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How discourse explains the actorness: the case of “shrinking civic space” in the statements of EU delegations.

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ABSTRACT

How discourse explains the actorness: the case of “shrinking civic space” in the statements of the EU delegations.

This study aims to examine how systemic factors shape the capabilities of a normative actor to project its power through the discourse. By looking into the statements of EU delegations related to shrinking civic space this study will identify patterns and variations in the EU discourse depending on the level of repression in the third country. We will claim that in the countries where civic space is closed – the space for exercising normative action gets also extremely limited despite the assumption that severe violations should entail more normative action. The trend of shrinking civic space will be regarded as reflecting global struggle between liberal and non-liberal agendas over what is to be considered as normal. Driven by social constructivism and critical discourse analysis, the study concludes with supporting the initial claim and providing evidence for limited capabilities of the EU to openly stand for civic freedoms in the closed countries. Overall research contributes to the scholarship on normative actorness, EU democracy and human rights promotion, and application of mixed methodologies for conducting textual analysis. Wholesome mapping of the discourse of EU delegations on shrinking civic space may serve a building block for further enquiries.

Key words: normative actorness, shrinking civic space, systemic factors, discourse, statements of EU delegations

Word count: 16 000

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Appendix 1 Repressed space

Appendix 2 Closed space

Introduction

Pressure on civil society in the recent years has reached its peak. According to Guardian “human rights groups around the world are facing their biggest crackdown in a generation as a wave of countries pass restrictive laws and curtail activity” (Sherwood 2015). International Center for Not-for-Profit Law reports that between 2012 and 2015, more than 120 laws restricting civic freedoms were proposed or implemented in 60 countries (Rutzen 2015). In the same line, Civil Society Watch Report 2017 informs that attacks on civic freedoms occurred in at least 106 countries, which means that violations of civic freedoms “have become the norm rather than exception” (State of Civil Society Report 2017) . Combined with financial constraints of civil society actors, the restrictions put on civic freedoms severely challenge path to inclusive societies, leading to tension, instability and conflict (Carothers 2016). This indicates a global trend often referred to as shrinking civic space.

But what is the root of this phenomena? Going beyond the surface, we will find out that the indicated increase of repressions reflects a larger systemic struggle between liberal and non-liberal agendas. Indeed, civic space restrictions in most cases are justified by the necessity to protect state sovereignty, while foreign support for civil society as well as promotion of democracy and human rights are connected to liberal values and liberal regimes (Gershman & Michael 2006). Academic studies have conducted mapping the phenomenon of closing space, identifying its scope and depth, its characteristics and evolution over time (Wolff & Poppe 2015, Rutzen 2015, Carothers 2016; Gershman&Allen 2006; Dupuy et al. 2014). In the meanwhile, according to Jonas Wolff and Annika Elena Poppe “existing accounts largely ignore, or deliberately downplay the normative dimension of the problem at hand” (Wolff & Poppe 2015). By viewing restrictions on civic space through the lenses of global struggle over what is to be considered as normal, our study aims to explore the link between systemic factors (such as level of oppression) and capabilities of the libel actors to project their norms through the discourse in the repressed countries. We will assume that power relations can be exercised and negotiated in a discourse (Fairclough and Wodak 1997). The normative actor we focus on will be the EU.

The EU is positioning itself as guardian of democracy, principals of good governance, fundamental civic and political rights such as freedom of expression, assembly and association. The best protection for the security of the EU is seen “in a world of well-governed democratic states” and the most effective solution for strengthening world-order according to the Council lies in spreading good governance, supporting reforms, establishing the rule of law, and protecting human right (Council, 2003, p. 12). Regarding shrinking civic space, the European Parliament reported that the EU has reiterated a commitment to address this problem in the last three or four years. As report holds “the shrinking space problem is on its way to being mainstreamed at the heart of EU foreign policy (European Parliament 2017)”. In this context it should be also indicated that possibilities of the EU to exercise international actorness and project its norms have substantially increased due to appearance of High Representative for the EU Foreign Affairs and EU's diplomatic service (Bretherton 2006). As indicated by the fist High Representative Catherine Ashton we can compare human rights, democracy and rule of law with “a silver thread that runs through everything EU does in external relations” (Ashton 2010). In the same speech she stated that the appearance of EEAS is strengthening the ability of the EU to speak out with one voice (Ashton 2010) which is quite essential for driving forward often contested normative agenda.

Considering all the above, we might assume that the more civic space is repressed– the more vocal EU delegations in a particular country would be. But this apparently is not the case and here is the puzzle. By means of the current research, we will test this hypothesis and try to falsify it. We will claim that in the countries with closed space – the space for exercising normative action and projecting norms through the discourse gets also limited. Testing of the hypothesis will happen by comparing statements issued by EU delegations in countries with closed in repressed space (as defined by CIVCUS).

- ***Our research question would be:*** How does discourse of EU delegations on shrinking civic space vary depending on the level of repression and what does it tell us about the capabilities and constrains of the EU normative actorness?

Thus, our research will aim to provide explanation for the capabilities and systemic constraints of the EU normative actorness by conducting a wholesome analysis of statements on shrinking civic space issued by EU delegations in third countries. Now, we will shortly outline the structure of our study. In the first section we will introduce central concepts such as actorness, normative actorness, EU diplomacy and shrinking civic space. Our goal here would be to provide definitions for the concepts, outline academic debates and show how it relates to our study. Then we will present social constructivism and discourse analysis as theoretical premises for our research followed by motivation for the choice of statements as a material. Lastly, before engaging into analysis of the statements we will outline our research design explaining, inter alia, methodology, framework for analysis and limitations of our study.

1. CONCEPTUAL FRAMEWORK

While aiming to get an insight into capabilities and systemic constraints of the EU normative actorness we will first look into academic debates on the higher level of abstraction on EU **actorness** in general. Then, going down to the ladder which is closer related to our enquiry we will map out existing research on **normative aspects of EU foreign policy**. We will also be interested in literature focused on **EU diplomacy** and its role in promoting normative agenda. Lastly, we will motivate the choice of **shrinking civic space** as a theme and provide its definition. In each of the sections we will relate existing scholarship to our study and show where our contribution will be placed.

1.2 EU actorness and criteria of actorness

The nature of EU actorness and the EU role in global affairs has been in the focus of academic debate since 1970s. The central point of contestation revolves around the fact that actorness as a concept was initially designed within the realist school of thought as a feature of a nation-state that depicts its capability to project power and influence other actors on the

international arena (Beauguitte et al 2015, Dryburgh 2008, Huigens & Niemann 2011). And although the international system increasingly got populated by important non-state entities, as Wong and Hill affirm “the dominant paradigm in international relations still conceives of foreign policy as essentially the *domaine réservé* of sovereign governments, and therefore exclusive to the states (Wong and Hill, 2011: 3)”.

Using this line of argumentation, scholars continue questioning the status of the EU actorness. Some of them claim that since the EU is neither a state in its traditional realist understanding nor a political entity which is constituted, it cannot act rationally and thus, its actorness cannot be regarded as complete (Rosamond 2005). In the same vein, some scholars perceive the EU as an actor only to the extent it has a property of a state, which also stands for a limited version of what actorness may entail (Kratochvil 2013, Cmakalova& Rolenc 2012).

The alternative version of looking on EU actorness and role in global affairs is considering it as *sui generis* entity. This particular approach will be applied in our research since it provides the most suitable lenses for investigating normative aspects of EU policies. Accordingly, EU falls into completely separate category in relation to other actors and is perceived as having a unique potential to influence international environment. As Allen and Smith contend, since state-centric paradigm excludes a lot of what is distinctive and significant about the EU, drifting away from it provides better opportunities to appreciate and evaluate the influence of European Union in international politics (Allen and Smith 1990).

Along with debate on the nature of the EU actorness, another remarkable discussion has developed around the criteria which are to be fulfilled to be regarded as an international actor. Here we should first mention contribution of Gunnar Sjöstedt who suggested that to be regarded as international actor European Community should meet two conditions: internal cohesion and autonomy or separateness from what constitutes its internal environment (Sjöstedt 1977). Inspired by emerging process of European integration Sjöstedt also introduced a concept of *actor capability* meaning “the capacity of an autonomous unit to behave actively and deliberately in relation to other actors in the international system”

(Sjöstedt 1977). Noteworthy, this concept successfully travelled beyond European intergation theory into scholarship on international actorness in general (Drieskens, 2017).

The following academic breakthrough on the nature and criteria of EU actorness occurred in 1990-s (Drieskens, 2017) most important being two pieces of research, - one by Bretherton and Vogler (1999) and the other one - by Jupille and Caporaso (1998). To explain actorness Bretherton and Vogler have built a framework consisting of three pillars - **presence, opportunity and capability**. Jupille and Caporaso presented different understanding of actorness, incorporating in it such dimensions as **recognition, autonomy, authority and cohesion**. Interestingly, even though those pieces of research originated approximately at the same time, were investigating EU in similar spheres, were based on the same literature, and were both aiming to provide operationalisations of actorness, as Drieskens points out, there were some important differences in those studies both in approach and research ambition (Drieskens 2017). Namely, Bretherton and Vogler concentrated on EU as a sui generis entity the actorness of which being also sui generis. On the other hand, Jupille and Caporaso were trying to develop a framework which will be relevant for studies beyond the EU. Another difference is that while both studies were focusing on variables linked to internal functioning of the EU, the one of Bretherton and Vogler put a special emphasis on systemic variables (such as opportunity) and variables related to identity (such as presence) (Drieskens 2017). In this way, contribution of Bretherton and Vogler serves as one of the major sources of theoretical inspiration for the current research.

The aforementioned ways of operationalizing actorness subsequently provided basis for investigation of EU actorness for other scholars, who proposed different variations and combinations of the proposed criteria, adjusting them to their respective purposes (as example, Groen or Beauguitte). However, it is relevant to keep in mind that while tailored criteria may enable to explore in detail specific aspect of EU functioning, “mixing and matching” may result in blurring the research field and making it more complicated to compare over time and over policy. Operationalization of EU actorness turned out to be not an easy task. Many researchers emphasise that criteria used for evaluating actorness often overlap, and even contradict each other (Groen and Niemann 2013, Kissack 2008). Those authors claim that commonly used criteria of actorness are not fully reflecting the complexity of the EU nature (Costa 2013), are limited by inward-looking attitude (Niemann and

Bretherton 2013) and do not separate EU actions from actions of its member states (Gering et al 2013). The suggestion of redefining the existing criteria doesn't seem to remedy the problem, neither does the suggestion to take inspiration from broader theories (Gering et al 2013).

It seems crucial however to strive for conceptual clarity while exploring the EU actorness. Thus, current research will be based on the assumption that the EU is a sui generis entity with supranational identity which is operating in the constantly changing global system. Regarding criteria of actorness, current research will adhere to the framework developed by Bretherton and Vogler consisting of **presence, opportunity and capability**. In this way, we will avoid 'mixing and matching' which usually comes as a result of introducing new criteria. Moreover, the proposed framework enables to look into systemic variables such as opportunity structure which is essential for reaching the objectives of our research. The novelty of our study will lie in the fact that we will not discuss criteria of actorness one by one, instead, we will aim to look at **how those criteria relate to each other**. To be more concrete, we will test how the opportunity structure shapes the presence and capability of the EU normative actorness. Having said that, we proceed to the following section which provides an overview on the normative dimension of EU actorness, and what aspects of it will be relevant or applicable in the context of our research enquiry.

1.2 EU as a normative power

"Defining the EU's foreign policy in normative terms means that the EU's power cannot be reduced to either military or purely economic means; rather, it 'works through ideas, opinions and conscience'"

Thomas Diez & Ian Manners (2007)

Actorness and role of the EU in international politics is closely linked to the concept of normative power, which has been introduced by Ian Manners in 2002 (Manners, 2002). As Richard Whitman contends, this article of Manners as well as his further contributions have provoked "a neo-normative turn" in theorizing EU role and presence on the international arena (Whitman, 2013). The debate namely revolved around principles and values, ideas and visions which EU is adhering to and which explain EU's unique identity (Manners 2010, Youngs 2004). This debate is quite essential to consider while developing

theoretical underpinning for the current research since it is the normative dimension of EU actorness we are going to closely investigate. As Maull indicates, the pursuit of rule of law, democracy and social justice, as well as multilateral approach to international relations all stand for EU normative foundation (Maull, 2000).

First of all, we should notice that even though Manners was the first researcher who coined the concept “normative power” with regards to EU, the ideas around norms and values in politics as well as uniqueness of the EU power are not that novel. For instance, in early 60s Edward Carr marked that power over opinion exists separately from military or economic power (Carr, 1962). Later on, Duchêne attributed to the EC the quality of “*idée force*” which is capable of projecting ideas of Europe to the broader political settings (Duchêne, 1973). Galtung in his turn provided idea of “ideological power” being structural resource while penetrating and shaping the will of its recipient (Galtung 1973). For the last two decades, normative theory has been developed and actively used in the academic scholarship providing insights on normative dimension of power and actorness (Cochrane, 1999). And lines with normative power EU has been described as ‘*civilian power*’ (Duchêne 1972), *ethical power* (Aggestam 2008), *quiet superpower* (Moravscic 2002), ‘transformative power Europe’ (Grabbe 2006), *responsible power* (Mayer and Vogd 2006).

However, despite all the flourishing debate, it is the normative power of Manners which became the integral umbrella concept in the scholarship provoking and facilitating the alternative conceptualization of EU role in the global affairs and neo-normative shift in its theorizing. While Duchêne and Galtung introduced and established “the basics”, Manners initiated a new fresh wave of re-thinking EU essence, actions and impacts instead of taking them for granted (Manners, 2006). Noteworthy, according to Manners, the reasoning behind introducing the concept of normative power is rooted in the necessity to frame the politics of post-Cold War world into a more principle-oriented way to capture the leading role of the EU in promoting democracy, human rights and rule of law (Whitman 2013 Neornormative turn). This lies very central to our research; thus, normative power will be taken as one of central pillars of our theoretical framework in line with critical constructivism and critical discourse analysis which will be elaborated in detail in the following section. Consequently, it is important to emphasize which aspects of “normative power” debate is relevant for

dealing with our inquiry and how specifically “normative power” concept frames our research enquiry.

Thus, we shall pose a question: what does it mean to be normative? Manners has answered this question by stating that being normative implies altering norms, perceptions and standards of the world affairs, which are bound by being state-focused (Manners, 2008). By accepting Manners framework, we are going to reach out beyond state-centric approach in our research, assuming that international arena is populated by different actors of different character. Adding to this, we would place an emphasis on the importance of using discursive structures for building perceptions of what is normal in the increasingly multipolar as well as strive to understand what the discourse itself might tell us about the normative nature of its creator. Since normative theorizing is primarily focused on setting standards and diffusing norms rather than exercising economic or military power (Diez and Manners, 2007), it is by means of normative theorizing we are going to achieve the objectives of the current research.

According to Manners, there are two aspects of power which is normative: being normative and being inclined to act in a normative way (*Manners* 2002, Whitman 2013). Explanation to being normative according to Manners lies mainly in a hybrid nature of the EU as an entity which combines in itself elements of being supranational and intergovernmental at the same time. Historical context and legal treaty-based constitutionalism add two more angles to this explanation (Manners 2002). However, being normative and influencing others by being rather than by acting won't be explanatory line for the current research even though it is one of the strongest claims of normative power theorizing (Manners 2002). Instead, we will be more interested in the other aspect of normative power, namely, **acting in a normative way**. Since EU acts in a normative way due to its normative nature we assume that we may draw conclusions on the normative nature of the EU by looking into EU actions. In this regard, we will follow the advice of Aggestam to concentrate more on what EU does than what it is (Aggestam 2008). By acting in a normative way in the current research we will mean projecting interests and norms by the means of diplomatic rhetoric's which will be explained in more detail in the following section. We will assume that analysis of the acting part will enable us to draw conclusions about the nature of “the normative beast”. In the context of our research acting of the EU delegation will lie in issuing a statement related to shrinking civic space issues.

Noteworthy, while many authors focus on the effectiveness of EU action (Brattberg and Rhinard 2013, Drieskens 2013) or inconsistency between rhetorical promises and actions on the ground (Bosse, 2013), we will add to existing literature by exploring what normative action tells us about the nature of the EU as a normative actor. Moreover, we will try to find out how such systemic factor as the level of repression on civic space constrains the normative actorness of the EU.

Importantly, being normative and acting in normative way does not imply being naïve. Jan Hornat in his research provides convincing support related to this statement. Taking democracy promotion as an example, he contends that democracy promotion should not be viewed as solely representing the normative aspect of EU foreign policy since strategic pay-offs of this policy are great (Hornat 2016). Following his argument democracy promotion may be analyzed from geostrategic perspective as shaping attitudes and perceptions of the countries who currently find themselves in the period of transition (Hornat 2016). Another author has importantly mentioned that multilateralism and ‘soft crisis management’ promoted by the EU possibly have strategic underpinning (Simon 2012). Thus, in the current study we won’t assume that being normative and being pragmatic are mutually exclusive stances. On the opposite, by exploring EU rhetoric’s on shrinking civic space we will try to find out the structural logic behind EU behavior.

We also need to emphasize that our research will be particularly interested in understanding how the capacity of acting normatively is affected by power shifts in the international system. This strand is quite novel in the field of normative or neo-normative theorizing. Here we should mention the contribution made by Kavalski who investigated normative struggle between EU and China. His findings suggest that recognition is of crucial importance for promoting normative agenda since normative power is the one who got recognition from “the others” (Kavalski 2006). In the current research, we won’t aim to investigate the competition between different norms per se, but use the claim of competing agendas as bedrock for understanding the restrictions which EU “normative power” is facing.

Lastly, the concept of ‘structural foreign policy’ is worth mentioning since it is related to the normative power framework, as well as reflects general theoretical angle which

our research aims to undertake. In comparison with traditional foreign policy, structural foreign policy is targeting economic and social structures of third parties in the middle and long term using different tools (such as diplomatic measures, sanctions, etc) (Tello 2001; Whitman 2013). In the case of EU, the ambition is to exercise this structural power in “enduring and sustainable manner” (Keukeleire and MacNaughtan, 2008). Our research will strive to see whether EU is structural and consistent in the way it uses its normative tools. Thus, the following section will explain more the fundamentals of EU diplomacy and how this field will turn into a testing ground for our study.

1.3 EU diplomacy

Norms are being diffused through particular channels and diplomacy is one of them. In relation to this, scholarship has pointed out that the EU has substantially advanced its position as an international actor due to Lisbon Treaty (1992) and, specifically, due to appearance of High Representative for the EU Foreign Affairs and EU's diplomatic service - European External Action Service (EEAS) (Bretherton 2006).

More recently, the concept of a 'European system of external action' has been introduced (Beauguitte et al, 2015) which again indicated strengthening of the EU position in external relations. The prototypes of EU delegations existed as representations of European Commission long before Lisbon but the scope and possibilities for their performance couldn't be compared with those 'embassies for Europe' we have got nowadays. This whole process is remarkably called by Austermann as “centralization of European diplomacy” and depicts growth of the network of EU delegations, their increased role in coordinating activities of the member states, growing unity in external representation and developed diplomatic professionalism (Austermann 2014).

Thus, there are solid reasons to contend that the EU is gradually developing numerous ways to diffuse its norms and express its voice by diplomatic means, which in many instances are alike to those which are at the disposal of the states (Ginsberg 2001, Voncina 2011). On the other hand, this advancement and centralization of the EU diplomacy

signifies dissolution of state sovereignty in favor of other entities, such as those with supranational features (Austermann 2014).

EU's diplomacy has got characteristics of multi-level system of representation and communication, giving the reason to call the nature of **EU diplomacy as hybrid** (Smith et al 2015). It is important to keep in mind though that sui generis character of the EU has direct implications on the way EU diplomacy operates, entailing both - opportunities and limitations. The international status and credibility of the EU in its diplomatic relations still haven't been resolved by Lisbon treaty (Smith et al 2015) even though it called for using new instruments and tools in diplomacy and strengthened institutional set up. There are serious tensions on different levels between agents and institutions which complicates the pursuit of strategic, structural and transformational diplomacy (Smith et al 2015). Many scholars are focusing on this particular puzzle, namely, how interaction between member states within the EU affect the EU actorness, coherence of its action and the unity of representation (Schmidt-Felzmann 2008, Smith 2004). Our study, however, will presume that the voice of the EU delegations on issues related to shrinking civic space already represents the result of multilevel negotiations. Thus, we won't be interested in looking into the game of interests and power which every time is being played out on the different levels (domestic and international being an example) to achieve unity on certain action (Putman 1988).

With regards to other types of **constrains and opportunities** of the EU diplomacy, we should refer to Hocking and Smith who summarized them in a framework consisting of three elements: **boundaries, capacity and legitimacy** (Hoking and Smith 2011).

As for boundaries, it is stated that the boundaries of the EU diplomacy were expanding gradually over past couple of decades. But as for the role of EU diplomacy, we should note that the views and opinions expressed on this subject are rather contradictory. On the one hand, some scholars comment that the added value of the EU diplomacy at best lies in complementing national embassies and Ministries of Foreign Affairs (Boomgaarden et al., 2009). Others, give a more pessimistic prospective stating that the new-born European diplomatic service may become just another institution in the jungle of other EU intuitions in Brussels with modest or no impact at all (Adebahr, 2013, Vaisse 2010). On the other side,

some academics argue that EEAS may indeed challenge the traditional structure of state embassies and even their existence (Murdoch et al., 2013, Sek, 2012). That is how the centralization of the EU diplomacy may achieve its peak (Smith et al 2015). After all, the boundaries the EU diplomacy did expand even though the diplomacy itself it still viewed as belonging mainly to the realm of high politics (Glarbo, 1999).

While discussing the capacity, it is stated that diplomacy of the European Union has been constantly facing legal and institutional challenges, some of those originating from the demand to act on the ad hoc basis in the context of flux international environment (Smith et al 2015). Along with legal and institutional aspects, another difficulty appeared from the diffusion of agency in the foreign policy of the European Union which made it complicated to define the resources for pursuing European tasks. Thus, the allocation of the resources which underpin the EU capacity to operate still has not been fully resolved and defined by the treaties and treaty-revisions which result in serious tensions and disputes. In addition to this, many scholars lift up the question of 'capability expectation gap' meaning and proving that in many cases the stated objectives of the EU diplomacy and external action do not meet the achieves made on the ground (Hill 1993, Nielsen 2013).

Finally, legitimacy of the EU external action has also provoked reasonable amount of scholarly attention. While talking about legitimacy we should cover both its aspects – internal and external. Internal legitimacy touches upon the already mentioned discussion on the difficulty to fuse voices coming from different levels and institutions of EU into single voice. According to Smith, the appearance of newly established European system of diplomacy can be regarded as a heroic effort to maintain legitimacy through institutional arrangements (Smith et al 2015). However, leaving this discussion aside, current study will be more interested in external aspects of legitimacy. We will assume that the EU voice on shrinking civic space issues channeled by EU delegations is a way to legitimate to EU policies in human rights and democracy promotion. Thus, in terms of representation and communication this type of diplomatic action presents the EU as normative actor which accounts for building its normative identity internally and accounts for being perceived as being normative actor by third parties. The term of legitimacy taken from this angle is echoing with the term of recognition suggested by Kavalski (Kavalski 2006) meaning that to legitimate is to be recognized and vice versa.

To summarize discussion on opportunities and restrictions of EU diplomacy we should point out that majority of scholarly work has been devoted to explaining those through the unique nature of the EU. The most significant problem which has been widely identified and analyzed is the one of consistency and coherence (Gebhard, 2011). Multi-institutional character and complexity of the EU as an entity entails challenges of vertical and horizontal coherence in the EU external action meaning respectively coherence between levels of governance and coherence between policy areas (Smith et al 2015). This is amplified by the fact that there is not central and highest decision maker who can set the priorities, distribute the resources and control for coherent line in the policy choices.

As for the general functions performed by diplomacy, according to Hocking and Smith those lie in **representation, communication** and **negotiation** (Hocking and Smith, 2011). Though the EU is a unique international actor, and its diplomacy has peculiarities, those functions should not be disregarded in the context of our research since they can be linked to exercising normative action. For instance, while making a statement on shrinking civic space the EU communicates a certain message, at the same time this statement is representing EU in the country where it has been issues. While conducting the analysis of the statement we will include the question of self-presenting frames from which we are going to draw insights specifically on the self-EU representation and how it varies depending on the environment in which the EU is operating.

Overall, the European system of **diplomacy has been called “diplomacy of different speeds”** admitting that the voice of the EU towards China will be genuinely different from the voice of the EU towards Canada or Lesotho (Austermann 2014). The insight into the logic of these different speeds has been remarkably tested by looking into the level of centralization of European diplomacy (Austermann 2014). Importantly, the inquiry of current research is also inspired by expected variations in the voice of EU diplomacy towards third countries. Taking shrinking civic space as a theme we will map-out and compare normative rhetoric’s of EU delegations in countries with closed and repressed civic space and find out in how different the levels of repression in a third country affects EU normative response.

1.4 Shrinking civic space

For the purposes of the current research we will define civic space in line with definition of CIVICUS monitor as containing the right for association, the right for peaceful assembly, the right for freedom of expression – “three fundamental rights outlining the boundaries within which civil society can operate” (CIVICUS 2016). The right-based definition is suitable for us from both conceptual and operational sides. As a concept, it covers the essence of civic space as a set of conditions enabling citizens to exercise their fundamental rights. Operationally, this definition is appropriate since it is congruent with our estimation of the levels of repression which will also be borrowed from methodology developed by CIVICUS. Namely repressions will also be operationalized as attacks on the right of association, the right to peaceful assembly and the right to freedom of expression. Thus, sticking to one definition will enable us to stay consistent and safeguard the validity of our findings.

When it comes to the concept of shrinking civic space, which is empirically central for our research, we should mention that it has appeared quite recently to capture the trend of unprecedented restrictions on civil society. This means that for the moment the concept is not deep-rooted and well-established. In parallel with “shrinking civic space” we may find reference to shrinking democratic space (Ake 1999), shrinking space for defenders of human rights (Statement 27/02/2018), shrinking space for independent political voices (Mogerini 2018), closing space (Carothers 2014) etc. All those variation of the concept indicate growing interest to the phenomena from the side of international community and scholars. However, this abundance of the conceptual variations may result in a chaos where nobody can clearly define the difference between them.

Remarkably, one of the rare studies on conceptual problems of “shrinking civic space” and deconstruction of narrative on ‘shrinking space’ has pointed out on the difference in possible interpretations of the “space part” (Twomey 2017, p 3). The narrow and limited understanding of the space would be the “space to influence policy” (having space for input, participation in decision-making), on the other hand, the space can be understood as a space

to operate, to organize, to protest and to have a legitimate voice (Twomey 2017, p3). Those two meanings are drastically different and while the first one is completely depoliticized, the second one on the opposite tends to strengthen contestations. Depending on the perception of the space, the type of reaction on violations will look like and what will be considered as violation. This distinction bears important implications for those who operate in this space, for those who defend them and for those who violate their rights.

Current study sticks to the concept “shrinking civic space” and puts an emphasis on the importance of maintaining conceptual clarity. We will assume that the EU is adhering to a broad understanding of shrinking civic space which encompasses restrictive measures against all the important civil society actors such as civil society organizations, independent journalists, human rights defenders and covers all types of insults on three core civic freedoms. Moreover, while looking into the statements of EU delegations one of the questions we ask will be precisely how the shrinking space is conceptualized. We expect to see which concepts EU delegations apply to indicate the violations on civic freedoms, how the conceptualization varies between closed and repressed countries. We deem that keeping discourse consistent is relevant for building a consistent narrative, consequently, this study will explore how the EU is coping with this task.

Even though a cross-cutting issue, shrinking civic space is most closely related to EU democracy and human rights promotion; we may even assume that shrinking civic space is incorporated into this broader theme. Historically, democracy and human rights promotion have gained a legal basis under the Maastricht Treaty, when the EU was given a *de jure* obligation to set respective normative objectives and carry out respective normative policies. From that moment democracy promotion “sits at the heart of the EU’s efforts to find an international role for itself” (Pridham 2007). However, despite voicing about the absolute priority for the human rights and democracy promotion, the EU is often criticized for taking an ambiguous approach to these policies because of other, more relevant issues such as economic interest, geopolitics consideration, security, etc. It holds the same regarding shrinking civic space, thus, we might expect that academic interest will again be focused on examining double-standards between rhetorical promises and real politics. Our

study is different in this regard since it focuses on discursive practices and strives to put into the spotlight the necessity to define the concepts.

Remarkably, to this date in the EU there is no definition of democracy which could be considered as formal. Instead, in its official documents and foreign policy instruments the EU is referring to essential elements of democracy such as rule of law, human rights and fundamental freedoms, transparency and accountability (Omelicheva 2014). Whether or not an official definition of democracy should be adopted is a question which is out of the scope of our study, what would be of interest for us is whether the EU is applying concept of democracy in its interactions with third countries, especially, whether it uses the concept in relation with countries which cannot be considered as liberal democracies. Scholarship on this topic is not that broad. But Jan Hornat in his article “Closing the closing space: sustaining democracy promotion in European foreign policy” provides quite valuable insight. While comparing EU and US democracy promotion he comes to the conclusion that in dealing with third countries EU is refraining to use the term democracy promotion or democracy leaning towards using more neutral “good governance” (Hornat 2016). The latter term is less ideologically flavored, thus according to Hornat “signifies a strategy of reacting to democratic backlash” (Hornat 2016). This point is crucial since it implicitly suggests that the choice of conceptual frames is driven not only by overall approach of a certain actor but also by systemic factors such as level of normative confrontation in a particular country as well as on the global level. This systemic factor cannot be disregarded. While looking into the statements of EU delegations we will pose a question whether the EU is incorporating the term democracy into its rhetorical response to shrinking civic space, whether it is applying any other term and whether this varies depending on the level of repression in the third country.

2. THEORY AND MATERIAL

In this section, we will motivate the choice of *social constructivism* as our wider theoretical ground and *critical discourse analyses* as our theoretical and methodological tool. We will give a brief introduction on social constructivism illuminating its most relevant aspects in the context of our research. This will be followed up by presenting critical discourse analysis, how it has been applied to research on the EU actorness, how it suits for exploring normative dimension of policies and why it is the best choice of method for answering the questions we pose. In the third part of the section, we will elaborate on the choice of statements of EU delegations as a material for our study and show how we will tangibly contribute to the scholarship on the topic.

2.1 Social constructivism

Social constructivism started to be extensively applied in social science since the late 1980s early 90s, the major contribution to this being made by Foucault, Lyotard and Derrida (Fierke & Jørgensen, 2001, Dias 2013). Social constructivism contends that our world is artificially constructed and is accessible to us mainly via different ways of categorizing it. Moreover, constructivists argue that social problems are related to certain ‘problem owners’ who impose their vision and definition of the problems on other actors (Gusfield, 1981). In this way social constructivism has made a substantial input into the theory of organization as mobilization of bias introduced by Elmer Schattsneider. Under mobilization of bias was meant that all forms of organizations are prone to have a bias of exploiting various conflicts or tensions. Constructivism has refined this theory by looking more closely into the process in which some concepts and definitions are ‘organized into politics while others are organized out’ (Schattschneider 1960)

This aspect is particularly relevant in the context of our research since shrinking civic space can also be regarded as organized into politics or organized out, depending on the willingness and activism of certain actors to mobilize the bias. Thus, it is important to know

exactly how the problem is defined, which aspects are getting more attention and which are left out of the spotlight. Remarkably, while positivist methodologies are often criticized for failing to spell out the problem of representation, social constructivism is covering this gap by focusing on how the problems are defined and who are those “masters of definitions” (Hajer 1997). This is exactly what our research aims to achieve by looking into statements of the EU delegations in order to get an insight on the EU normative actorness.

More to this, among different theoretical approaches, social constructivism is considered to be the most suitable for exploring ideational aspects of policies (Morin & Carta, 2014, p.30). For instance, according to Korsgaard, constructivism is perceiving normative concepts not as labels for facts, events and objects that we encounter but rather as “the names of the solutions of problems” (Korsgaard 2008). Consequently, constructivism provides a solid framework for research on normative concepts and normative actorness; moreover, it enables to look at democracy as social form (Schmidt, J 2015) which is relevant to keep in mind while taking shrinking civic space and EU democracy promotion as a central theme.

Another important aspect that should not be overlooked is how constructivism is approaching the concept of identity. According to constructivism, since the interests and policies of the actors are formulated within certain frameworks of meanings, they are not perceived as exogenously given. Those preferences and choices are derived rather from understanding of the world and identity of those actors (Tora Christiansen 2004, Weldes 1996). In the context of our research theme, Jurado observes that speeches from EU representatives imply that the EU’s approach towards human rights abroad is drawn from its identity as a “community of values”. This point is instrumental for our research since discourse of EU delegations will be investigated as closely intertwined with EU identity, the importance of narrating shrinking civic space problem for constructing and upholding this identity will be emphasized. We will go in line with scholars who believe that the internal stability of the EU is contingent upon the coherence of a single European – and particularly EU – identity (Habermas, 2006; Welle, 2013).

Social constructivism is in no way homogenous, it has given origin for various branches which spring from the same root but diverge in epistemology, sources of inspiration and methods they apply (Price and Reus-Smit 1998, Fierke and Jørgensen 2001). For instance, Checkel has defined three main variations of constructivism: conventional, interpretative, and critical/radical constructivism (Checkel 2007:58). Interpretative and critical constructivism belong to post-positivist tradition and investigate the social world in a way which is rather different from the conventional constructivists. Conventional constructivists in most of the cases explore the role of norms in the development of political outcomes looking into the causal link between the norms (which are taken as a given) and political outcomes. On the other hand, interpretative and critical constructivism are exploring the discursive practices which shape those norms and make them existent (Schwellnus 2005).

In the current study will follow the framework provided by *critical constructivism* since it enables to establish the connections between the material and discursive reality, expanding beyond pure linguistics and engaging into structure-agent interactions as well as the whole process of systemic transformation and change (Adler & Pouliot, 2011). Critical constructivism presumes that agent-structure interactions and decision-making in general are influenced by both endogenous and exogenous factors (Andreatta, 2005, p. 31). In this context structures are interpreted as entities that are historical, social, and discursive, thus, dynamic and changeable (Copeland, 2006, p. 7). This point provides fruitful background for investigating the impact of structure (in our case - the level of repression in the third country) on the discourse derived from the statement of EU delegations on shrinking civic space.

While preserving the interpretative approach, the focus of critical constructivism is less on the language as a means of persuasion as it holds for conventional constructivism, but more on discourses, speech acts and structures of argumentation as reflecting power, interests and perceptions of a certain actor (Diez 1999). Thus, critical constructivism enables to critically analyze the practical consequences of discursive struggles and relate it to the social reality which is both material and discursive.

2.2 Critical Discourse Analysis

Critical constructivism is allocating big importance to the role of language and discourse and leans towards applying critical discourse analysis as a methodological tool. By means of critical discourse analysis one can critically elaborate upon and interpret certain patterns of the actor's behavior and practices (Nitoiu & Tomic 2015: 95). As pointed out by some scholars, critical discourse analysis provides a decent basement for investigating the nature of international actorness (Larsen 2004). Critical discourse analysis has been also extensively applied in European Integration studies. Some authors have shown how institutions, legislation and EU community itself are shaped by communication and discourse (Schmidt 2010). A separate pull of scholarship has been focusing on foreign-policy decision-making on the EU level by means of analyzing political rhetoric's or communicative action (Schimmelfennig 2001). Others focused on EU external policies, analyzing issues related to securitization, legitimacy, representation and identity-building applying poststructuralist approaches (Buzan, Wæver and de Wilde 1998). The seminal study on investigating EU foreign policy by means of discourse analysis has been introduced by Caterina Carta and Jean-Frédéric Morin (Carta & Morin 2014). Our research will add to existing scholarship on application of discourse analysis and take full advantage of theoretical lenses it provides to addressing normative actorness of the EU by looking into statements of EU delegations on shrinking civic space.

To maintain the conceptual clarity, first and foremost, **we will define what do we mean by a discourse.** Discourse can be widely encountered in social research as a macro concept focused on how the linguistic structures called also as structures of signification construct and constrain social reality. Language in this context can be seen as both enabling and constraining the choices of the actors, and even more - as generating actors and social processes (Tonra, B, & Christiansen, T 2004). Discourse may mean different things; thus, it is essential to tailor the definition of it to the purposes of a concrete research. As one of the researchers wisely said: "the word discourse is meaningless until the scholar fills it up with a meaning" (Gomm 2004 246).

Discourse in our research will be defined along the lines with Michel Foucault as „limited range of possible statements promoting a limited range of meanings” (Foucault 1989). It will be regarded as an instrument of power and domination, as a structure which creates oppositional and asymmetrical relations of power (Dias 2013). As Fairclough and Wodak claim, through discourse analysis we can study how power relations are exercised and negotiated in a discourse (Fairclough and Wodak 1997). It should also be added, that the discourse may dwell independently from social artifacts, reflecting not mere words but broader ways of thinking (Philips, Hardy 2002: 3-4). Accordingly, critical discourse analysis is the tool which reveals relationships of power, representations and prejudices that are not always explicit (Beauguitte et al 2015).

After defining discourse as a term, it should be explained how and why **CDA suits for meeting our research objectives**. First, critical discourse analysis is particularly valuable for addressing EU actorness since it critically explores social structuring which is manifested through language and scrutinizes obvious and hidden structural relationships such as of power, dominance and discrimination (Rasmussen 2009, Teun A 1993). It provides a toolkit for investigation on how certain practices and texts are derived from the power relations between agents and how more fundamentally the relations between discourse and society look like (Fairclough 1993). By examining the process through which policy meanings are transmitted, it is possible to determine not only what a particular policy means but how it means (Yanow 1996). Regarding normative aspect involved in our study, it is particularly important that critical discourse analysis seeks to show that we need a much more refined understanding of the interactions that construct the reality, in particular the way the empirical is embedded into the normative. (Fisher 2003).

Methodologically speaking, CDA gives central role to the analysis of text and linguistics to show how the meanings are formed. It should be clearly distinguished from another widely used macro approach for analyzing discourse, namely, discourse theory. Discourse theory introduced by Laclau and Mouffe aims to identify and examine discourses more broadly without engaging into specific linguistic details (Laclau and Mouffe 2001). Current research will take to the details of text to derive from it certain pattern, methodologically strictly adhering to CDA. More detailed explanation of our analytical

framework will be provided in the research design section. Before that, we will motivate the choice of statements of EU delegations as our research material.

2.3 Material for the study: Statements of EU delegations

This section aims to explain what is the relevance of the statements of EU delegations for exploring EU normative actorness. Thus, we will first outline the role of the statements as a diplomatic tool, focusing mainly on the objectives of issuing a statement. In this way, we are going to motivate the choice of statements issued by EU delegations as a material for our study. Then, we will look at academic literature which illuminates EU context of exercising declaratory diplomacy. While covering the questions above, we will also show how our research will contribute to the existing scholarship on the topic.

To start off, we should emphasize that opinions on the role of EU declaratory diplomacy are rather contradictory. Pessimists claim, for instance, that statements of EU delegations do not make a difference at all (Jørgensen 2014). According to Lehne, in many cases those statements are “mere empty words without the substance” issued in order to give the impression of being as an important actor on the international arena (Lehne 2011). Other authors indulge in evaluating the statements in relation with the actions on the ground stating that self-aggrandizing rhetoric of the EU has led to unrealistic expectations of what the it can achieve (Mayer 2008). Consequently, the warning comes that conceptualization of the EU as a normative power through discourse is so close to being exact reflections of the Union’s own rhetoric that it “sets the alarm bells ringing” (Sjursen 2006).

Anyway, despite the strong criticism, the role of diplomatic statements can be viewed from a completely different angle. Antoine Feron is stating that declaratory diplomacy is a staple of contemporary diplomacy (Feron 2015). Accordingly, issuing a statement enables to show presence and engagement, communicate certain position and to exert political pressure (F. Wesslau, 2013). Declaratory diplomacy is expecting the response from its target, being in this aspect very different from the practice of quiet diplomacy. Importantly, as *Kinzelbach* notes, *quiet* diplomacy can not only be worthless but also counterproductive

(Kinzelbach 2015) meaning that the EU should be prepared to use its voice openly when democracy and human rights are being disregarded.

After all, it is worthy to note that the process of issuing a diplomatic statement is driven by motives summarized in literature as a triple objective (Feron 2015). This triple dimension of analysis was first developed by Barber in relation to international sanctions (Barber 1979), and then adapted and used in the EU context by De Wilde and Feron (De Wilde 2004). The first objective concerns the target, meaning that sender wants to influence certain practices of a target of the statement or convey certain message to the target. The second objective implies that the EU itself becomes a target of its statement meaning that issuing a statement not only reflects the consensus reached by different agents of the EU multilevel governance but also influences certain agents of the EU as well as future practises. This aspect deserves particular attention in the light of our study since we will assume issuing a statement on shrinking civic space is in itself contribution to the construction of EU identity as a normative power. The third objective of issuing a statement concerns third parties or international community and is aiming to accumulate support on certain issue or project the idea of EU being normative in its external action (Feron 2015).

Thus, the role of diplomatic statements should not be underestimated since they have all the potential to influence not only their target but international community and, interestingly enough, the sender itself. Concerning the statements related to shrinking civic space issues, it should be added that as an instrument of diplomatic pressure they also contribute to the “Western leverage” defined by Levitski as vulnerability of authoritarian governments to the pressure of democratization (Levitski 2005). As mentioned in the introduction, global struggle over meaning between different actors of the increasingly multipolar world will represent the backdrop of our study.

When it comes to academic studies that focused on EU context of declaratory diplomacy, we should note the contribution of Regelsberger and Wessels who presented statistics on declarations issued in the framework of CFSP along with common strategies, joint actions, common positions, mission reports, documents on enhanced cooperation as well as other CFSP-related decisions of the Council for the period from 1970 to 2002

(Regelsberger and Wessels, 2004), which was subsequently updated to cover the period from 2002 to 2005 (Bonvicini and Regelsberger, 2007).

The next study which is to be mentioned is the one conducted by Vončina, which focused again on the CFSP statements and declarations in the pre-Lisbon period (Vončina 2011). She developed typology of the CFSP statements and presented their detailed review for the period between 2005 and 2009. Her findings suggest that statements reflect the nature of the CFSP, and are primarily used to express EU reaction on certain event. Quite remarkably, they also prove the ability of the EU to create a single voice despite of all complications of decision-making (Vončina 2011).

The last study to mention belongs to Antoine Feron and is targeting post-Lisbon declaratory diplomacy of the High Representative of the Union for Foreign Affairs and Security Policy (Feron 2015). In the end, he provides quantitative assessment of statements based on geography and theme taking as a basis the analytical framework developed by Vončina (Vončina 2011).

To summarize, we would provide some critical observations with regards to the existing literature. First of all, we should point out that being driven mainly by empirical data, they lack in theoretical underpinning, as well as motivations for the methodology. Another critical comment may be directed to the fact that current literature is providing rather descriptive explanation of the EU diplomacy using quantitative analysis of the statements. Lastly, scholars set the ambition to explore actorness (Vončina 2011) concluding that diplomacy indeed reflects it, however, they never show how it happens and why it is so.

Our research will complement the existing literature by focusing on one theme in depth and using the empirical material such as statements of EU delegations to investigate theoretically strong and complicated concept of EU normative actorness. Application of critical discourse analysis will enable us to go deeper into the content of the statement than the previous studies did. On the other hand, elements of quantification will help out in doing exhaustive mapping and identifying patterns. Our study is inspired by a desire to test causal link between systemic factors (such as level of oppression on civic space) and capabilities of the EU to use its diplomatic rhetoric's. We will use the empirical data in a completely

new way aiming to identify patents and variations in the EU discourse on shrinking civic space depending on the level of oppression in the third country.

4. RESEARCH DESIGN

The aim of our study is to identify patents and variations in the EU discourse on shrinking civic space depending on the level of oppression in the third country. More crucially we have an ambition to explore how systemic factors (such as level of oppression on civic space) shape the capability and presence of the EU to project its normative actorness through the discourse. Thus, research design and methods should be selected accordingly. We will start off by explaining how we operationalize actorness and the levels of repression, then we will provide explanation for the selection of empirical data, we will proceed by presenting methodology which is tailored to meeting our research objectives. Lastly, we will outline our framework for analysis of the statements and mention what limitations our study holds.

4.1 Operationalization of actorness

To operationalize EU actorness we will use the framework developed by Bretherton and Vogler consisting of such elements as **presence, opportunity and capability** (Bretherton & Vogler 1999). The opportunity is considered to represent a systemic factor – in our case – level of repression on civic space, presence will be seen as presence by means of a discourse and capability – as capability to generate discourse in a certain way. Our study will aim to show how opportunity may influence the presence and capability of a normative actor. We expect that depending on the level of oppression the communication of EU delegations on shrinking space issues will vary. This variation will be in the focus of our analysis. The way we derive insight on capability and presence will be explained while presenting our analytical framework. Now, we would like to explain how we categorize countries by levels of oppression.

The level of oppression is the axis where we are expecting to observe the variation. It basically represents the state or the current condition for the civic space. We won't develop our own indicators for such categorization and will borrow it from existing research platform called CIVICUS Monitor.

CIVICUS Monitor is aiming to spread and share reliable, up-to-date information on the state of civic rights and freedoms all over the world. CIVICUS methodology combines several independent sources of data, and conducts its ratings and analysis based on multiple qualitative and quantitative sources (Civics Monitor. Methodology). CIVICUS Monitor is presenting itself as a research tool and by current study we will fully benefit from it by applying its mapping of the countries categorized by the level of repression on civic space.

As for the categories of countries by levels of repression which we are going to take into analysis, those would be – countries where space for civic freedom is 1) closed, 2) repressed. We have chosen those categories based on the assumption that the biggest amount of violations is occurring exactly on these ladders.

“Closed space” according to CIVICUS means that civic space is completely shut - both by law and in practice. Anyone who dares to criticize the authorities will risk severe punishment which results in the spreading of fear and violence. State is allowed to harass those who attempt to exercise their three core rights – right for peaceful assembly, association and freedom of expression. Media freedom is non-existent and online activism leads to penalties (Civics Monitor. Methodology).

“Repressed space” means that possibilities for civil society to operate are severely constrained. Criticism of those at power often leads to harassment, surveillance, imprisonment, in particular cases even to injury and death. Civil society organizations are operating in constant fear of either being closed or de-registered. Media are very much connected to state power and reflect their opinion; independent media are attacked by raiders or face legal harassment. Activism through the internet is steadily monitored (Civics Monitor. Methodology).

Thus, by means of the current research we will test how capabilities of the normative actor vary depending on systemic factors. We deliberately did not choose the third category – obstructed countries (such as Ukraine, India, Indonesia) to limit the scope of our study.

However, sadly enough, not only authoritarian countries show the tendency to insult civil society, this increasingly happens even inside western world deserves prioritized attention from scholars and policy-makers.

4.2 Selection of material

More is to be said regarding our material, from which the insights on EU normative actorness will be derived. The motivation for using statements has been explicitly provided in our previous section. However, we would love to provide some information on the selection of the material. To ensure a systematic and non-biased analysis we have collected all the statements of the EU delegations on “shrinking civic space” in closed and repressed countries in the period Jan 2015- Dec 2017. The suggested time span was deemed to be the most sensible since it enables to get an exhaustive picture of the EU discourse and its variation depending on the level of oppression. Moreover, last couple of years the repressions on civic space were claimed to be peaking and the problem of shrinking space appeared acutely on the agenda of international community and actors pursuing normative agenda.

Altogether we have collected and assessed 90 statements related to shrinking space in countries where civic space is considered to be repressed or closed. Every statement can be regarded as a case since it has been approached both quantitatively and qualitatively, on the other hand, it is the normative actorness of the EU which our research enquiry more fundamentally is focused on, thus, those many cases may be regarded as many cases inside a single case - the EU.

4.3. Methodology

Methodologically, our study relies on both qualitative and quantitative tools. Quantitative approach represented by the elements of content analysis enables *to measure specific aspects of capability and presence of the normative actor and to test our causal*

inference. Content analysis assumes a consistency of meaning thus will allow us to count those this which can be counted (Hardy et al 2004). Overall, we deem quantification to be well suited for performing exhaustive mapping and identify patterns in the discourse produced by EU delegations.

On the other hand, by means of qualitative assessment represented by critical discourse analysis we are going to get deeper understanding on how the meanings are produced and transmitted, namely, how discourse of the EU delegations varies by different qualitative indicators depending on the level of repression. Discourse analysis is particularly valuable in this context since it highlights the “precarious nature of meaning with focus on explaining its shifting and contested nature” (Hardy et al 2004).

As King and Keohane pointed out in their seminal study, patterns and trends are more readily subjected for quantitative assessment, but to understand the rapidly changing social world, we will need to include information that cannot be easily quantified as well as that which can (King et al 1994). This statement provides an excellent motivation for our choice of methods since it advocates for a research design which would combine elements and features of both qualitative and quantitative traditions.

Comparative approach is the next essential element of our study which requires explanation. Our research question is aiming to address the variation in the discourse of EU delegations depending on the level of repression meaning that comparison lies at the very heart of it. Comparison is a necessary element for conducting a study in social science and it is the comparisons which make a study scientific. By means of comparisons we can control whether generalizations hold across cases which they apply. As contended by Sartori: comparative knowledge provides the key to understanding, explaining and interpreting (Sartori 1991).

4.5. Framework for analysis.

To address our enquiry, we have developed a framework which enables us to quantitatively as well as qualitatively approach the stamens of EU delegations. Importantly,

this framework also represents the way we operationalize the capability and presence of the EU to exercise its normative actorness. In our research we will make a structured comparison between the EU statements issued in the countries with repressed and closed space respectively. We will be collecting the data on the same variables across all the statements by applying a standardized set of questions that reflect the goal of the study and its theoretical focus (King et al 1994)

Our framework will be based on the following questions:

- Overall number and geography of statements
- Type of statement (generic/issue-specific),
- Conceptualization of shrinking space,
- Linkages to democracy,
- Linkage to cooperation with EU,
- Linkage to international, regional, national norms and standards,
- Self-portrayal of the EU.

Each question is expected to provide us with quite specific and valuable insights on how normative capabilities and presence of the EU reflected in a discourse vary depending on the level of repression. For instance, *overall number and geography of the statements* would allow to measure normative presence of the EU in a particular setting. Analysis of *the types of statements* (generic or issue specific) will give us understanding of what types of issues dominate EU discourse – individual or systematic and how this varies depending on the level of repressions. *Conceptualization of shrinking space* is our next relevant question. Here we will be interested to see how shrinking space is conceptualized in a discourse of EU delegations, what rights are referred to the most and whether this conceptualization varies. Next variable – *linkage to democracy* is quite central for our research since it enables us to test whether EU has space to promote the alternative type of governance in deeply rooted authoritarian countries and hybrid regimes. The next question concerns linkages to international, regional, national norms and standards, and depicts what norms EU is referring to the most and which types of norms are being prioritized. Lastly, *self-portrayal of the EU in the statements* would give us an insight on whether EU is incorporating its own normative image into discourse, as well as whether the EU is using supportive frames or references to

the prospects of cooperation while addressing the countries where space for civic freedoms is closed or repressed.

Limitations.

While looking into the level of repression as an independent variable, we admit that there may be plenty of other factors behind the variation that we expect to observe in the discourse of EU delegations. This might be, for instance, strategic importance, previous history of relations, socio-political context of the third country, interests of the EU member states, trade-relations, different dynamics of repression, existence of other channels for exerting diplomatic pressure and promoting democracy and human rights. Being aware of all those possible explanations this research won't aim to test them. The only causal link we will focus on is – the one between the level of repression and the expected variation in the discourse of EU delegation related to shrinking civic space.

4. Analysis

4.1 Part I: Repressed Space

General observations (quantity/geography):

The total number of statements issued by EU delegations in countries with repressed civic space amounts at 78. Out of 26 countries defined as repressed by CIVICUS Monitor statements related to civic space were released by EU delegations in 14 countries. Considering geography of the statements we can observe that the largest amount of statement has been issued in countries which are close to EU geographically, namely, Russia (18) Azerbaijan (17), Egypt (9) and Belarus (5).

Remarkably, Turkey stands out as an outlier addressed with only 2 statements despite being a close neighbor of the EU and having tight relations with the EU. This case can be used for supporting our hypothesis that systemic factor such as level of restriction in the country can be considered as a factor accounting for the EU being less prone to use

declaratory diplomacy. And even though Turkey is considered to be repressed country by CIVICUS categorization and not as closed, the recent developments indicate that the space for pluralism and democracy has been shrinking quite substantially in the country in the recent years (Freedom House 2017). Thus, silence of the EU in this case indicated that space for the EU voice is getting closed as well.

As for the other regions, the distribution of the statements is the following: South-East Asia (13), Central Asia (4), Central Africa (6) and Latin America (4).

Type of statements

The most obvious trend regarding the type of statements is that issue-specific statements substantially outweigh generic statements: while we found 65 issue-specific statements, generic accounted only for 13. Analysis of the statements has shown that generic statements cover such topics as situation with media, freedom and expression (Afghanistan, Uganda), civil society (Egypt), restrictions of the political space (Cambodia), general developments (Azerbaijan), etc. We won't aim to explain the reluctance of the EU to using generic statements in its declaratory diplomacy, however, we should point out that this might be a convenient instrument enabling to focus on certain problems without the need for a trigger. Theoretically, using more generic statements may contribute to building more systematic approach to voicing problematic aspects of human rights and democracy and add more continuity into respective policies.

As for the issue-specific statements, it is important to point out that most of them were related to cases of arrest, detention or sentencing (28), followed by the statements on the release (13). The cases of murder or abduction of HRDs, journalists and lawyers account for 10 statements which is approximately the same number as was issued to indicate restrictive legislation (8). The rest of 6 issue-specific statements were triggered by different types of events starting from freeze the assets of HRDs in Egypt (Statement 17/09/2016) and finishing with the shutdown of Amnesty International Office in Russia (Statement 03/11/2016).

Conceptualization of shrinking space:

The direct conceptualization of shrinking space implies mentioning the concept itself or related expressions, which, as our analysis have shown, are quite rare in the rhetoric's of the EU delegations. To be precise, the notion of restrictions on "space for civil society" was used two times along with "restriction of democratic space" once, political space – two times, "space for freedom and human rights defenders" once and "space for debate and discussion" once. Against the backdrop of EU increasingly using this concept in its policy documents, internal rhetoric and in the UN, it is quite remarkable that the conceptualization of shrinking civic space has not been established in the declaratory diplomacy of EU delegations. This is mostly a matter of coherence and consistency of the discourse as well as having the opportunity to increase the scope of the issues that are problematized.

On the other hand, we should not disregard linkage to specific rights which stand behind the concept of shrinking civic space, namely freedom of speech, assembly and association. In this line, EU delegations were way more active. Namely, out of 75 linkages to shrinking civic space, almost half were devoted to freedom of expression (33 times), as well as to its freedom of media (10 times), and freedom of speech (4 times). Freedom of association and assembly have been referred to only 8 times in total. **Thus, rhetorical reaction of EU delegations on shrinking civic space is mainly focused on the freedom of expression.** We won't aim to find the reason behind it in the current study, however, we should note that the possible cause of this might lie in the increased scope of violations of this fundamental right particularly. It can also be viewed through the lenses of increasingly contested normative agendas where restrictions on freedom of speech symbolize a fight for survival on the side of authoritarian states.

Linkage to democracy:

Our study is based on the assumption that in increasingly multipolar world the most serious contestation is related to the topic of what should be considered as normal. To put it roughly, - the battle between liberal and authoritarian world-view. The concept of democracy has an essential place in the whole debate, and so called "Western world" is struggling hard to promote democratic values linking them to stability, well-being, and most importantly, - to fundamental rights.

In our material, we have defined **35 linkages to democracy**. Thus, the EU does use this type of linkage in its rhetoric's on issues related to shrinking space, however, here we expect to see the significant variation with countries where the space for civic freedoms is closed. This will be investigated in more detail in the following section.

Remarkably, Egypt and Belarus have gathered the biggest amount of statements referring to democracy, respectively, 7 and 5 linkages. The examples of those linkages are the following: "Civil society plays a key role for open and democratic societies" (Egypt) (Statement 24/03/2016) or "The latest developments in Belarus highlight a clear need for a broader democratization process in the country" (Belarus) (Statement 17/03/2017). Again, we see the pattern of EU being more open and vocal with its normative agenda when it comes to the countries of its neighborhood. The country that stands out in our examination in this context is Russia. EU delegation to Russia has issued the largest amount of statements in comparison to all the other countries, covering the whole spectrum of shrinking space issues, starting from restrictive legislation and finishing with banning the activities of a religious group. But despite this variety of issues along with active rhetoric's from EU delegations, the linkage to democracy **was used only once with regards to Russia**. The respective statement follows: "Attacks on journalists and human rights defenders ...pose a particular threat to democracy" (Statement 15/07/2017). This example is quite puzzling and finding out the answer might require a separate research. We will conclude, however, that declaratory diplomacy of the EU towards Russia is affected by increasingly revisionist agenda of Russia. Thus, the leeway for promoting democratic values openly gets restricted.

Linkage to cooperation:

Another important tool of declaratory diplomacy lies in using linkages to the prospects of cooperation which can be labeled as soft conditionality. In the statements of EU delegations on shrinking civic space we have identified 13 instances where links to cooperation have been used. Not surprisingly, geographical and geopolitical factors again come as explanatory for the observed variation: Belarus (4 times), Azerbaijan (4 times) and Egypt (3 times) stand for almost all the cooperative linkages which had been applied by the EU. Noteworthy, all those countries are part of neighborhood policy with its focus on promotion of human right and democracy. To provide a textual example for a classic

cooperative linkage, here comes the one from the statement of EU delegation in Belarus: “The importance of releasing all political prisoners remains crucial in the context of improving EU-Belarus relations” (Statement 06/05/2015). Here, the decision with regards to political prisoners is directly linked to prospective of cooperation. Another, even bolder way of using cooperative linkage can be observed on the example of a statement of the EU delegation in Egypt. The statement was expressing the concern of introducing anti-NGO law and stated that “Some provisions, such as the ones related to the registration process, the activities NGOs are allowed to perform and the procedure for receiving domestic and foreign funding, are also likely to directly affect European cooperation assistance to Egypt” (Statement 31/05/2017). These two types of linkages represent different incentives – positive in the first case, and negative in the second, meaning that both of them are successfully applied by diplomatic rhetoric’s of the EU. Though, currently, mainly in relation to the neighbouring countries.

Linkage to norms (international, regional, national constitution)

Linkage to international, national or regional norms and standards gives a solid support in a seminal discussion on what is to be perceived as normal. And as our findings suggest, those linkages are extensively used by EU delegations in the statements they release. For instance, in the present corpus of material we managed to find 54 instances of using these types of linkages. Most of them (32) were referring to international commitments. National norms such as Constitution are mentioned less frequently – 17 times to be precise. The rarest is the linkage applied to regional norms, such as those found in statements on Angola and Turkey. In the case of Angola statement referred to regional human rights instruments in general (Statement 14/09/2015), while in the case of Turkey – the linkage was provided for the European Convention on Human Rights and the case-law of the European Court of Human Rights (Statement 07/08/2017). Quite exceptionally here stands statement issued by EU delegation to Afghanistan, - it is the only statement that referred to commitments agreed upon before EU and Afghanistan in EU-Afghanistan Human Rights Meeting (Statement 02/11/2017).

Self- Portrayal of the EU:

The analysis of the statements showed that in some cases EU includes into the statements the elements of self-promotion presenting its deep commitment to certain rights and freedoms. Those cases are extremely rare, but they do occur and they deserve attention since even though regarded as weak instruments in relation to repressive governments, those affirmations play an important role in building up identity of the EU as a normative actor. As an example, we can provide excerpt from the statement released by EU delegation in Russia on the occasion of 10-year anniversary from death of famous Russian journalist and human rights defender Anna Politkovskaya. The statement holds as following: “*The EU will always stand up for and support freedom of expression, in Russia and around the world* (Statement 07/10/2016). Apart from being illustrative in relation to self-promoting frames, this statement also reflects the trend of placing freedom of speech at the core of discussion on shrinking civic space.

While self-portraying frames are very rare, the other way to depict EU’s role and credibility as a normative actor lies in the usage of supportive frames. Those frames represent the readiness of the EU to help out and to assist in implementation of reforms or better practices related to democracy and human rights. Taking up those commitments by the means of language gives power to spin discourse in a very favorable for EU direction and contribute to identity-building. In the corpus of material, we have analyzed, 7 supportive frames have been identified which respectively were used in relation to Myanmar (1), Mexico (2), Belarus (1), Uganda (1), Angola (1) and Afghanistan (1). In this context, also important to illustrate which wordings EU is using for that. So, the most common ones are: “EU stands ready to support...”, “EU will continue to use all means at its disposal to guarantee...”, “EU remains committed to support”, “EU reiterates its continued support for...”.

Thus, we can assume that supportive frames portray EU as normative actor which can not only demand certain standards from the third parties but also assist in their development and implementation. The role of those frames is also invaluable for identity building.

4.2 Part II: Closed Space

General observations (quantity/geography):

With regards to countries where space for civic freedoms is defined as closed, statements of EU delegations were found in 3 countries (China, Vietnam and Uzbekistan) out of 16.

The total number of statements is 12, and they are distributed almost equally between Vietnam and China, Uzbekistan accounting for only one statement on release of a political prisoner Samandar Kukanov (Statement 30/11/2016). Given, that the analysis of statements is covering a period from 2015 to 2017, we can conclude that the voice of the EU on the issues of shrinking space in closed countries has been extremely modest. Importantly, it has been way more modest while comparing with the voice of EU delegations in countries with repressed space.

The factor of geographical proximity to EU is not relevant to take into estimation since there are no countries with closed space which are located in the EU neighborhood. The only observation that holds here geography-wise is that EU issued some statement South-East Asia while in Middle East, Central Asia and Africa it preserved absolute silence despite serious violations of civic rights and freedoms.

Types of statements

Remarkably, the identified statements are targeting mostly individual cases the only exception being a statement issued by EU delegation in China “On recent developments in the human rights situation” and concerning systematic arrest of a number of human rights lawyers and human rights defenders by Chinese public security forces (Statement 15/07/2015). This falls into the general trend of EU using statements as a reaction on certain restrictions rather than commenting on the situation in general even if the level of restrictions is extreme.

As for issues which have evoked EU to release a statement, the majority relates either to conviction/sentencing (5) or to arrest (3). There is also one statement on the release of a political prisoner (Uzbekistan).

Conceptualization of shrinking space:

Freedom of opinion and expression is a dominant theme in the statements of EU delegations in closed countries. Reference to these freedoms is found in 7 statements. There has been also one reference to freedom of assembly in China and an instance of using reference to political space in the statement on Uzbekistan. Overall, majority of statements is extending “the scope of the problem” by linking individual cases to bigger societal issues, namely depicting that certain fundamental rights have been violated. However, the concept of shrinking space has never been used in this batch of statements, neither did frames of “blaming the government” for treating civil society in a wrong way.

Linkage to democracy:

Here comes the finding that essentially supports our hypothesis – word “democracy” has not been used a single time with regards to countries where space for civic freedoms is closed. This serves as a proof to the idea that since in the countries with closed space there is no debate on alternative type of governance, the opportunity for the EU to express its voice also is shrinking. Thus, EU is also facing a barrier when it comes to promoting its normative agenda openly. Issuing a statement is always a political decision and EU as it turned out obviously abstains from using the “democracy linkage” in the countries with deeply rooted authoritarian rule.

Linkage to cooperation:

Then, analysis of the EU statements in the closed countries shows that, that EU does not link openly prospects of cooperation to the progress in enabling civic space. The only exception is Uzbekistan where EU did use this diplomatic trick stating that “the release of Mr Samandar Kukanov sends an encouraging political message for the overall political space in Uzbekistan, as well as for the further strengthening of our bilateral relations” (Statement 30/11/2016). This in no way implies that EU does not use other types of conditionality with regards to countries where the space for civil society is closed, but rather points out that EU delegations in general does not spin positive conditionality into their rhetoric’s.

Linkage to norms (international, regional, national constitution)

The linkage to legal norms was used in abundance (20 times) referring either to the norms enshrined by national Constitutional or International Covenant on Civil and Political Rights and Universal Declaration of Human Rights. The linkage to constitution was used 8 times which accounts for most of the statements. Universal Declaration of Human Rights has been mentioned 4 times and International Covenant on Civil and Political Rights – 6 times. There were also 2 instances where the general linkage to international human rights commitments has been used. These types of linkages often show us what EU expects to be a priority for the targeted country, unsurprisingly reference to constitutional norms being used the most. As for international norms, reference to “International Covenant on Civil and Political Rights” seems to contribute more specifically to the overall depicted instances of shrinking space to civil society. Universal Declaration of Human Rights represents very basic global standards, but cannot in our opinion replace the value of mentioning “International Covenant”. Linkage to international commitments in general is the most abstract one, and when without specification does not seem to be at all a strong argument.

Portrayal of the EU:

It is worthy to point out that EU did not present its normative nature very actively in the statements we analyzed. There was only one instance found in the statement released in Vietnam. It holds: “Support for human rights defenders is a long-established element of the European Union's human rights external relations policy” (Message by Ambassador 11/10/2016). This comes as a very open normative self-image, but considering that this frame was used only once, we perceive it to be rather an exception.

Findings

By conducting this study, we have mapped out the discourse of EU delegations on shrinking civic space issues. We have compared EU discourse in countries where civic space is repressed and closed to test whether there is variation and how this variation looks like. More fundamentally, we have examined in what way systemic factors (level of repression) shape the capability and presence of the normative actor in a particular environment. European system of diplomacy indeed has been called a “diplomacy of different speeds” (Austermann 2014) but how these different speeds are reflected in a discourse and what role

do the systemic factors play out, has been always left out of the spotlight. Now, we are ready to present the main findings.

Overall, during 2015-2017 the EU delegations have issued 90 statements related to shrinking civic space in countries categorized as closed or repressed by CIVICUS monitor. Remarkably, 87% of statements were issued in the countries with repressed civic space and only 13% - in the countries where the space for civic freedoms is closed. **This observation supports our central claim that the EU is not getting more vocal while the level of repression is getting more severe.** On the contrary, the EU gets silent, which means that normative presence of the EU as well as capability to act normatively in closed countries is severely limited.

Regarding geography of the statements, we have observed that the largest amount of statement has been issued in countries which are close to EU geographically, namely, Russia, Azerbaijan, Egypt and Belarus. All of those - countries with repressed civic space. Thus, we can presume that geography does play its part in EU exercising its normative power which entails that in neighboring countries the EU is more present, more active and has more leverage to influence the situation with violations of civic freedoms. As for other regions, we should point out that in South East Asia the EU has issued more statements than in Africa, Latin America, Middle East or Central Asia. This observation might require a separate study since indicates on the increased normative presence of the EU there.

While looking into **the type of statements,** we have marked that issue-specific statements substantially outweigh generic statements in both repressed and closed environments. This indicates that EU delegations are pursuing reactive approach to violations of civic freedoms in third countries. Statements are issued as a reaction to a particular situation. Individual cases dominate structural problems. It should be emphasized, however, that generic statements might be considered as a convenient instrument to remind about problems without the need for a trigger. Using more generic statements may contribute to building discourse in a more systematic way. It seems to be crucial to hold the pressure constantly with new statements drawing linkages to the former cases. In this way, the narratives are being build, which enables a normative actor to be consistent in its rhetoric's and sufficiently strengthen its normative presence.

With regards to **conceptualization of shrinking civic space**, the analysis of statements has shown that EU delegations are very seldom referring to the concept of shrinking civic space. To be precise, the concept has been used only two times in its original formulation, and a few more times in other formulations. In the meanwhile, EU is increasingly often using the concept of shrinking civic space in its policy documents, internal rhetoric's, multilateral fora. This creates a mismatch where the concept of shrinking civic space has not yet been established in the rhetoric's of the EU delegations. In the meanwhile, delegations use reference to specific rights such as freedom of expression, assembly and association. Importantly, statements referring to freedom of expression (including such variations of it as freedom of media and freedom of speech) have been the most frequent in both repressed and closed countries. Increased restrictions on freedom of speech symbolize a fight for survival on the side of authoritarian states, thus, involvement of the EU into debate and supporting the rights to express oneself freely bears strategic importance for the actor, which is positioning itself as a normative.

The following finding **concerns the linkage to democracy** incorporated into the statements of EU delegations. This one is quite central for our study since it enables to understand whether the level of repression conditions the capability of the EU to present and promote democratic values openly. Quite remarkably, we have got confirmation of our claim that opportunity structure sets restrictions on the normative actor to promote its agenda. The analysis of the statements has shown that word democracy has not used not a single time in the countries where the civic space is closed. In countries with repressed civic space, reference to democracy has been applied 35 times. This means that in repressed countries there is still room for the EU input into the debate on what is to be considered as normal. Issuing a statement is always a political decision and our study shows that the EU abstains from using the "democracy linkage" in the countries with deeply rooted authoritarian rule. One may argue that keeping profile low may increase the operating space for the and enable to quietly promote its democratic agenda (Hornat 2016). We won't argue that being quiet may have strategic reasoning behind it but at the same time we stay convinced that level of oppression does set the limits for the normative actorness to be manifested openly.

The statements of EU delegations diverge between closed and repressed countries not only regarding the usage of the word democracy. Variation as for **reference to**

international, national or regional norms and standards is also quite remarkable. For instance, in repressive countries in more than the half of the instances the EU has been referring to international commitments. At the same time, in closed countries reference to national norms such as Constitution has been prevalent. This shows us how the EU is adjusting its statements to the perceived priorities of the targeted countries, and it is thus not surprising that in closed countries reference to constitutional norms has been used the most. This leads to a conclusion that the EU delegations tailor statements to the local context, and this local context thus shapes the form and intensity of the EU normative action.

Last question we addressed in our analysis is **self-portrayal of the EU** in the statements. It appeared that the EU is extremely seldom presenting itself as a normative actor and it holds true for both repressed and closed countries. Instead, the EU is incorporating **linkage to cooperation or supportive frames**. Supportive frames portray the EU as an actor, which not only demands certain standards from the third parties, but is also ready to assist in their development and implementation. Supportive frames were mainly applied in the countries with repressed civic space and located beyond EU neighborhood. On the other hand, linkage to cooperation was mainly used in the countries of the EU proximity. Remarkably, in the countries with closed space neither supportive nor cooperative linkages were applied. This indicates to the fact that EU does not dare to step in openly as a supporter of the positive transformation, and space for this type of behavior in closed countries is closed.

To sum it all, we should outline the avenue for future research and possibilities for generalizations. Our study was focusing on the normative actorness of the EU, mapping the discouse of the EU delegations on shrinking civic space in third countries. Despite we considered the EU as a sui generis entity, we believe that our research provides relevant buiding blocks not only for deeper exploration of the EU as a normative power, but normative actorness as such. Moreover, it has a potential to inspire further research on the role of systemic factors in manifestation of normative actorness and draw attention to the struggle on the global level on what is to be considered as normal.

Thus, one of the ways to go further would be to compare the discourses on shrinking civic space of different actors pursuing normative agenda possibly even using the same

analytical framework as developed in a current study. When it comes to drawing more insights on the EU, it would be interesting to make structured comparisons between pairs of countries where EU rhetorical response has been very low and very high despite roughly the same level of repression. Current research provides the material which makes it easy to identify relevant pairs. Last but not least, it might be relevant to look into the discourse generated by the authoritarian states and hybrid regimes to investigate and compare what norms are being projected through their discourses and in what way.

For such authors who stress on the necessity “to take the actorness beyond the EU” (Niemann and Bretherton 2013, Hulse 2014; Wunderlich 2012) the way to go further might lie in comparing the discourses on shrinking civic space produced by different normative actors. The analytical framework developed by the current study might serve as a good platform for this. For those who view EU focus as unproblematic and want to go deeper into exploration of the EU normative actorness (Cmakalova and Rolenc 2012), it might be of interest to make structured comparisons between pairs of countries where EU rhetorical response has been very low and very high despite roughly the same level of repression. Current research provides the material which makes it easy to identify relevant pairs. Last but not least, it might be relevant to look into the discourse generated by the authoritarian states and hybrid regimes to investigate and compare what norms are being projected through their discourses and in what way.

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APPENDIX 1: Space for civil society: Repressed

Country	Number of statements	Generic statements (number and type)	Issue- specific statements (number and trigger)	Conceptualization of shrinking space	Linkages to democracy	Linkage to cooperation with EU	Linkage to international, regional, national norms and standards
Cambodia	8	<p>3</p> <p>Statement by Spokesperson on the restriction of the political space (1)</p> <p>Local Statement on the political situation (1)</p> <p>Local statement on developments relating to (1)</p>	<p>5</p> <p>Arrest (1)</p> <p>closure of Cambodia Daily (1)</p> <p>release of 5 HRDs (1)</p> <p>continued detention 5 of HRDs (1)</p> <p>restrictive legislation (1)</p>	<p>4</p> <p>freedom of association and expression (1)</p> <p>restrictions of democratic space (1)</p> <p>political space (2)</p>	<p>4</p> <p>Ex: A free media is an important underpinning of pluralist democracy, and open discussion is the best support for effective policy-making.</p>	<p>1</p> <p>“Development cooperation between the EU and Cambodia relies mainly on NGOs” (1)</p>	<p>3</p> <p>Constitution (1)</p> <p>International agreements to which Cambodia is a signatory (1)</p> <p>Cambodian law (1)</p>

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Myanmar	4	1 Local Statement in Support of Freedom of Media (1)	3 Arrest of journalists (1) Release of student protestors (1) Release of political prisoners (1)	5 Freedom of the press and media (3) freedom of opinion and expression (1) free and enabling environment for journalists (1)	4 Freedom of the press and media is the foundation and a cornerstone of any democracy. The right to freedom of opinion and expression is a human right guaranteed to all, and it constitutes one of the essential foundations of a democratic society Media freedom, independence and pluralism are at the heart of any democracy These decisions constitute noteworthy further steps in the country's historic transition to democracy.	-	-
Bangladesh	1	-	1 Murder of the bloggers	2 Free speech and democracy (1) Freedom of expression (1)	2 Tolerance and dialogue are essential elements of a democratic society The killings of Washiqur Rahman and Avijit Roy are an attack on free speech and democracy.	-	-
Tajikistan	1	-	1	-	-	-	1

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			Imprisonment of human rights lawyer				...which is not in line with Tajikistan's obligations under international law.
Afghanistan	3	3 Impunity to crimes against journalists (2) Media freedom (1)	-	9 Freedom of (press and) expression (5) freedom of the media (2) Freedom of speech (1) people's liberty of expression (1)	2 Freedom of expression is a fundamental right of the Afghan people and a cornerstone of democracy	-	2 The EU also expects the Afghan government to deliver on its commitments as agreed in the 3rd EU-Afghanistan Human Rights Meeting held on 14 August 2017
Angola	1	-	1 Imprisonment	2 freedom of assembly (1) freedom of expression (1)	-	-	3 Constitution (1) International conventions (1) regional human rights instruments (1) ... are all enshrined in Angola's Constitution and international conventions as well as regional human rights instruments the country adhered to.
Uganda	2	2 Statement on Freedom of Expression	-	3 fundamental freedoms of expression and assembly (1),	3 ... the democratic process in Uganda (1) ...taking into police custody of opposition leader Mr Kizza Besigye several times	-	1 Constitution (1)

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		Statement on the Presidential and Parliamentary elections		right of all citizens to fully express their civil and political rights (1) restriction on citizens' communication (1)	is contrary to basic democratic principles (1) ... support all efforts to foster effective and open democratic governance.		
Zimbabwe	3	1 Local statement on the abduction of social activists	2 Abduction of HRD (2),	2 freedom of assembly and association (1) freedom to demonstrate and petition (1).	1	1 Ex: Human rights, democracy and the rule of law are essential elements of the bilateral relations between the European Union and Zimbabwe	2 Constitution (2) The Heads of Mission note with growing concern a significant and worrying increase in the number of incidents over recent months, in violation of the fundamental human rights and freedoms enshrined in Chapter 4 of the Constitution. To express opinion in a non-violent way is a constitutional right for all Zimbabwean citizens, including for Mr Dzamara
Belarus	5	-	5 Political prisoners (3), protests and arrests (2)	4 freedom of expression (1) Freedom of association and of assembly (2)	5 Ex: Repression of freedom of expression and assembly is in contradiction with Belarus' stated policy of democratization and its	4 Steps taken by Belarus to respect universal fundamental freedoms, rule of law and human rights will remain key for the shaping of the European Union's relationship with the	3 violation of international electoral standards and international human rights law (2)

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				<p>Civil and political rights (1)</p> <p>crackdown on civil society and democratic opposition (1)</p>	<p>international commitments.</p> <p>The latest developments in Belarus highlight a clear need for a broader democratisation process in the country.</p> <p>Former presidential candidate Mykalai Statkevich stands out in particular as an example of the tireless work and commitment of many for a democratic Belarus</p>	<p>country.</p> <p>The importance the EU attaches to the question of political prisoners in the context of EU-Belarus relations remains unchanged.</p> <p>The importance of releasing all political prisoners remains crucial in the context of improving EU-Belarus relations</p> <p>Today's releases represent important progress in the efforts towards the improvement of relations between the EU and Belarus.</p>	<p>international commitments (1)</p>
Azerbaijan	17	1	16	11	3:	4	12
		<p>Statement on latest developments in Azerbaijan</p>	<p>Arrest, Detention or sentencing (9)</p> <p>murder of a journalist (1)</p> <p>release (6)</p>	<p>Freedom of expression (6)</p> <p>shrinking space for freedom of expression and for human rights defenders (1)</p> <p>media freedom (4)</p>	<p>Respect for these commitments is an essential foundation to a democratic society.</p> <p>Respect for freedom of expression is vital in any democratic society.</p> <p>The EU supports the principles of freedom of expression and freedom of the media, which</p>	<p>Azerbaijan's compliance with its international commitments and contributes to the enhancement of relations between the European Union and Azerbaijan.</p> <p>The compassionate decision of the Azerbaijani authorities to allow the Yunus' to leave the country further</p>	<p>Link to international commitments – 12 times (Ex: The European Union expects Azerbaijan to respect its international commitments both as regards fundamental freedoms and due process).</p>

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					are fundamental elements of a democratic society.	<p>contributes to the enhancement of relations between the European Union and Azerbaijan.</p> <p>The European Union hopes further steps will follow. We are ready to further deepen and broaden our relations with Azerbaijan.</p> <p>The EU is ready to further deepen and broaden our dialogue and co-operation with Azerbaijan.</p>	
Russia	18	-	<p>18</p> <p>Restrictive legislation (6)</p> <p>Ban of activities of a religious group (2)</p> <p>Commemoration of killing a journalist (2)</p> <p>Response to demonstrations (2)</p> <p>Criminal charges against HRD (2)</p> <p>Release of</p>	<p>19</p> <p>Freedom of expression (8),</p> <p>Freedom of speech (2)</p> <p>Freedom of association and assembly (2),</p> <p>Space for independent voices (1)</p> <p>Space for civil society (1)</p> <p>Restrictions on civil society,</p>	1	<p>Attacks on journalists and human rights defenders ... pose a particular threat to democracy, the respect for human rights and the rule of law.</p> <p>NO LINKAGE</p>	<p>12</p> <p>Constitution (5)</p> <p>Russia's international commitments and human rights standards (7)</p> <p>Ex (regional bodies): The EU calls on the Russian authorities not to proceed with the implementation of this law, which would violate Russia's international human rights obligations in the UN, the Council of Europe and the OSCE.</p>

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			<p>prisoners (1)</p> <p>Sentencing (1)</p> <p>Closure of international NGO (1)</p> <p>Shutdown of Crimean Tatar ATR TV (1)</p>	<p>independent media and political opposition (1)</p> <p>Restrictions on (independent) civil society (3)</p> <p>"foreign agent" legislation (1)</p>			
Egypt	9	2	7	11	7	3	13
		<p>Statement on Situation in Egypt (1), Statement on civil society (1)</p>	<p>Restrictive law (1), decision to freeze the assets of HRDs (1), pardoning prisoners (1), sentencing (3), release of a journalist (1)</p>	<p>Freedom of assembly (2), freedom of expression (4), press freedom (1), restricting space for civil society (1), restrict the space of debate and discussion (1), pressure on independent Egyptian civil society (2)</p>	<p>Freedom of assembly and press freedom are essential for democracy, to guarantee that all peaceful voices are heard and respected.</p> <p>Civil society plays a key role for open and democratic societies.</p> <p>A flourishing civil society, able to work in good conditions, is important for democratic and economic development and to help build political stability.</p> <p>The decision to revive the so-called "2011 foreign funding case", targeting EU partners who are crucial in the democratic development of Egypt, is of serious concern. Civil society plays a key role for</p>	<p>Linkage to cooperation (2)</p> <p>Some provisions, such as the ones related to the registration process, the activities NGOs are allowed to perform and the procedure for receiving domestic and foreign funding, are also likely to directly affect European cooperation assistance to Egypt.</p> <p>Indeed, a large part of our cooperation relies on non-governmental organisations as important implementing partners.</p> <p>Cooperative frame (1):</p>	<p>Linkage to Constitution (6)</p> <p>Linkage to international norms and standards (7)</p>

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					<p>open and democratic societies.</p> <p>Freedom of expression is an essential element of a democratic society.</p> <p>diverse and independent media are essential in a democratic society (2)</p>	<p>Egypt is an important partner for the EU, and we stay committed to strengthening our bilateral cooperation and pursuing a constructive dialogue in all fields of our cooperation.</p>	
Turkey	2	-	2 Detention (1) Release (1)	2 Freedom of expression (1) Freedom of assembly (1)	1 Freedom of expression and of assembly are fundamental pillars of a democratic society.		2 ... is the latest among worrying cases that need a very swift resolution on the basis of the principle of presumption of innocence and the application of pre-trial detention in line with the European Convention on Human Rights. We call on the Turkish authorities to clarify the charges swiftly, in line with the standards of the European Convention on Human Rights and the case-law of the European Court of Human Rights
Mexico	4	-	4 Murder of journalist (3), murder of HRD (1)	Freedom of expression and freedom of press (1)	2 Linkage to democracy (2)	-	-

Appendix 2 Space for civil society: Closed

Country	Number of statements	Number of generic statements and their type	Number of issue specific statements and their type (event)	Conceptualization of shrinking space, reference to concrete rights	Linkage to democracy	Linkage to cooperation with EU	Linkage to international, regional, national norms and standards
China	6	1 Statement on recent developments in the human rights situation	5 sentencing (2), arrest and detention (1), charges against lawyer (1), mistreatment of detained human rights lawyers (1)	freedom of assembly (1), freedom of expression (3)	-	-	8 Constitution (4) <u>Universal Declaration of Human Rights (1)</u> <u>International Covenant on Civil and Political Rights (1)</u> , <u>China's international human rights commitments (2)</u>
Uzbekistan	1	-	1 Release (1)	Political space (1)	-	1	-
Vietnam	5	-	5 Arrest (2), Conviction (3)	Freedom of opinion and expression (4)	-	-	12 Reference to the Constitution (4), International Covenant on Civil and Political Rights (5), Universal Declaration of Human Rights (3)