwise lead to legal uncertainty and trade barriers. More importantly, by harmonising conformity assessments, transparency obligations, and risk classifications, it enables cross-border provision of AI products and services.

However, the AI Act goes beyond merely facilitating trade; in Recital 1, it aims to regulate ‘...*the placing on the market, the putting into service and the use of artificial intelligence systems (AI systems) in the Union...*’. Not only this, but the use of AI systems – according to the same Recital should be ‘...*in accordance with Union values, to promote the uptake of human centric and trustworthy artificial intelligence (AI) while ensuring a high level of protection of health,*

²⁶ Almada and Petit (n 21) 97.

²⁷ Hildebrandt (n 2) 19.

²⁸ de Vries (n 14) 27-40.

safety, fundamental rights as enshrined in the Charter...'. In other words, the AI Act's aim is to regulate the design, development, and use of AI systems according to ethical and legal standards – especially in 'high-risk' contexts like education, law enforcement, and employment. This transforms the legal framework from simply enabling a *common market* to constructing a common *regulated market*. A common *regulated market* in this sense refers not only to harmonised conditions of access but also to normative constraints placed on market actors in the name of public interest objectives, such as protection of fundamental rights, non-discrimination and human oversight of automated decisions, and obligations around data governance, transparency, and accountability. To quote Almada and Petit,²⁹ the result is a product safety instrument heavily couched in fundamental rights language.

This shifts the AI Act into a more intrusive regulatory domain, where it no longer merely facilitates the *common market* but also reshapes its parameters, particularly by embedding fundamental rights considerations that are not purely economic in nature. Thus, supporting the creation of a common *regulated market*.

6. Conclusion

The dual character of the AI Act, as both a facilitator of a *common market* and a constructor of a common *regulated market*, creates legal tension in its reliance on Article 114 TFEU. While, the *common market* rationale may support harmonisation of product standards and compliance mechanisms, the common *regulated market* introduces measures whose justification is fundamental rights protection, not market efficiency. Although, the Recital 3 points to the secondary nature of fundamental rights protection, Recital 6 paints a different picture. Recital 6 stipulates that '*...[g]iven the major impact that AI can have on society and the need to build trust, it is vital for AI and its regulatory framework to be developed in accordance with Union values as enshrined in Article 2 of the Treaty on European Union (TEU), the fundamental rights and freedoms enshrined in the Treaties and, pursuant to Article 6 TEU, the Charter. ...*'. In other words, it places the fundamental rights squarely in the centre of protection. According to the *common market* / *common regulated market* divide – as explained in the text above, the strength of Article 114 TFEU as a legal basis (in *common market*) weakens where the substance of the regulation prioritises fundamental rights rather than trade facilitation. The CJEU has repeatedly emphasised that the true aim and content of the measure must align with the Treaty article used. If fundamental rights protection becomes the core aim (rather than an ancillary effect), the AI Act risks being based on an inappropriate legal foundation.

Nevertheless, what this contribution advocates is that the aim and the content of Article 114 TFEU – in the digital market sphere, and the AI Act – is a

²⁹ Almada and Petit (n 20) 104.

different creature. While the AI Act undoubtedly contributes to the development of a *common* market for AI technologies by harmonising national rules and preventing fragmentation, it simultaneously establishes a common *regulated market* that embeds non-economic values, particularly fundamental rights. This regulatory ambition, while normatively desirable, may strain the limits of Article 114 TFEU, whose primary function is market integration, not rights enforcement. As such, the strength of Article 114 TFEU as a legal basis depends on whether the AI Act's rights protections are seen as incidental to, or constitutive of, its market building function.

The use of Article 114 TFEU as the legal basis for the AI Act suggests a prioritisation of market integration and product safety over the explicit articulation and enforcement of fundamental rights. The AI Act largely frames AI systems as products, subject to conformity assessments and risk management procedures, with fundamental rights protections often embedded indirectly through risk classifications and procedural safeguards. This approach, although aimed at market building, raises significant concerns about whether the AI Act can effectively address the deeper societal, ethical, and legal challenges posed by AI technologies.

Moreover, by embedding rights protections within a market-oriented legal framework, there is a risk that the AI Act's protective measures will remain secondary to economic objectives. For instance, the focus on 'high-risk' AI systems may lead to a regulatory blind spot regarding lower-risk systems that nonetheless affect rights such as privacy, freedom of expression, or non-discrimination. This market-centric framing potentially compromises the full realisation of rights guaranteed under the Charter. The main question here might be – does the supplementary legal basis in Article TFEU (on data protection) raise the bar of market building.

To put it simply, does the use of this legal provision as a supplementary legal basis create an equilibrium in insertion of public interests (in form of fundamental rights) and the new market building capabilities of Article 114 TFEU. In other words, can Article 114 TFEU, as a legal basis, stand alone in the creation of a common *regulated market* and be capable of balancing fundamental rights and product safety on its own. And the answer that the AI Act – in Recital 3 – provides is a negative one.

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THE EUROPEAN SOCIAL MODEL IN THE AGE OF AI

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Abstract:

The European social model (ESM) has been a pillar of the European Union, balancing economic growth with social justice. Yet, the emergence of digitalization and artificial intelligence (AI) is fundamentally transforming labourmarkets, welfare policies and social protection. This paper explores the impact of AI on the ESM, with particular attention to job creation and displacement, digital skill gaps, and changing welfare architecture. The methodology is based on a qualitative policy analysis and labour market data from the Eurostat and European Commission sources. The study analyses the ways in which AI-led changes will influence job losses, skills mismatches and the sustainability of the systems of social security. The results emphasize the importance of proactive regulation, investments in digital literacy, and regulatory measures to enable AI to drive inclusive economic growth rather than increasing inequality. The recommendations include lifelong learning, adapting welfare systems to new forms of work and responsible governance of AI.

Keywords: European Social Model, Artificial Intelligence, EU Labour Market, Social welfare, Digital Skills.

Introduction

The European Social Model (ESM), characterized by its commitment to social protection, strong labour rights, and inclusive growth, faces both challenges and opportunities in the age of Artificial Intelligence. With the rapid advancement and spread of AI technologies to the full range of economic activities and society, the foundations of ESM come under pressure and there is a need for an all-encompassing reorientation of the principles and policies (Essen & Ossewaarde, 2023). The advent of AI offers transformational possibilities to boost productivity, deliver better public services, and tackle societal challenges but it also poses potential threats, such as job displacement, growing inequality, and declining social cohesion (Hassan, 2022).

This paper's objective is to explore the impact of Artificial Intelligence on the key spheres of the European Social Model – namely on labour markets, social welfare and social protection systems. It focuses on the transformation of the relationship between technological changes and social policy in the EU by evaluating the manner in which AI disrupts established welfare and labour models.

AI and job displacement and transformation

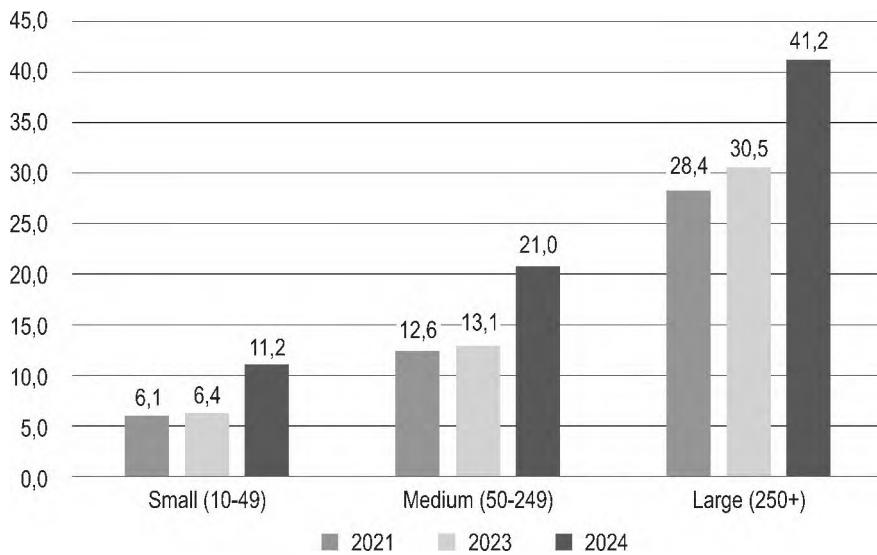
AI is expected to drive a significant transformation in the labour market with deep disruption of processes and skills demand. AI automation, which has the potential to enhance productivity and efficiency in almost all industries where labour is an input, however, also creates fear of mass unemployment, at least for routine skilled workers (Sun, 2025). The extent and distribution of these effects are likely to differ by sector and location, with some losing more jobs and others generating more new positions and opportunities (Patil, 2024). In addition, the jobs of the future increasingly demand an agile and digitally skilled workforce. In order to deal with these challenges, pro-active measures, structured around investment in education and training, promotion of lifelong learning and development of social safety nets to assist workers in moving to new roles and adjusting to the changing needs of the labour market will be required (European Commission, 2024). It is equally important to think about the ways in which AI might enhance human capabilities and open new opportunities for human - AI partnership in a more inclusive and beneficial work environment.

AI-driven automation is happening during a time of rising economic inequality and fears of mass technological unemployment, and it is prompting renewed calls for policy responses to the effects of technical change (Frank et al., 2019). One of the key ways in which AI is reshaping society is by remapping economic opportunities and income potential (Klinova and Korinek, 2021). The effects of AI are more than just job displacement but also include changes in the nature of work, job quality, work autonomy, and in the work relationship. The first era of globalization essentially hit manufacturing jobs, whereas today, AI, robotics and data processing will affect jobs in the entire skills spectrum (Arslan et al., 2018). Furthermore, the emergence of AI and automation has raised the issue of whether economic power will be monopolised by a few tech giants and thus what that implies for a market competition and wealth distribution (European Commission, 2024). On the other hand, the application of AI in a range of sectors, such as automotive and advanced manufacturing via robotics, can reinforce the competitiveness of the EU if the AI development process is made a priority (European Commission, 2024).

The introduction of AI in the workplace can make human workers redundant as tasks can be automated more easily (European Commission, 2024).

But it also raises concerns about work skills. AI-based automation can replace workers in many industries. Nevertheless, it can open new job opportunities in the development of AI, data science and maintenance of AI (Arslan et al., 2018). The impact of automation is particularly stark in the retail sector, which has a high automation potential, but also has a large workforce.

Data shows that enterprises in the EU have been marking a growth in AI use year over year. This is in line with wider trends of digital transformation and increasing awareness of AI's potential for increasing efficiency, productivity and improvements in decision making. Larger firms are consistently more likely to use AI than small firms (Figure 1). The reason for that is that they have more financial, technological and human capital at their disposal to implement AI.



*Figure 1. AI usage in the EU (by enterprise size, % of enterprises of each type) in 2021, 2023 and 2024**

Source: Author with data from Eurostat (2025a)

The adoption gap between the small and large enterprises indicates the need for a differentiated SME-focused public policy to develop digital and AI capabilities. It is also clear that sustained digital skills, training and infrastructure investment are necessary to sustain inclusive growth.

Therefore, re-skilling and upskilling programs are particularly important to prepare the workforce, supporting them in finding new positions in new sectors. The adoption of methods and approaches concerning the re/up-skilling of workers is one of the focuses of organisations that want to fit themselves in

* Data for 2022 is not available

the new work and organisational forms (Morandini et al., 2023). Governments, schools, and businesses will need to invest in workforce development in order to bridge the gap in skills, and also to make workers more adaptable as AI continues to transform jobs (Patil, 2024). On the one hand, supporting firm innovation and productivity, along with investment in workers, are positive responses to the rapid technological change (Arslan et al., 2018). In that sense, digital skills are a prerequisite for building skills in digital technologies, but they are also facilitating their uptake (European Commission, 2024).

In an environment where AI landscape is evolving, emphasis will be placed on workplace learning and life-long learning, where workers will have access to the possibility of learning new skills or knowledge throughout their career. Even if the net effect on employment is positive, however, technology can create distributional risks including labour market polarization (Arslan et al., 2018). Wealth disparity, job polarization and quality of life are socio-economic aftermaths of implementing AI (Patil, 2024). Hence, the organizations have to address significant challenges like how to lead employees toward change, how to manage the cost of training or how to manage fairness and inclusion brought by age, gender and cultural diversity (Morandini et al., 2023).

To support such transformation, organizations must employ a proactive approach to navigate the AI-driven transformation at the workplace (Morandini et al., 2023). This includes labour market skills mapping against the skills that are required today to address the current skills gap, supporting workers to develop their skills to adopt AI and their training and skills development. Transversal skills, such as creativity, flexibility, emotional intelligence and critical thinking, are increasingly required to compensate for the fact that workers have to supplement the development of technical skills to manage an environment that is more and more dominated by technology (European Commission, 2024). These actions will help to create a workforce equipped to face the opportunities and challenges of AI in the workplace. Governments can help businesses by providing financial support and other support measures to help businesses adjust.

AI and social welfare systems

The European Social Model is characterized by comprehensive social security and welfare systems that provide a safety net for citizens, ensuring access to healthcare, education, unemployment benefits, and other essential services. These have been instrumental in the fight against poverty and inequality, as well as in building social solidarity and citizens' confidence and security in a good life. In 2023, the highest share of general government expenditure across the EU member states was reported in social protection. The share of GDP spent on social protection was, however, widely different across countries. 6 EU member states (Finland, 25.7 %; France, 23.4 %; Austria, 21.4 %; Italy, 21.1 %; Luxembourg, 20.2 %; Belgium, 20.1 %) spent

over 20 % of their GDP on social protection. In comparison, in Ireland (8.1%), Malta (9.7%), Hungary (12.3%) and Romania (12.8%) less than 13 % of their GDP per inhabitant was used for this purpose (Eurostat, 2025b).

The approaching AI revolution raises questions about the future of social security and welfare systems. AI could eliminate jobs, which mean higher unemployment and less payments to social security system (European Commission, 2024). At the same time, AI is likely to facilitate new revenue-generating possibilities, including taxes on AI-enabled activities, as well as new industries and services.

The European Social Model is based on the principle of providing its citizens with full social protection, including unemployment protection, health-care protection, and retirement protection. The increasing prevalence of AI technologies could place pressure on these social welfare systems, for instance in response to greater numbers of redundancy-based claims for unemployment benefits, or to changing healthcare costs as more diagnostic and treatment services are automated, or to the robustness of pension systems given the current demographic and employment trends. AI can also reinforce the existing inequalities in access to social services, because some people may encounter obstacles in using AI-enhanced platforms or may not have such a good understanding of digital technologies. AI could exacerbate income and wealth inequality if proper policies are not put in place (Arslan et al., 2018).

Policies must address the risk of AI exacerbating inequalities. The intermediary of this is upskilling and re-skilling of workers for new-profile roles generated during the transitions (Rane et al., 2024). These mechanisms are beneficial in helping countries adapt to changes induced by trade and technological progress (Arslan et al.). In order to avoid market concentration, the benefits of increased productivity should be distributed through profit sharing, capital taxation, and reduced working time, and new regulations of the digital economy will be required (Andrews et al., 2021). The private sector remains the critical source of demand, and governments need to ensure that jobs and higher productivity go together to foster more startup activity and competition (Sood and Khanna, 2024). There is the prospect that AI-led creativity could drive productivity and economic growth but also create deeper the existing inequalities. The policy should be adjusted to overcome income and wealth gaps and employment polarization caused by AI adoption (OECD, 2024). In addition to those two measures, governments and policy makers have to take active steps to address the destructive effects of AI and automation on employment.

AI systems may also help to enhance the effectiveness and efficiency of social security and welfare programs, for instance by decreasing the time needed for administrative processing, targeting benefits more accurately, and identifying fraud (Zajko, 2022). However, the use of AI-based systems in social welfare administration is concerned from an ethical perspective regarding

privacy of data, algorithmic biases, and the risk of discriminatory decisions. It is important to develop strong regulatory frameworks and ethical principles that govern the use of AI in social welfare to guarantee the transparency, responsibility, and rights-based principles in the designing of such systems. What is more, algorithmic welfare and hiring also raise the issue of having a means to contest the AI decisions in order to guarantee fair play. The integration of principles of social justice, equity and inclusivity into the development of AI is important to ensure that society does not perpetuate social biases and inequalities (Vargas, 2024).

AI's potential impact on social protection

The European Social Model traditionally has provided a robust system of social protection from various risks including unemployment, illness and old age. Yet, the emergence of AI has brought new challenges to these systems, such as job automation, inequality, and social exclusion. The nature of work is changing, and traditional forms of social protection are no longer sufficient and need to be reformed to remain relevant and effective. As a result, policy must consider the long-term impact of technological progress on the labour market and re-adjust social protection systems to deal with the new challenges.

One option is to extend social protection to embrace new forms of work, such as gig and platform-based work that are on the rise in the digital economy (Moraliyska, 2021). These novel types of work frequently escape from classical labour laws and social protection systems, leaving workers increasingly exposed to economic uncertainty. Another option is to explore radically new ways of social protection, like universal basic income or negative income tax that provide a buffer for all citizens, regardless of whether they are in work or not. These policies would help to spread the benefits of economic growth more fairly. In addition, the social protection systems need to be designed in an active way to enhance a high degree of labour market participation and to stimulate workers to upskill and reskill during their professional life (Bode and Gold, 2018).

Governments need to promote active labour market policies, such as job search assistance, training, and employment-support, to facilitate the transition of workers to new jobs and to adapt to the new demands of the labour market. Wage insurance could help workers adjust to job loss, in combination with unemployment benefits and workforce support services (Holzer, 2019). They can also consider options like unemployment insurance, job search assistance, and retraining to ensure workers have the tools to transition to other jobs. These should be policies targeted at working people across their working lives, enabling workers to gain, retain and regain the skills necessary in an age of digital-economy change. Competition policy should also deal with practices impeding labour mobility across firms, such as the non-compete and no-poach agreements (European Commission, 2024).

The integration of AI into the workplace also raises concerns about algorithmic bias and discrimination. Biases present in data can be perpetuated and even amplified by AI systems, producing biased hiring, promotion and performance review decisions. To guard against these risks, it is necessary to ensure that engineering with AI is transparent, accountable, and discrimination-free. Businesses would do well to adopt methods for the fair development of AI, regularly checking to ensure their systems are free from bias. Furthermore, governments should establish clear legal and ethical guidelines for the use of AI in the workplace to protect workers from discrimination and ensure fair treatment (Bernhardt et al., 2022).

The European Union has tackled these challenges through, *inter alia*, the promotion of the Artificial Intelligence Act, designed to provide a legal framework for the development and use of AI in Europe. Moreover, policymakers need to guarantee that the social partners – trade unions and employer organisations – are included in the processes of the formulation and implementation of AI policies to safeguard workers' rights and foster social dialogue (Stefano & Taes, 2022).

Ethical considerations of AI application

The growing dependence on AI technologies provokes serious ethical and societal issues that need to be resolved to ensure the responsible construction and deployment of AI. As mentioned above, algorithmic bias, originating from prejudiced data or algorithm development, can lead to prejudiced outcomes in social-sensitive applications like hiring, financial gadgets, and justice. This can exacerbate the disparities in the society. In addition, the opacity running through many AI systems – commonly known as the „black box“ problem – works against transparency and accountability thus hampering efforts to retrace the decision-making issues or identify potential errors and biases.

In addition to that, the power of AI to process personal data raises concerns for data privacy and personal rights. It is vital to guarantee the privacy and security of data in data collection, storage and application, in accordance with regulations and ethical standards. Focusing on algorithmic discrimination, data collection and preparation as well as algorithm design and iterative monitoring and evaluation, are critical to ensure the fairness and accuracy of a system (Chu et al., 2023). Explainable AI and algorithmic audits are crucial for enhancing understanding and monitoring AI systems (Cheong, 2024). The convergence of ethical guidelines emphasizes the importance of transparency, justice and fairness, non-maleficence, responsibility, and privacy (Curto and Comim, 2023).

It is necessary to develop clear accountability frameworks that assign responsibility for the decisions and actions of AI. This ranges from legal and regulatory frameworks addressing liability in case of AI harm, as well as ethical

guidelines for design, development and deployment of AI systems (Dhopde and Bagde, 2023; Elendu et al., 2023). Ensuring that the public may trust AI would involve transparency and interpretability of AI systems to citizens, so that people can understand how AI decisions are taken and challenge them (or request accountability) when necessary (Choung et al., 2022). Interdisciplinary collaboration will be key to providing for transparency and accountability by redefining legal accountability and making AI-based decision-making consistent with stakeholder values (Mukherjee and Chang, 2025).

In addition, joint initiatives involving governments, industry, academia, and civil society are needed to define common ethical principles and best practices for the development and use of AI (European Commission, 2024). The development and deployment of AI systems must prioritize fairness, equity, and inclusivity, ensuring that AI benefits all members of society and does not exacerbate existing inequalities (Radanliev, 2024). Regulations are needed to ensure AI systems are equitable to all members of society (Sun et al., 2024). Continuous review and assessment are necessary to identify and correct such biases (Sun et al., 2024).

In general, the potential for AI in solving longer-term issues like climate change, food security etc., depends on political solutions and global coordination (Loeff et al., 2019). Governments and businesses need to invest in education and skills training to give people the tools they need in the AI age to be a digitally literate society.

Conclusion

The European Social Model faces significant challenges in the age of AI, yet it is also well placed to evolve and prosper. Through the adoption of new technologies (such as algorithms that do not allow discrimination), fostering social dialogue, investing into skill and vocational education and further initiatives like education and social policy, Europe can ensure that AI benefits everyone equally, so that no one is left behind (Cabral, 2020).

To ensure that social welfare programs remain effective and sustainable in the era of AI, policy makers should consider reforms that adjust to the changing conditions for the population (e.g. access to retraining programs), new ways of financing social security initiatives, and respond to the digital divide that results from the unequal distribution of digital technology and its benefits.

Governments should develop social protection policies that are responsive to the nature of work, which now includes gig work, and more temporary or non-standard forms of employment. They could include the provision of portable benefits, the extension of social security coverage to independent contractors and the generation of new kinds of social insurance that are more adapted to the 21st century's labour force.

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THE EUROPEAN UNION AND ARTIFICIAL INTELLIGENCE: STRATEGY, REGULATION, AND CHALLENGES

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Abstract:

The European Union (EU) has positioned itself as a global leader in the sustainable development of artificial intelligence (AI). With a focus on innovation, regulation, and societal impact, the EU aims to balance technological progress with fundamental rights and values. Such an objective translates into the European approach to excellence and trust through concrete rules and actions. This article explores the EU's strategic approach to AI, the Artificial Intelligence Act, investments, and the challenges it faces in a rapidly evolving global landscape with focus on digitalization in public administration. It contains general overview in digitalization in public sector, some challenges and benefits.

Key words: AI, Digitalization, Governance, Strategy, Regulations, Challenges

Introduction

The European Union has adopted a comprehensive approach to AI development, seeking to establish itself as a leader in trustworthy AI while fostering innovation and competitiveness. The European Union is at the forefront of shaping a digital future that is ethical, secure, and inclusive. As artificial intelligence (AI) becomes increasingly embedded in public administration, the EU is working to ensure that digitalisation enhances governance while upholding fundamental rights and democratic values. With the passage of landmark regulations like the AI Act, the EU is setting global standards for the responsible use of AI in the public sector. In recent years, artificial intelligence (AI) and digital technologies have become powerful tools for transforming public administration. Governments around the world are increasingly embracing these innovations to improve efficiency, transparency, and citizen engagement. The use of artificial intelligence (AI) in public administration is attracting increasing attention due to the potential benefits it can contribute to improving management functions and activities.

1. The EU's AI Strategy (and digitalization)

The EU's first coordinated strategy on AI, introduced in 2018, focuses on three key pillars:

1.1 Boosting Investments in AI

The EU aims to increase public and private investments in AI research and innovation. By 2027, the EU plans to mobilize €20 billion annually through initiatives like Horizon Europe and the Digital Europe Programme.

1.2. Ethical and Legal Frameworks

The EU emphasizes the need for AI systems to align with European values, including human rights, transparency, and accountability.

1. 3. Preparing for Socio-Economic Changes

Recognizing the disruptive potential of AI, the EU supports workforce upskilling and reskilling to ensure a smooth transition in labour markets.

In this regards the topic concerns digitalization in public administration operating became in the centre, especially in pillar 1. In an increasingly digital world, artificial intelligence (AI) and digitalization are reshaping the way governments operate and serve their citizens. The public sector, traditionally known for bureaucratic processes and slow adaptation to change, is now undergoing a significant transformation. As governments face growing expectations for transparency, efficiency, and personalized service, AI and digital tools are becoming indispensable.

2. The Role of AI and digitalization in Public Administration

Artificial intelligence offers numerous opportunities to improve public sector operations. One of the most visible uses of AI is in automated citizen services. Government agencies across the globe are deploying AI-powered chatbots and virtual assistants to help citizens find information, file complaints, or complete administrative tasks without the need for in-person visits or long wait times.

AI can also enhance internal government processes. Intelligent systems are capable of automating repetitive administrative tasks such as data entry, document classification, and scheduling. This reduces the workload on public employees and allows them to focus on higher-value tasks that require human judgment and empathy.

Moreover, AI has the potential to improve decision-making in the public sector. By analysing large datasets – such as traffic flows, healthcare records, or environmental data – AI systems can provide insights that support more informed and timely decisions. For example, predictive analytics can help anticipate the spread of diseases, identify at-risk populations, or optimize public transportation systems.

According to the latest analyses the digital transformation of public administration brings the opportunity to „improve interactions between governments and citizens through the simplification of procedures, as well as contributing to open government“¹. This process generally includes automate administrative procedures (e.g., application processing, social service delivery), encourage decision-making through predictive analytics and risk assessments, as well as improve citizen engagement via AI-powered chatbots and multilingual platforms.

First, regarding the topic of automate administrative procedures „implementing AI in administrative procedures requires a comprehensive evaluation of the capabilities and limitations of different systems, including considerations of transparency and data availability. Data are a crucial factor in the operation of AI systems and validity of their predictions. It is essential to ensure that the data used to train AI algorithms are extensive, representative, and free of bias. Transparency is also an important aspect establishing trust and reliability in AI systems, particularly regarding the potential for transparent representation in rule-based approach“². Although artificial intelligence is often presented or discussed as replacing or automating human activities, human resources and skills are invaluable to AI capabilities. AI does not develop without the participation of human experts and workers. Civil servants need to find new ways to work with AI systems, changing their traditional work groups and their attitudes to incorporate new technologies into work practices. Second, encourage decision-making through predictive analytics and risk assessments, as well as improve citizen engagement via AI-powered chatbots and multilingual platforms in public administration is attracting increasing attention due to the potential benefits it can contribute to improving citizens’ satisfaction and government functions and activities. The application of artificial intelligence in these areas is actually considered by the majority of authors as future of public administration work.

AI is not just a tool for efficiency – it has become a pillar of digital sovereignty, enabling European governments to maintain control over their digital infrastructure and services (European Commission, 2020a)³.

This means that the potential benefits of AI and Digitalization in Governance could be also in the mentioned areas. The efficiency is one of the main benefits, according to automate administrative procedures. Usually, automated systems streamline processes, reducing administrative costs and delays. Also, the transparency and accountability, other two principals, typical for public sector, reduce the chance of manipulation or corruption. Undisputed, the personalization

¹ Digital transformation of public administration and services. https://knowledge4policy.ec.europa.eu/foresight/digital-transformation-public-administration-services_en

² Artificial Intelligence (AI) and Automation in Administrative Procedures: Potentials, Limitations, and Framework Conditions, (2023) Available from: https://www.researchgate.net/publication/371727727_Artificial_Intelligence_AI_and_Automation_in_Administrative_Procedures_Potentials_Limitations_and_Framework_Conditions [accessed Jul 28 2025].

³ European Commission, 2020a *Shaping Europe’s Digital Future*, <https://digital-strategy.ec.europa.eu>

of services is other key benefit especially for citizens, because can be tailored to individual needs, improving user satisfaction and inclusion. Last, but not least, data-driven policy making allows access to real-time data and helps governments respond quickly to crises and better plan for the future. This is also considering main benefit of using AI in public systems.

To ensure that all EU Member States can benefit equally from the opportunities of artificial intelligence in public administration, the European Union provides funding, infrastructure, and policy coordination mechanisms. The goal is to bridge digital divides, support innovation, and foster a unified digital space for public services via different digital programs for supporting digitalization, digital skills, training and interoperability across public administrations, such as Digital Europe Programme, as well as Interoperable Europe Act Initiatives, who encourage digital solutions and open-source platforms between countries, and many others. Those programs and norms are known as key regulatory instruments for encourage the digital transformation in EU.

However, there are still many challenges associated with the digital transformation in the different member states.

3. Challenges

Despite the benefits, the integration of AI and digital technologies in the public sector comes with challenges. One of the primary concerns is data privacy and security. Governments must protect sensitive citizen information from cyber threats and misuse. Strong data governance policies and secure IT infrastructure are essential.

Another critical issue is algorithmic bias. If AI systems are trained on biased or incomplete data, they may produce unfair outcomes, particularly in areas like law enforcement, social services, or hiring. This can reinforce inequality rather than reduce it.

There is also the risk of digital exclusion. Not all citizens have equal access to digital tools or the skills to use them effectively. Digital transformation must therefore be inclusive, ensuring that vulnerable and marginalized groups are not left behind.

Finally, public trust in AI systems must be nurtured. This requires transparency, explainability, and accountability in how decisions are made using AI. Governments should be open about the algorithms they use and provide channels for citizens to challenge automated decisions.

Another big question concerns the strategies and addressing employee - related challenges such as ethnical issues and future of the jobs. This include reskilling and training programs, inclusive implementation process, redefining roles rather than replacing them (Margetts, H., 2022), which would be topic in another research.

Also, many local and regional governments lack technical expertise to implement AI responsibly, in some cases there are fragmentation and trust deficit: Citizens may resist AI in sensitive domains (e.g. social welfare, immigration) without clear accountability mechanisms (EDPS, 2021).

For example, the application of AI is at different stage via different countries. Estonia has emerged as a leader in digital governance, with AI systems supporting its e-residency program and public service portals, but in Bulgaria the application is still limited to the online public service portal (e.g., document classification, digital ID verification). More precisely, since this system impacts access to public services, it is classified as high-risk under Annex III of the AI Act.

4. The EU AI Act: A Risk-Based Approach

In 2024, the EU formally adopted the AI Act, the world's first comprehensive legal framework for AI (European Parliament & Council, 2024)⁴. The regulation takes a risk-based approach:

Prohibited AI systems: Ban use cases deemed to pose unacceptable risks (e.g. social scoring by governments).

High-risk AI systems: Subject to strict requirements (e.g. for public sector uses like biometric identification, welfare eligibility, migration control).

Limited and minimal-risk systems: Require transparency obligations (e.g. chatbots must disclose they are AI).

The AI Act defines 4 levels of risk for AI systems⁵: unacceptable risk, high risk, limited risk (AI systems with specific transperansy obligations).

For public administrations, this means mandatory impact assessments before deploying high-risk AI (Article 27, Chapter III, , AI Act)⁶.

Public services fall under the high-risk category „High-risk AI systems used by public authorities must be registered and meet strict compliance standards.“ (AI Act, Annex III, Section 5)⁷.

According to this classification AI systems bring certain barriers to the design, development, implementation, and use of artificial intelligence. The latest analysis shown that the concepts of using AI in public sector could be divided via at least three levels- micro, meso and macro levels.

At micro levels the using of new technologies refers to individuals. „These concepts concern the discretionary power of the public servant, standardization

⁴ Regulation (EU) 2024/1689 of the European Parliament and of the Council: <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>

⁵ <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai>

⁶ AI Act, *Chapter III: High-Risk AI System*, <https://artificialintelligenceact.eu/chapter/3/>

⁷ AI Act, *Chapter III: High-Risk AI System*, <https://artificialintelligenceact.eu/section/3-5/>

of decisions and results, erosion of the profession, loss or displacement of jobs which can be classified as opportunities and challenges for public administration⁸⁸.

At meso level „the concepts related to decisions and interactions in organizations. These concepts concern accountability and performance which can be classified into opportunities and challenges for public administration“⁸⁹.

Determining risk under AI legislation primarily concerns the *macro* level. Macro level focuses on rules and norm. Normative framework for AI already exists at EU level, but it is still limited to general concept rather than concrete guidelines especially in the field of public sector were fall under the high-risk category. This means that normative framework needs to be extended and correctly implemented via different states. It is necessary to understand that the future of public administration depends on the new technology and the new norms and rules have to motivate public servants for more additional public values rather than exclusion. According to this understanding the future of AI seems to be more sustainable and competitive, especially if the EU manages to balance technological progress with fundamental rights and values. To address these, as well as to overcome the risks the EU is pushing for Common AI procurement guidelines, Ethics-by-design in public algorithms, stronger public sector AI literacy which could help countries to operate in more effective way.

5. The Future of AI in the Public Sector

The emergence of artificial intelligence is seen as a new and complex change in public sector operations. The promise of AI is to use intelligent machines to take over and facilitate human tasks and perform them more efficiently and effectively with tangible results and the creation of public value.

The transformation of technological capabilities into concrete public value for public administrations however is still limited. One of the factors hindering this progress is the lack of capabilities to use artificial intelligence (AI) in public administration work. Another factor is the lack of fundamental analysis that would show the real benefits and risks of implementing AI in the work of the administration, so as to achieve efficiency and effectiveness, and the ability to innovate in the public sector (Colin van Noordt & Luca Tangi, 2023).

To fully benefit from AI and digitalization, governments need to invest in digital infrastructure, workforce training, and ethical frameworks. Collaboration between public institutions, academia, the private sector, and civil society is key to building responsible AI systems.

The future of governance will be increasingly hybrid, combining human judgment with machine intelligence. Public officials will work alongside AI systems to deliver better, faster, and more citizen-centric services. Countries that embrace

⁸⁸ Geneviève., D., (2024),*Artificial Intelligence: Opportunities and Challenges for Public Administration.*, p. 390, 2024

⁸⁹ Ibid., p. 394

this shift and address its challenges responsibly will be better positioned to meet the demands of the 21st century.

Conclusion

The EU's approach to AI digitalisation in public administration is both ambitious and cautious. By combining innovation with regulation, the EU aims to foster trustworthy AI that enhances public services while protecting citizens' rights. The effective regulation should strike a careful balance: it must encourage innovation and allow public administrations to benefit from AI's potential while preventing misuse, discrimination, and erosion of public trust. As the AI Act is implemented across member states, it will shape not only how governments use AI, but also how they build a more inclusive, resilient, and digitally sovereign Europe. International cooperation, clear legal standards, and continuous monitoring are necessary to adapt regulations to the rapid pace of technological change. Moreover, the AI technology should allow public servants to be linked to the results of public policies even in new environment. This this requires responsible AI governance through transparent and adaptive regulation is vital for securing the public interest, safeguarding fundamental rights, both, to consumers and officers, and ensuring that AI serves as a tool for more effective, fair and inclusive public administration.

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ARTIFICIAL INTELLIGENCE AND CIVIC ENGAGEMENT IN THE EUROPEAN UNION

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Abstract:

The European Union and the evolving AI environment present a new challenge for democracy initiatives. A key issue is to create a unique environment where artificial intelligence and civic engagement coexist.

The study examines the role of AI in boosting civic engagement within the EU, examining its impact on democracy, governance, and public trust. The EU has taken a proactive approach through regulations for trustworthy artificial intelligence, but more is to come. Successful AI integration in civic engagement requires strong legal frameworks, digital literacy programs, and careful consideration of ethical concerns. Proactive legislative measures and multi-stakeholder collaboration are crucial for maximising AI's potential while upholding democratic integrity in the European context.

Keywords: Artificial intelligence (AI), civic engagement, European Union, interactive governance.

From the beginning, we had issues of finding a suitable definition of artificial intelligence (AI). Displaying the increasing connection between civic engagement and AI proved to be a relatively straightforward task, sustained by EU regulations and initiatives, civil society recommendations, and academic research.

As usual, the EU assumes the role of supervisor, seeking to establish harmonised rules on artificial intelligence to safeguard public interests and fundamental rights protected by Union law.¹ European Union lawmakers signed the final version of

¹ European Parliament, Council of the European Union (2024), REGULATION (EU) 2024/1689 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act), *Official Journal of the European Union 2024/1689*, art. 5, <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>, accessed 25.05.2025.

the Artificial Intelligence (AI) Act in June 2024. The AI Act, the first binding worldwide horizontal regulation on AI, sets a common framework for the use and supply of AI systems in the EU. It offers a classification for AI systems with different requirements and obligations tailored to a ‘risk-based approach.’² The proposal required Member States to designate one or more competent authorities, including a national supervisory authority, to be tasked with supervising the regulation’s application and implementation. It proposed to establish a European Artificial Intelligence Board (composed of representatives from the Member States and the Commission) at the EU level. National market surveillance authorities would assess operators’ compliance with the obligations and requirements of high-risk AI systems. Administrative fines of varying scales, depending on the severity of the infringement, were set as sanctions for non-compliance with the AI Act.³

However, the European Union does not offer too much credit to the Council of Europe and the Framework Convention on Artificial Intelligence (AI), which the European Commission signed on behalf of the EU.⁴ The Convention is the first legally binding international agreement on AI, and it aligns entirely with the EU AI Act. The Convention provides for a common approach to ensure that AI systems are compatible with human rights, democracy and the rule of law while enabling innovation and trust. It includes several key concepts from the EU AI Act, such as a risk-based approach, transparency along the value chain of AI systems and AI-generated content, detailed documentation obligations for AI systems identified as high-risk, and risk management obligations with the possibility to introduce bans for AI systems considered a clear threat to fundamental rights.⁵

The concept of AI is, from the start, multidisciplinary. Hence, we agree with the pragmatic view of researchers like N. Lahdili, M. Önder and In. Nyadera, according to which AI depends on the work of AI researchers and their focus.⁶

The final version of the EU AI Act offers a complex definition of the AI system. „*AI systems are designed to operate with varying levels of autonomy, meaning that they have some degree of independence of actions from human involvement and of capabilities to operate without human intervention. The adaptiveness that an AI system could exhibit after deployment refers to self-learning capabilities, allowing the system to change while in use. AI systems can be used*

² T. Madiega (2024), *Artificial intelligence act. Briefing*, EPRS, European Parliament, p. 1, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698792/EPRS_BRI\(2021\)698792_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698792/EPRS_BRI(2021)698792_EN.pdf), accessed 30.05.2025.

³ *Ibid*, p. 3.

⁴ European Commission (2024), Commission signs Council of Europe Framework Convention on Artificial Intelligence, *Press Release*, 05 September 2024, <https://digital-strategy.ec.europa.eu/en/news/commission-signs-council-europe-framework-convention-artificial-intelligence>, accessed 30.05.2025

⁵ *Ibid*.

⁶ N. Lahdili, M. Önder, In. Nyadera (2024), Artificial Intelligence and Citizen Participation in Governance: Opportunities and Threats, *AHBVÜ Public Administration Journal*, 57(3), p. 207, <https://www.jurix.com.tr/article/39279?u=0&c=0>, accessed 25.05.2025

on a stand-alone basis or as a component of a product, irrespective of whether the system is physically integrated into the product (embedded) or serves the functionality of the product without being integrated therein (non-embedded)“⁷.

Using AI features to ease up the work, AI Overview of Google Search⁸ defines artificial intelligence as the „ability of a computer or computer-controlled robot to perform tasks that are typically associated with human intelligence, such as reasoning, learning, and problem-solving. In simpler terms, it is about creating machines that can think and act intelligently.“⁹

Regarding the term „civic engagement,“ AI Overview of Google Search defines it as „the involvement and participation of individuals in their communities and society, aimed at improving the public good and addressing issues of public concern. It encompasses a wide range of activities, both political and non-political, that contribute to the well-being of communities and society as a whole.“¹⁰

Civic engagement remains an umbrella term. Its primary role is participation, a process vital to the democratic process. Mechanisms of direct participation are not a strict alternative to political representation or expertise but instead complement them. Public participation, at its best, operates in synergy with representation and administration to yield more desirable practices and outcomes of collective decision-making and action.¹¹ From the citizens’ lens, it is a form of self-expression. Hence, this relationship transcends treating citizens merely as taxpayers and clients to becoming „critical“ and „shapers“ of policies that affect their lives, especially considering the rise of the third sector in creating partnerships between the public and private sectors or what can be described as a multi-stakeholder participation model.¹²

The question is whether civic engagement benefits from the inclusion of AI systems, leading to digital governance in the EU.

For the EU, participation is becoming an increasingly normative expectation that EU institutions and civil society must comply with. In this sense, the mutual

⁷ European Parliament, Council of the European Union, *op. cit.*, art. 12.

⁸ AI Overviews appear in Google Search results when our systems determine that generative responses can be especially helpful - for example, when you want to quickly understand information from a range of sources, including information from across the web and Google’s Knowledge Graph. No action is needed for publishers to benefit from AI Overviews. <https://developers.google.com/search/docs/appearance/ai-overviews>, accessed 30.05.2025.

⁹ „artificial intelligence“, AI Overview Google Search, accessed 30.05.2025. AI Overview shows the following links: <https://www.britannica.com/technology/artificial-intelligence>, <https://cloud.google.com/learn/what-is-artificial-intelligence>.

¹⁰ „civic engagement“ AI Overview Google Search, accessed 30.05.2025. AI Overview shows the following links: <https://www.apa.org/education-career/undergrad/civic-engagement>, https://en.wikipedia.org/wiki/Civic_engagement#:~:text=Civic%20engagement%20is%20a%20process,passed%20to%20fix%20these%20problems.

¹¹ A. Fung (2006), Varieties of Participation in Complex Governance, *Public Administration Review*, 66, p. 6, <https://doi.org/10.1111/j.1540-6210.2006.00667.x>, accessed 25.05.2025.

¹² N. Lahdili, M. Önder, In. Nyadera, *op.cit.*, p. 209.

pressure from each actor increases, with the Commission being asked to pay more attention to the track record of participatory mechanisms, and civil society organisations being watched more closely in terms of their participation.¹³

There are significant potential benefits in leveraging AI-based systems by governments and their public administrations for the governance of the common good throughout Europe. As a simple reminder, the potentials of interactive governance include increased internal efficiency, enhanced public administration decision-making, and improved citizen-government interactions.¹⁴

Through AI-based platforms and tools, governments can interact with citizens in a more personal way, allowing them to voice their concerns, provide feedback and actively contribute to policy formulation. Chatbots, social media analytics and online forums equipped with AI algorithms facilitate dialogue, making government more accessible and responsive to the diverse needs of communities. However, integrating AI into interactive governance also raises important concerns, such as several ethical considerations related to data privacy, algorithmic bias, and liability for the misuse of technology.¹⁵

Civil society can deploy AI to take more ownership of public administration through funding (e.g. crowdfunding), horizontal governance, cultivating a diverse pool of human resources, operations (e.g. operations focusing on filling existing gaps or finding the highest returns for minimal effort), scaling up (especially when initiatives empowering political participation through AI are open-code and fully transparent).¹⁶

Participation in AI is frequently intertwined with trust in the government's utilisation of AI, encompassing considerations of citizens' confidence in the ethical and responsible deployment of AI and the accuracy of its outputs. Education could foster a better understanding of AI's benefits and alleviate public apprehension. Education is a fundamental component of trust. Without AI literacy, AI could widen inequalities and exacerbate the digital divide.¹⁷

¹³ L. Bouza García (2015), *Participatory Democracy Civil Society in the EU: Agenda-Setting and Institutionalisation*, Palgrave Macmillan, Houndsill, Basingstoke, p. 8.

¹⁴ M. Manzoni, R. Medaglia, L. Tangi, C. Van Noordt, L. Vaccari & D. Gattwinkel (2022), *AI Watch, road to the adoption of artificial intelligence by the public sector: a handbook for policymakers, public administrations and relevant stakeholders*, Publications Office of the European Union, p. 4, <https://data.europa.eu/doi/10.2760/288757>, accessed 30.05.2025.

¹⁵ M. Pislaru, C. S. Vlad, L. Ivascu, & I. I. Mircea (2024), Citizen-Centric Governance: Enhancing Citizen Engagement through Artificial Intelligence Tools, *Sustainability*, 16(7), 2686, p. 3, <https://doi.org/10.3390/su16072686>, accessed 25.05.2025.

¹⁶ P. Savaget, T. Chiarini & S. Evans (2019), Empowering political participation through artificial intelligence, *Science & Public Policy*, 46(3), pp. 369-380. <https://doi.org/10.1093/scipol/scy064>, accessed 25.05.2025.

¹⁷ R. Sieber, A. Brandusescu, S. Sangiambut, & A. Adu-Daako (2024), What is civic participation in artificial intelligence?, *Environment and Planning B: Urban Analytics and City Science*, 0(0), p. 11, <https://doi.org/10.1177/23998083241296200>, accessed 25.05.2025.

Education is necessary for all institutional subjects (political class, public administration, society) to guide change responsibly, mitigating the possible risks of abuse or misuse of technology. The education of society enables, on various levels, the dissemination of a critical culture regarding the use of technologies, promoting an active citizenship role (both individually and collectively) and safeguarding individual freedom in the face of technology's pervasive influence.¹⁸

The valorisation of society's information potential is a fundamental prerequisite for data-driven interactive governance in the context of digital awareness and protection of both old and new rights. A prerequisite for implementing a widespread enabling strategy is the creation, adaptation, and dissemination of a shared lexicon, as well as new teaching and social engagement methodologies, to promote new legislative reflection and adapt existing systems, as necessary.¹⁹

AI presents a complex frontier for civic engagement, with significant disciplinary-bound concepts of participation. This diversity hampers a unified understanding of meaningful participation at any level of government. AI was largely viewed as a neutral tool to ease participation and was deemed relatively unproblematic. Civic participation is complicated by AI if we assume that citizens' identities and concerns are resistant to alterations of technology.²⁰

Let us consider the final version of the AI Act, along with the comments and recommendations of experts and civil society. The EU finds itself in a scenario where AI-based technologies reflect current attitudes and trends. The leading actor remains the market force, with an emphasis on corporate efficiency.²¹ The core anxiety concerns civic engagement, digital education, and political efficiency.

One of the loud reactions belongs to the European Center for Not-for-Profit Law (ECNL). It draws attention to the fact that the AI Act fails to effectively protect the rule of law and civic space, instead prioritising industry interests, security services, and law enforcement bodies. While the Act requires AI developers to maintain high standards for the technical development of AI systems (e.g. in terms of documentation or data quality), measures intended to protect fundamental rights, including key civic rights and freedoms, are insufficient to prevent abuses. They are riddled with far-reaching exceptions, which lower protection standards, especially in the areas of law enforcement and migration.²²

¹⁸ Sineglossa, Baltan Laboratories, Fundaciyn Zaragoza Ciudad del Conocimiento - FZC, Ohme (2024), Recommendations on AI for participation. Artificial Intelligence and policy making: A methodological reframing, *CERV - Machines For Good. Engaging teenagers through AI and Arts*, p. 8, https://sineglossa.it/wp-content/uploads/2024/02/Machines-for-Good_Recommendations.pdf, accessed 25.05.2025.

¹⁹ *Ibid.*

²⁰ R. Sieber, A. Brandusescu, S. Sangiambut, & A. Adu-Daako, *op. cit.*, p. 13.

²¹ N. Lahdili, M. Önder, In. Nyadera, *op. cit.*, p. 213.

²² European Center for Not-for-Profit Law (ECNL) (2024), Packed with loopholes: why the AI Act fails to protect civic space and the rule of law, *Tech and AI*, <https://ecnl.org/news/packed-loopholes-why-ai-act-fails-protect-civic-space-and-rule-law>, accessed 30.05.2025.

Civic participation in the implementation and enforcement of the AI Act is not guaranteed. Meaningful and accessible mechanisms for the engagement of civil society and people impacted by AI systems are crucial for effective and rights-based implementation and enforcement of the AI Act. The Act, however, does not go far enough to guarantee the right to participation. Notably, public authorities or companies will not be required to engage with external stakeholders when assessing the AI impact on the fundamental rights.²³

The Commission is aware of potential policy actions to increase the uptake of AI in the public sector in Europe like developing a set of guidelines and best practices for co-creation approaches in the public sector, encouraging the development of co-creation initiatives between public sector organisations and citizens; leveraging civic engagement and participation in the development and deployment of AI; creating an EU-wide network of governance bodies for streamlined management of AI in the public sector; developing and applying umbrella impact assessment frameworks based on key influencing factors to measure the use and impact of AI in the public sector.²⁴

Conclusions

To benefit all parties, AI policies, frameworks, and regulations should be based on established standards, ethical principles, and societal values.²⁵ AI can thus act in parallel and in support of citizen participation, which is based on numerous processes of public engagement that can lead to dialogue and collaboration with public administrations, as well as citizen engagement, which involves citizens in the strategic planning and implementation decision-making of services, particularly digital ones. AI tools are increasingly drawing the attention of public administrations as a means to enhance the quality and effectiveness of their citizen engagement initiatives.²⁶ The requirement for an interaction between institutions and citizens is based on thematic awareness and recognition of the essential character of artificial intelligence as a new agent of automated intermediation.²⁷

Public awareness of the benefits of artificial intelligence (AI) is crucial in shaping perceptions and promoting acceptance of this transformative technology. As it continues to evolve and impact various aspects of our lives, raising awareness of its benefits becomes essential.²⁸

²³ *Ibid.*

²⁴ European Commission, Directorate-General for Communications Networks, Content and Technology, Artificial Intelligence Policy Development and Coordination (2024), *Adopt AI Study. Final study report*, Publications Office of the European Union, Luxembourg, p. 236, <https://ec.europa.eu/newsroom/dae/redirection/document/108555>, accessed 30.05.2025

²⁵ N. Lahdili, M. Önder, In. Nyadera, *op. cit.*, p. 213.

²⁶ *Ibid.*

²⁷ Sineglossa, Baltan Laboratories, Fundaciyn Zaragoza Ciudad del Conocimiento - FZC, Ohme, *op. cit.*

²⁸ M. Pislaru, C. S. Vlad, L. Ivascu, & I. I. Mircea, *op. cit.*, p. 4.

The impact of AI on the future of democracy and citizen participation will depend on how it is developed, deployed, and regulated. Policymakers, researchers, and citizens alike need to carefully consider the potential risks and benefits of AI and work to ensure that it is used in ways that support, rather than undermine, democratic values and institutions.²⁹

Building on previous initiatives, the April 2025 EU AI Continent Action Plan focuses on developing trustworthy AI technologies to enhance Europe's competitiveness while safeguarding and advancing its democratic values. It aims to bring the benefits of AI to various sectors, such as healthcare, education, industry, and environmental sustainability. The plan includes actions to build large-scale AI data and computing infrastructures, increase access to high-quality data, foster AI adoption in strategic sectors, strengthen AI skills and talent, and facilitate the implementation of the AI Act. Key components include the establishment of AI Factories and Gigafactories, the InvestAI Facility to stimulate private investment and the launch of the AI Skills Academy.³⁰

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²⁹ N. Lahdili, M. Önder, In. Nyadera, *op. cit.*, p. 223.

³⁰ European Commission (2025), European approach to artificial intelligence, *Shaping Europe's digital future*, 9 April 2025, <https://digital-strategy.ec.europa.eu/en/policies/european-approach-artificial-intelligence>, accessed 30.05.2025.

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IS ARTIFICIAL INTELLIGENCE A THREAT OR A DRIVER FOR EUROPEAN ENTREPRENEURSHIP?

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Abstract:

The main purpose of the article is to try to answer the question – whether artificial intelligence is a threat or a driver for European (EU) entrepreneurship. The subject of the study is the relationship of artificial intelligence – European (EU) entrepreneurship. In order to fulfil a research goal, the method of description, the historical method and the system-structural method are used. Descriptive statistics is also used. It can be concluded that it cannot be said categorically whether artificial intelligence is a threat or a driver for European (EU) entrepreneurship. There are both positive and negative aspects and neither aspect predominates.

Keywords: artificial intelligence, entrepreneurship, European (EU) entrepreneurship, European Union

Introduction

Our article is structured within two very broad and very complex theoretical and practical fields – Artificial intelligence (AI) and European entrepreneurship. In this regard, it is necessary to give a general description of each of these two fields.

At the beginning of the 21st century, man's millennial dream of creating a machine (an artificial creation) that would replace him in mental and physical activity and make his life much easier began to come true. This machine is nowadays personified by artificial intelligence. About two centuries ago, two main directions were formed theoretically regarding the essence and characteristics of this same smart machine, which we can classify as a positive direction (the machine will help man) and a negative direction (the machine will harm man). The main directions envisaged also have not only theoretical, but also practical and even purely artistic dimensions. In the world of literature and art, for example, AI is presented as something good – the loving robot Robbie

from Isaac Asimov's story „Robbie“¹, but also as something evil – the monster Frankenstein from James Whale's film from 1931 based on the novel by Mary Shelley.² In the world of ideas (science) good and evil are also presented, but under a completely different terminology and from a radically different perspective. However, the essence, somewhat paradoxically, is the same.

Today, it can be confidently asserted that the turning point in the birth of artificial intelligence, understood in the modern sense, was the famous test of Alan Turing (1912-1954), proposed by him in 1950 in his article „Computing Machinery and Intelligence“, which in 2025 is assessed as a true scientific classic.³ According to Turing, the question „Can a machine think?“ is somewhat absurd, as he proposes a completely different formulation of the problem. The researcher is firmly convinced that we must move beyond speculative and even meaningless reasoning about the possibilities of AI, moving directly to its experimental study with the widespread use of computers. This is exactly what he subsequently did.

Juliana Hadjichoneva accurately notes that even in early research from the beginning of the 18th century, entrepreneurship was associated with economic activity and risk-taking (Richard Cantillon) and with organization and leadership in the economy (Jean-Baptiste Say).⁴

According to the authoritative researcher of entrepreneurship Kiril Todorov (1948-2019), both as a subject of research and as a practice, entrepreneurship is a mega-activity that leads, generates other activities in its wake and significantly influences them.⁵ It helps solve a number of problems, including those specific to countries in transition such as: changes in the economic and corporate structure, development of an entrepreneurial-oriented business culture and creation of a strong middle class. Entrepreneurial activity is a complex set of processes, phenomena, and behaviours, which is realized by people with potential in an increasingly dynamic and increasingly competitive business environment. The globalization of the economy, its multicultural dimensions, the development of knowledge as a powerful catalyst for success, and integration processes in Europe are the key factors that have a decisive influence on modern entrepreneurship.

Methodology

It is undeniable that the scientific problem of whether artificial intelligence is a threat or a driver for European (EU) entrepreneurship is too extensive and

¹ Asimov, I. (1950), *I, Robot*, New York, Gnome Press.

² Shelley, M. (1818), *Frankenstein; or, The Modern Prometheus*, Vol. 1, London, Lackington, Hughes, Harding, Mavor & Jones.

³ Turing, A. (1950), *Computing Machinery and Intelligence*, *Mind* 49, LIX/236, pp. 433-460.

⁴ Хаджичонева, Ю. (2022), *Предприемачество, иновации и изкуствен интелект в България - динамика и управление*, София, Издателски комплекс - УНСС.

⁵ Тодоров, К. (2010), *Българското предприемачество по време на кризата и като двигател на следкризисното развитие*, Годишник на УНСС 2010 г., София, УНСС, стр. 5-25.

too heterogeneous. In the limited scope of this article, however, we can describe, analyse, and interpret only a small part of the same problem. In this regard, we focus only on some of the most important aspects of the interaction artificial intelligence – European (EU) entrepreneurship. Otherwise, even a multi-volume scientific series could be published on the issue.

The main purpose of the article is to try to answer the question – whether artificial intelligence is a threat or a driver for European (EU) entrepreneurship. The subject of the study is the relationship of artificial intelligence – European (EU) entrepreneurship. In order to fulfil our research goal, we use the method of description, the historical method and the system-structural method. We also use descriptive statistics. To our opinion all the listed methods are applicable to the subject of the study and the research objective.

Results and Discussion

It is important to note that there are many unresolved academic issues in the relationship between artificial intelligence and European entrepreneurship.

First of all, what exactly is entrepreneurship – is it a type of management or something else? Also – what is management and is there a universal management? In this regard, we can cite the point of view of Marcus Pudelko and Anne-Wil Harzing (2007), who in the study „How European is Management in Europe?“ analyse the past, present and future of management practices on the old continent. Researchers are firmly convinced that until the end of the 1980s, management practices in Europe were rather different, and they were strongly influenced by different national traditions and institutional variations. However, from the 1990s to the present, in the context of globalization, convergent trends have begun to prevail. Perhaps the most important conclusion that Markus Pudelko and Anne-Wil Harzing make is that there is no typical European model of business governance, and that the European model is actually an American model. The researchers also predict that in the future, the world will become increasingly distinctly multipolar and the virtual monopoly of the United States in setting the standards for good governance practices will weaken.⁶

The statement of Pudelko and Harzing, in our opinion, is exaggerated, although in general it is true. It is exceedingly difficult, if not impossible, to predict the future development of good practices in management and entrepreneurship, and on a global scale. It seems to us that the only certain thing is that the first half of the 21st century will be dominated by the economic and entrepreneurial rivalry between the United States of America and the People's Republic of China, which may well develop into a military clash. We assume that the European Union will play the role not of a global, but of a secondary (regional) economic and entrepreneurial power.

⁶ Pudelko, M., Harzing, A-W. (2007), *How European is management in Europe? An analysis of past, present and future management practices in Europe*, European Journal of International Management, Vol. 1, No 3, p. 207.

We can conclude that entrepreneurship is a type of management, but a special, specific management.⁷ In it, in a somewhat bizarre way, objective (characteristics of the environment) and subjective (characteristics of the entrepreneur's personality) elements are intertwined.

Second, there is no general (universal) theory of artificial intelligence. According to Pei Wang (2012), the main obstacle to progress in AI research is „theoretical nihilism“.⁸ In this case, the research community as a whole has not made enough effort to solve this task, namely – to create a general theory of AI. Instead, this community either follows some other developed theories on certain related, although very different problems in relation to artificial intelligence, or carries out research based on intuition or practical considerations, in the hope that the theoretical problems can eventually be solved or avoided with the help of various technical tricks. Pei Wang specifies that artificial intelligence is indeed a very difficult scientific problem, and it is unlikely that a perfect (or even satisfactory) general theory will be obtained very soon for the same problem. However, even the existence of an imperfect theory is a better alternative than no theory at all. Also, a theory developed in another scientific field does not necessarily retain its authority in the field of artificial intelligence, no matter how successful it is in its original domain. Given the special situation in the field, a general theory of artificial intelligence must be descriptive with respect to the human mind and normative with respect to computer systems. To achieve this goal, a general theory of artificial intelligence must build a notion of general intelligence that does not depend on the details of the biological brain or the characteristics of the electrical computer.

Let us now turn to descriptive statistics regarding artificial intelligence in the context of European (EU) entrepreneurship.

First, let us compare enterprises using at least one AI technology among EU countries in 2021, 2023 and 2024 (as shown in Table 1). The statistical order shows that the using at least one AI technology among EU countries is constantly growing, and significantly so, for the period from 2021 to 2024. Data for 2024 indicate that the share of enterprises using AI ranged between 3.07% (Romania) and 28.89% (Slovenia). The highest share for 2024 was recorded in Slovenia (28.89%), followed by Denmark (27.58), Sweden (25.09%), Belgium (24.71%) and Finland (24.37), while the lowest shares were recorded in Romania (3.07%), Poland (5.90%), Bulgaria (6.47%), Hungary (7.41) and Portugal (8.63%). The general conclusion can be drawn is that the percentage of the enterprises using at least one AI technology among EU (27 countries) in 2024 is not particularly high – 13.48%. However, the percentage is constantly increasing from year to year.

⁷ Цанов, И. (2024), *Изкуствен интелект и предпринемачество*, Е-книга (CD), София, БАК.

⁸ Wang, P. (2012), *Theories of Artificial Intelligence - Meta-Theoretical considerations*. Wang, P., Goertzel, B., (eds), Theoretical Foundations of Artificial General Intelligence, Atlantis Thinking Machines, Vol 4., Paris, Atlantis Press, pp. 305-323.

Table 1. Enterprises in EU use at least one of the AI Technologies

EU Country	2021	2023	2024
Belgium	10.32	13.81	24.71
Bulgaria	3.29	3.62	6.47
Czechia	4.46	5.90	11.26
Denmark	23.89	15.17	27.58
Germany	10.56	11.55	19.75
Estonia	2.77	5.19	13.89
Ireland	7.88	8.01	14.90
Greece	2.61	3.98	9.81
Spain	7.67	9.18	11.31
France	6.67	5.88 (b)	9.91
Croatia	8.74	7.89	11.76
Italy	6.17	5.05	8.20
Cyprus	2.59	4.67	7.90
Latvia	3.72	4.53	8.83
Lithuania	4.45	4.86	8.76
Luxembourg	13.00	14.45	23.73
Hungary	2.98	3.68	7.41
Malta	10.16	13.17	17.30
Netherlands	13.10	13.37	23.06
Austria	8.83	10.79	20.27
Poland	2.86	3.67	5.90
Portugal	7.20	7.86	8.63
Romania	1.38	1.51	3.07
Slovenia	11.73	11.37	28.89
Slovakia	5.19	7.04	10.78
Finland	15.79	15.10	24.37
Sweden	9.92	10.37 (b)	25.09
EU (27 countries)	7.65	8.03	13.48

Observation flag: (b) break in time series

Source of data: Eurostat DOI:10.2908/isoc_eb_ai

Second, as shown in Table 2, large enterprises used AI more than small and medium enterprises. In 2023, 6.38% of small enterprises, 13.04% of medium enterprises and 30.40% of large enterprises used AI. In 2024, 11.21% of small enterprises, 20.97% of medium enterprises and 41.17% of large enterprises used AI. These differences are probably due to many factors, but the most significant are the following:

Financial resources – Large enterprises have bigger budgets for AI investments, including development, deployment, maintenance, and staff training. They can afford expensive cloud computing, software licensing, and building their own machine learning models.

Data access – Large enterprises have large data sets that are critical to the effectiveness of AI. Larger quantities and higher quality of data enable more precise models and analyses for business and development.

Technical expertise and talent – Large enterprises can attract and retain top AI specialists, including software engineers, data analysts, and machine learning specialists. Small and medium enterprises (SMEs) often have limited access to such qualified personnel.

Infrastructure – Large enterprises have their own on-premises or cloud infrastructure to process large volumes of information, while SMEs often rely on more limited resources, which limits their ability to deploy large-scale AI solutions.

Automation capabilities – Large enterprises often deploy AI to optimize logistics, forecast demand, personalize marketing, and automate routine tasks, resulting in significant savings. Small and medium businesses may struggle to find cost-effective applications for AI.

Partnerships and ecosystems – Large enterprises often work with leading technology companies (such as Google, Microsoft, Amazon), which gives them access to the latest AI technologies and solutions. Small and medium businesses typically rely on off-the-shelf SaaS solutions, which may not fully meet their needs and intentions.

We can summarize that while large enterprises are better positioned to implement AI due to their resources, SMEs can take advantage of cloud AI solutions and specialized platforms to reduce costs and optimize their processes.

**Table 2. Enterprises using AI technologies by size class in EU, 2023 and 2024
(% of enterprises)**

Size class of enterprises	2023	2024
All enterprises	8.03	13.48
Small enterprises	6.38	11.21
Medium enterprises	13.04	20.97
Large enterprises	30.40	41.17

Source of data: Eurostat (online data code: isoc_eb_ai)

Artificial Intelligence has emerged as one of the most transformative technologies of the 21st century, with profound implications for entrepreneurship within the European Union. The debate over whether AI represents a threat or a driver for entrepreneurship is complex, as it encompasses economic, political, social, psychological and ethical dimensions. Our analysis explores both perspectives, drawing on academic research and empirical evidence to provide a balanced view.

AI as a Driver for Entrepreneurship.

1. Innovation and New Business Opportunities. AI enables the creation of innovative products, services, and business models, fostering entrepreneurship across various sectors and fields.⁹ Startups leveraging AI technologies, such as machine learning, natural language processing, and computer vision, are disrupting traditional industries and creating new markets. For example, AI-driven healthcare startups are revolutionizing diagnostics and personalized medicine, while fintech companies are enhancing financial services through predictive analytics and automation.
2. Access to Global Markets. AI-powered platforms, such as e-commerce and digital marketing tools, enable entrepreneurs to reach global audiences with minimal investment.¹⁰ This democratization of access to international markets empowers EU startups to compete on a global scale, driving economic growth and innovation. However, it is unclear what will happen to global markets as a result of the radical political and economic changes on a global scale.
3. Increased Efficiency and Productivity. AI tools can streamline operations, reduce costs, and improve decision-making, allowing entrepreneurs to scale their businesses more effectively.¹¹ Automation of repetitive tasks frees up human resources for more creative and strategic activities, enhancing overall productivity. This is particularly beneficial for small and medium-sized enterprises, which often face resource constraints.
4. Support from EU Policies and Funding. The EU has recognized the potential of AI and is actively supporting its development through various initiatives. These initiatives provide funding, infrastructure, and regulatory frameworks to encourage AI-driven entrepreneurship (AI innovation package to support Artificial intelligence startups and SMEs). Additionally, the EU's focus on ethical AI ensures that innovation aligns with societal values, fostering trust and adoption (AI Act).

⁹ Barley, S. R., Bechky, B. A. and Milliken, F. J. (2017), *The changing nature of work: careers, identities, and work lives in the 21st century*, Academy of Management Discoveries, 3 (2), pp. 111-115.

¹⁰ Keupp, M. M. and Gassmann, O. (2009), *The past and the future of international entrepreneurship: a review and suggestions for developing the field*, Journal of Management, 35 (3), pp. 600-633.

¹¹ Цанов, И. (2018), *Управлениско решение: Теория и практика*, София, БАК.

AI as a Threat to Entrepreneurship.

1. Job Displacement and Economic Inequality. The automation of tasks through AI could lead to job displacement, particularly in sectors reliant on routine and manual labour. This may exacerbate economic inequality and reduce consumer purchasing power, indirectly affecting entrepreneurial ventures that depend on domestic demand. Moreover, the concentration of AI capabilities in large corporations could marginalize smaller players, creating barriers to entry for new entrepreneurs. This threat also has strong political dimensions.
2. High Costs and Technical Barriers. Developing and implementing AI technologies requires significant investment in infrastructure, talent, and research. For many startups, these costs may be prohibitive, limiting their ability to compete with established firms that have greater resources. This could lead to a consolidation of market power among tech giants, stifling competition and innovation.
3. Ethical and Regulatory Challenges. The ethical implications of AI, such as data privacy, algorithmic bias, and accountability, pose significant challenges for entrepreneurs. Navigating the complex regulatory landscape in the EU, including the General Data Protection Regulation (GDPR) and AI Act, can be daunting for startups. Non-compliance risks fines and reputational damage, which could deter entrepreneurial activity.¹²
4. Dependence on External Technologies. The EU's reliance on non-European AI technologies, particularly from the US and China, raises concerns about technological sovereignty. This dependence could limit the competitiveness of EU startups and SMEs and expose them to geopolitical risks, such as trade restrictions or supply chain disruptions.

Ultimately the impact of AI on entrepreneurship in the EU is not inherently positive (Driver) or negative (Threat); rather, it depends on how the technology is governed and integrated into the economy. To maximize the benefits and mitigate the risks, the following measures are essential:

1. Investment in Education and Skills Development. Equipping the workforce with AI-related skills through education and training programs will ensure that entrepreneurs and employees can adapt to technological changes regarding Artificial-Driven Management.¹³ This will also foster a culture of innovation and lifelong learning without which it is no longer possible to achieve results.
2. Support for SMEs and Startups. Providing financial incentives, technical assistance, and access to AI infrastructure will enable smaller businesses

¹² Цанов, И. (2023), *Управление на риска в корпоративната сигурност*, Е-книга (CD), София, БАК.

¹³ Schrettenbrunner, M. B. (2020), *Artificial-Intelligence-Driven Management*, IEEE Engineering Management Review, 48 (2) (2020), pp. 15-19.

to compete with larger corporations and new aggressive players. Public-private partnerships and innovation hubs can play a crucial role in this regard.

3. Ethical and Inclusive AI Frameworks. The EU must continue to lead in the world in developing ethical AI standards that promote transparency, fairness, and accountability. This will build public trust and create a level playing field for entrepreneurs and SMEs.
4. Promotion of EU Technological Sovereignty. Encouraging the development of homegrown AI technologies and reducing dependence on external providers will enhance the EU's competitiveness and resilience.

Conclusion

Artificial Intelligence is reshaping the global economic landscape, prompting significant transformations in entrepreneurial activity and development. AI is a completely new phenomenon, unprecedented in human history, which makes it particularly difficult to study. Within the European Union, AI presents both opportunities and challenges, raising the critical question of whether it acts as a driver of entrepreneurship or poses a fundamental threat. On one hand, AI serves as a catalyst for entrepreneurial growth by enhancing efficiency, reducing operational costs, and fostering innovation. Conversely, AI also presents substantial challenges, particularly concerning employment displacement, market concentration, and regulatory constraints.

In the article fulfilling its research objective, we briefly described, analysed and interpreted the positive and negative aspects of the creation of artificial intelligence in European (EU) entrepreneurship. Finally, we can conclude that it cannot be said categorically whether artificial intelligence is a threat or an engine for European (EU) entrepreneurship. There are both positive and negative aspects. There is also great uncertainty related to geopolitical and geoeconomic elements that strongly influence European entrepreneurship and business politics in general. We cannot give a definitive prediction of what the future will be exactly and which of the two aspects (Threat or Driver) may prevail.

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LINGUISTIC DIVERSITY AND AI IN THE EU: A CHALLENGE AND A DRIVER FOR LEARNING OPPORTUNITIES: THE CASE OF FRENCH LANGUAGE

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Abstract:

This proposal follows from a classroom activity involving students learning French as a foreign language. It concerns the use of YouTube's speech-to-text tool in order to transcribe automatically oral speech and to revise it in the post-editing process with students. Speech-to-text tools will be considered as a driver for developing new innovative learning opportunities for foreign languages in the EU at a university level. Nevertheless, this opportunity could only be experimented if a language is written and gathers a linguistic repository for all levels of communication. In the EU, all the official languages are recognised and have the same rights in the official communication, but the same does not concern regional and/or minority languages, nor other languages spread in the EU. Hence, after drawing the status of the EU languages and the functioning of speech-to-text tools, it will be shown that the most represented language in AI is English, despite many other official or non-official languages. The discussion that will be presented deals with the respect of linguistic rights and diversity in the EU, and with the way in which EU initiatives may contribute to it, also by developing proper AI technologies.

Keywords: Artificial Intelligence; speech-to-text tool; linguistic diversity; linguistic rights; French language

Introduction

The didactical and scientific activity which will be represented in this paper is the result of two European projects in which the author participates as a member. In particular, this is the case for the project *Artificial Intelligence for*

European Integration (AI4EI)¹ of the Jean Monnet Centre of Excellence of the University of Turin (ended in 2023), whose responsible person was Rachele Raus (University of Bologna-Forlì) and for the more recent and ongoing project (2024-2026) of the Jean Monnet Module entitled *Communicating EU for Participating* (COMEU4PAR)², whose responsible person is Angela Maria Romito (University of Bari, Department of Political Science). As a participant in these European projects funded by the European Commission and aimed at allowing citizenship to know and to be in touch with the EU policies, in this paper some ideas will be developed in order to look at the potentialities of (non-generative) AI tools for didactical activities related to foreign language learning at university level, to make some reflections on EU linguistic patrimony and to think about the possibility for the EU of developing proper made in Europe AI technologies addressed to its citizens and institutions (Raus 2023).

The outline of this paper will consist of the presentation of a didactical experience in Italy involving AI at university level in French as a foreign language and as a language for specific purposes. This section will be followed by some insights dealing with the functioning of a speech-to-text tool, in the aim of introducing the status of languages (official, and regional or minority languages) in the EU. Finally, some remarks will be presented about the respect of linguistic rights and diversity in the EU, and about the need of made in Europe AI technologies.

A university didactical experience in Italy involving AI in French as a foreign language and as a language for specific purposes

Since the pandemic period, during the teaching activity of French language – advanced, addressed to MA degree students in International Relations and in Administrative Science at the Department of Political Science of the University of Bari, many activities are conducted for perfecting students' knowledge of French language. Among them, the possibility of using AI tools applied to institutional communication of the French President Emmanuel Macron (official discourses, official messages, press conferences, and interviews).

This group is primarily composed, per year, of 30 Italian native language students who already have at least a B1 level of French language knowledge and who normally use AI tools in their everyday life. They are allowed to reflect on both AI tools as a driver and as a challenge for language development and the features which characterise institutional discourse (Oger 2005) and an oral communication which is not entirely spontaneous before it is performed by the speaker. This material allows not only to better concentrate on the

¹ https://www.jmcoe.unito.it/about_us

² *Communicating EU for participating* (COMEU4PAR - Pr. n. 101175902).

automatic transcription of this oral speech, but also to deal with the way a speech-to-text tool performs. By looking at YouTube videos, it is possible to activate both subtitles and automatic transcription, as it is shown in Figure 1, taken from a declaration by Emmanuel Macron held on 22nd March 2022:



Figure 1 - YouTube's subtitles and automatic transcription
(<https://www.youtube.com/watch?v=BpRLBy8EIYw&t=25s>)

After a general outlook at this transcription, which is freely accessible and whose results can be downloaded by copying it manually and pasting it in a word file – as it is done for students, by creating a table with two columns, the left one containing the automatic transcription and the right one with an empty space because it will contain the revised transcription which each student has to perform –, attention is paid to aspects dealing with oral French language and with French syntax (Le Goffic 2001, 2005). Indeed, in YouTube's automatic transcriptions punctuation markers are completely lacking, as well as, partially, graphic markers. The linguistic revision students will carry out during this atelier and by themselves, at home, takes into account punctuation markers and grammatical problems coming from the peculiarities of French language. Indeed, this language contains many homophones which correspond to different written words. Hence, the aim is to focus on a grammar integrating both oral and written French (Silletti 2025). By looking at the performances of YouTube's AI tool, it is possible to consider, as also previous studies have demonstrated as far as French language is concerned (Tancoigne *et al.* 2020), that this software is not the most performant one, but it is free. It tries to reproduce at least 80-85% of what it perceives, even though in this effort it also reproduces nonexistent words or non-senses. This is the reason these results have always to be checked during a human post-editing activity for each AI tool. AI speech-to-text tool's performances depend on several factors (Tancoigne *et al.* 2020): external noises, speaker's pronunciation, overlapping – in case of multiple voices –, speaker's accent, but also internal biases of the AI tool, which could be probably reduced if the amount of AI texts for training and

performing the system was higher. As a consequence, it is important to look at the functioning of an AI speech-to-text tool.

The functioning of YouTube's speech-to-text tool

Speech-to-text tools have known diverse and more and more performed evolutions since their creation during the Cold war (Kneubühler 2022). Nowadays, an AI speech-to-text tool results from the combination of different factors which interact in order to offer the best result (Dufraux 2022). They are composed of an acoustic signal which has to be decoded by the machine for obtaining the speech-to-text transcription. During the decoding process, several models interact, that is an acoustic model, a language model, and a lexicon. Each model is based on a previous corpus which serves as reference corpus for comparing the decoding of the acoustic signal, and the acoustic and language model, to which the existing vocabulary has to be added, as it is presented in Figure 2, taken from Dufraux (2022, p. 17):

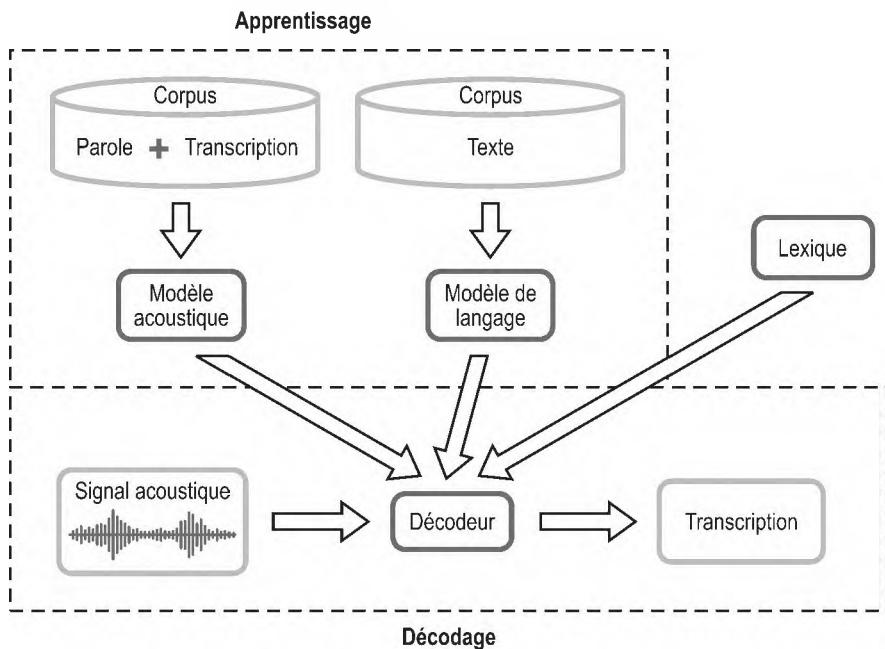


Figure 2 - Functioning of a speech-to-text tool

These features show that the further an oral speech is aligned to these models, which are trained on French standard language (variety spoken in Paris), the more the results of the AI tool are well-performed. Moreover, the system underlying an AI speech-to-text tool is trained on an enormous amount of data, which is big data. As a consequence, it is possible to infer that, in terms of languages, the best automatic transcriptions may come from the most

represented languages, and, on the contrary, that the worst ones depend on a minor representativity of a language – even though also other factors influence the results. Furthermore, it is also possible that any AI tool can be created for a single language if this language is not represented in a written form but only in an oral one. Hence, the main question which might be asked starting from this atelier on French language consists of considering whether this activity could be conducted also for other EU languages and for EU less represented languages.

The status of languages in the EU

The EU officially recognises the same rights to its 24 official languages, but their representation in the EU is unequal, also in the European institutions. Indeed, even if each European deputy has the right to express themselves in the official language of their country inside the European Parliament, even if the official language of the EU Court judgements is French, and even if work languages in the EU are mainly English, French, and German, it is well-known that the most used language in the EU remains the English language, also after the Brexit. This overrepresentation for English language – which becomes the *lingua franca* of more and more contexts, like also in international conferences or in international publications, like the present one, for instance – is a great advantage for developing AI tools aimed at both automatic transcription and automatic translation. Furthermore, AI translations in languages different from English often continue to pass through a *pivot* language, which is the English one, only because AI translations in and from English language are the widest and the most developed (Raus *et al.* 2023). This inequality and discrimination among official languages is worsened for less represented languages in the EU, which is regional and/or minority languages, or other language „minorized“ in the EU (Agresti 2023), whose knowledge, learning, and written corpora are not equal nor, in some cases, not existing. Even though there is a European Charter for regional or minority languages³ since 1992, held by the Council of Europe for preserving and promoting these languages as part of the EU cultural patrimony, its application continues to be discontinuous due to the disagreement of some of its member States. Twenty-five of them (belonging to the Council of Europe) approved and ratified it in their domestic legislations – this is the case for Romania, for instance –, while some others – like, among others, France – signed this Charter but did not ratify it; finally, some others did not approve nor ratify it – this is the case for Italy, for example. This document aims at building a Europe based on democracy and cultural diversity, and at using these languages in the public and private life. Nevertheless, as already mentioned, the recognition of this Charter is not homogeneous in Europe nor in the EU member States. This Charter (art. 1) considers a language as „regional or minority“ one, hence without clearly distinguishing them. Indeed, the Council of Europe allows

³ <https://www.coe.int/en/web/european-charter-regional-or-minority-languages>

each member State to distinguish or to identify its minority languages or its regional languages. Some confusions persist on these categories, for each language, which could have different status from a member State to another, and for each member State. Moreover, a language which could be official for an EU member State could be recognised as a minority one for another EU member State. Nevertheless, the most important problem concerning minority, sometimes also „ultra-minority“, and regional languages is the fact that their representation depends on the economic value of them (Agresti 2023), which is often perceived more important than their real existence. Another threat deals with the responsibility of this promotion and preservation, which generally depends on local associations or on voluntary private citizens rather than by a State or a Government. Just to give an example, it is possible to look at Basque language, which is a difficult regional language to learn, which is also the only one in the EU which does not belong to the Indo-European family of languages. Its complexity and unicity show that efforts dealing with this language may be not fruitful in terms of economic gains as this language is difficult to be learnt and not widely used. These remarks influence the development of AI tools – even though AI tools in Basque language, namely for automatic translation, exist (Sarasola *et al.* 2023) –, because their functioning is based on big data and not all the languages present a linguistic repository for all levels of communication to be exploited for AI tools.

Conclusions: the respect of linguistic rights and diversity in the EU and the aim and need of made in Europe AI technologies

Internet represents a challenge and an opportunity for linguistic diversity, but all the languages have to be digitalised. Moreover, AI implies language standardisation – as its functioning is based on probabilities and statistics – and a large amount of data to be analysed, which depend on the contexts in which a language is used. Instead of promoting the EU linguistic diversification, this standardisation is only beneficial for English language, whose linguistic patrimony is the widest one and the most powerful in terms of AI tools (Vetere 2023). On the contrary, the further a language is underrepresented in the web the more its digitalisation is difficult, with the risk of a digital extinction of it. Hence, AI may be an opportunity for all the EU languages to be technologically equipped, to normalise them and their uses, to use them in the public sphere, but nowadays it only represents a voluntarily praxis depending on speakers and promoters of these languages, like local or regional associations (Agresti 2023). A more general action should be carried out by the EU to promote a linguistic planification for protecting its minority and regional languages, also coupled with AI tools (Raus 2023). It is fundamental that the EU develops proper technologies for promoting linguistic diversity through artificial intelligence, by AI speech-to-text tools, whereas the European AI Strategy⁴,

⁴ <https://digital-strategy.ec.europa.eu/en/policies/european-approach-artificial-intelligence>

developed between July and August 2024 and reinforced in April 2025, aims at excellence and trust through concrete rules and actions, but any specific information is presented about the languages which could contribute to it. In other words, the main language to reach this objective is English, that is the most standardised one.

In conclusion, in order to also promote other languages in this strategy focused on AI, teaching personnel has to be formed at school and university level in order to learn and to teach a minority or regional language of the EU, as it was pointed out in one of the proposals (Silletti 2023) included in the Guidelines addressed to the EU decision makers (Raus 2023), inside the above mentioned European project AI4EI. From another perspective, the goal of fighting against linguistic standardisation and of promoting language diversity and multilingualism in the EU (Raus *et al.* 2023) could also be intended as a way for reinforcing EU citizenship, because language protection and diversity allow member State citizens to participate in the EU activities, by investing on their shared linguistic and cultural patrimony and by combining it with the need of defending it. This is the reason this objective is also directly linked to the above-mentioned Jean Monnet module COMEU4PAR.

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