

## Recent regional developments in human rights and democratisation during 2020: A focus on the European Union

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**Abstract:** *This article aims to highlight the key developments, strategies and responses which had impacts on civil society within the European region in 2020. A sociological focus is used to capture the breadth of issues and their full impact on the struggles faced by EU citizens, with an emphasis on vulnerable communities. In fact, amid the outbreak of the COVID-19 pandemic, the EU and its member states experienced a detrimental rollback in human rights and governance leading to devastating consequences for civilians across the entire region. The EU had to confront the climate crisis, racism and gender-based violence at the same time that it addressed the global health challenge, which presented provocative yet necessary discourse on the adequate safeguarding of human rights. Fortunately, the EU elaborated several action plans and commitments to address this myriad of challenges in 2020, but still lacks results and outcomes at the time of writing.*

**Key words:** *global health, racism, gender, climate change, Brexit, digital rights, European Union*

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## Introduction

The COVID-19 pandemic represented a significant setback for Europe in 2020. As it swept across the region, it exacerbated serious gaps in human rights and democracy that challenged the core values of the European Union (EU). Political leadership and ambitious policies had to be more attuned to citizens' needs as the EU strived to suppress the virus that rapidly took the lives of people. The United Nations Department of Economic and Social Affairs (UNDESA) and the World Health Organization (WHO) measured an increase in excess mortality of up to 50 percent — counting direct and indirect deaths — resulting in 1.11–1.21 million deaths in the European region (WHO 2020b). Excess mortality demonstrates how one crisis can compound others, which was recognised as an important research trend in 2020.

Critical regional and global issues often feed on each other due to the inherent connectivity of large-scale problems. The EU saw how one crisis inflated another throughout 2020. While Brexit took place in the beginning of the year, it catalysed a stark increase in racist and xenophobic behaviour against marginalised communities and revealed Europe's deeply colonial past (Booth 2019). The rise in this behaviour, and the brutal killing of George Floyd in the United States, led to the surge of Black Lives Matter (BLM) protests in solidarity against police brutality and systemic racism. When the racial discourse eventually appeared again in the European political scenario, there was an increase in discussion on how environmental injustice disproportionately harms these vulnerable communities that are determined by race and class — as seen in the several natural disasters that caused more internal displacement for low-income citizens in Europe (World Bank Group 2021). Brexit, BLM, climate injustice and armed conflicts in Eastern Europe were all significant drivers of disinformation that plagued the internet with conservative propaganda. These issues compounded with COVID-19 impacted women's rights and LGBTI rights in the process, resulting in a rise of sexual and gender-based violence across the continent. Each of these is unique, but they remain connected as they often hurt the same communities from different angles and contribute to excess mortality.

The European Commission (EC) saw an opportunity to create a stronger Union in its recovery from the multitude of crises. It contributed to significant developments in human rights and democracy in 2020, by establishing concrete political acts and instruments such as the EU Action Plan on Human Rights and Democracy 2020-2024, the EU Anti-Racism Action Plan 2020-2025, the LGBTIQ Equality Strategy 2020-2025, the European Green Deal, the 2020 EU Western Balkans Summit, the General Data Protection Regulation (GDPR) evaluation report 2018-2020, and the NextGenerationEU Recovery Plan. These actions worked as strongholds to uplift EU values while supporting the United Nations Sustainable

Development Goals (SDGs), with the latter struggling under multiple crises. This article provides an overview of these social and political developments, considers their intersection with each other, and touches on their importance in the EU's future.

## **2. The EU Action Plan on Human Rights and Democracy 2020–2024**

In November 2020 the EU Action Plan on Human Rights and Democracy 2020–2024 was adopted and related priorities were defined in respect to third countries. Five overarching objectives have been established: protecting and empowering individuals; building resilient, inclusive and democratic societies; promoting a global system for human rights and democracy; harnessing the opportunities and addressing the challenges brought by new technologies; and delivering by working together (Council of the European Union 2020a).

It is too early to assess whether the current Action Plan has translated into concrete improvements. However, the EU is tackling some of the major challenges. For instance, the threat climate change poses to human rights is addressed throughout the document, including in the preservation of biodiversity and the prevention of conflict and humanitarian crises. The shrinking space of civil society as a menace to democracy and the inclusion of a global human rights sanctions regime are also notable (Gibson Dunn 2020). For the first time, gender identity is recognised as being at stake in EU external action (Mantoiu and Eslinger 2020), and the impact on democracy of new technologies is considered. On the other hand, critical global health issues such as COVID-19 were completely neglected. The Council addressed only briefly the negative impact of this pandemic on human rights and democracy and its exacerbation of pre-existing inequalities without giving it a central role in the Plan (Council of the EU 2020a, 4). The EU was also expected to take a stronger stance on other relevant topics like digital rights, but the current Action Plan lacks a fully-fledged digital strategy to ensure the protection of human rights in the face of new technologies. Access Now had recommended promoting the adoption of robust binding data protection laws and advocating for compliance with human rights in the development of artificial intelligence (Hidvegi and Massé 2019, 3–4). Concerning the role of civil society and the media, the European Partnership for Democracy hoped to see a stronger link between civic space and building resilient democracies (Mantoiu and Eslinger 2020). With respect to women and girls' rights, Plan International EU Office also recommended a stronger inclusion of gender mainstreaming, together with more concrete actions tackling the challenges faced by women and girls in specific contexts, such as the workplace (Plan International 2020). So, while the current Action Plan does acknowledge major threats to human rights and democracy such

as climate change and new technologies, it remains to be seen whether the EU will be able to turn the aforementioned five objectives into real measures and policies.

### **3. The implications of the BLM movement in Europe**

Despite the restrictions and obstacles posed by the COVID-19 pandemic, people of all races, genders and ages poured into the streets of hundreds of cities across the globe in 2020 to protest critical issues, from police brutality to authoritarian rule. In fact, the pandemic exacerbated pre-existing inequalities suffered by marginalised groups and communities, putting such discrimination under the spotlight more than ever before (Triani 2020).

On 25 May 2020, Derek Chauvin, a white police officer from the Minneapolis Police Department, killed George Floyd, a 44-year-old African-American man, by holding his knee on his neck. As the video of the killing circulated across social media, anti-racist protests engulfed the United States. African-Americans were not new to such horrific episodes of police brutality, with the 2013 acquittal of the murderer of Trayvon Martin leading to the creation of the BLM movement by Alicia Garza, Patrisse Cullors and Opal Tometi (Milman et al. 2021, 3). While the movement became widely known across the country, the killing of George Floyd sparked an unprecedented diffusion of BLM protests in Europe, which brought the issue of racism to the centre of public debate. Protests in support of the victims of police brutality and racism took place in all major European cities over the summer of 2020. In June, up to 10,000 people gathered in Brussels and Paris (Moens 2020), with demonstrations also taking place in other European cities, in the UK, Italy, the Netherlands and elsewhere (Sandford 2020).

Black Europeans adapted the mission of the BLM movement to their own experiences by focusing on Europe's perpetration of police brutality against individuals of African descent. European countries recognised that their incapacity to address their colonial past has led to a culture of racial profiling, police brutality and discrimination against non-white citizens that has been widely documented across the continent. According to a 2019 survey on black people living in Europe, 30 percent of respondents had experienced racial harassment in the previous five years and 5 percent said they were physically attacked (FRA 2018, 13). Twenty-four percent of respondents of African descent reported being stopped by the police in the last five years before the survey; 11 percent were stopped in the twelve months before the survey. Among the latter, 44 percent believe the last stop they experienced was racially motivated (FRA 2018, 30). The systematic nature of racial discrimination and police brutality against black people in Europe was also denounced during the BLM protests; in addition, victims' families gathered to bring awareness to police violence in Europe.

In France, crowds protested the release of the medical report concerning the 2016 death of Adama Traoré, a 24-year-old black man who died while in police custody; the report stated he did not die from asphyxiation caused by the abdominal tackle used on him by the police but rather from a cardiac condition (Momtaz 2020). Similarly, protestors in Belgium denounced the discriminatory and racist attitude of the police and its use of violence against black people, with the latest episode being the death of Adil, a 19-year-old teen of Moroccan descent killed during a police chase in Brussels while allegedly fleeing from a police check (Boubout 2020). The systematic nature of police abuse against black people across Europe has been widely documented and become even more visible during the BLM protests.

In its 2020 Annual Report, the European Commission against Racism (ECRI) expressed its concern over the widespread nature of racial profiling and police abuse against vulnerable groups and its exacerbation during the pandemic. It explicitly referred to how being singled out based on skin colour and perceived or real ethnicity is a frequently documented occurrence particularly for Black and Roma persons (ECRI 2021, 13). While discriminatory, disproportionate and violent use of force against non-white citizens was common, the COVID-19 pandemic revealed the systemic racism in European police forces, especially considering repressive policing practices used to enforce lockdown measures among marginalised communities (Momtaz 2020). Yet these topics of police brutality and the BLM protests did not stop the police forces from using violence against the protestors, resulting in several people being injured and even arrested. During a protest in Stockholm in June 2020, the police forcefully dispersed the crowd by using batons, pepper spray and physical force (European Network against Racism 2021, 46). Europe's colonial past and the politics of its remembrance were key issues, and protestors vandalised and removed statues of slave owners and colonial icons across the UK, the Netherlands and Belgium (Milman et al. 2021, 34; Davies 2020). Black activists and protestors were critical of their countries' failure to address colonialism's impact, whether in Europe or their native country.

Racial discrimination has been a long-lasting issue in Europe, but the spread of the BLM movement represented the first instance of Europe-wide anti-racism advocacy. While the protests were tailored to the experiences and history of black people living across Europe, the themes of institutional racism, police brutality and colonialism were common among them. The European Parliament also formulated a resolution with explicit reference to these anti-racist protests (European Parliament 2020) and the EC adopted the EU Anti-Racism Action Plan 2020–2025 (European Commission 2020a; Milman et al. 2021, 34). However, only time will show the true impact of the BLM movement and whether its efforts translate into concrete legislative and policy changes at the regional and national levels.

#### **4. The LGBTIQ Equality Strategy's legal protection amidst the rise of hate**

During 2020, COVID-19 pushed European governments to focus their efforts on preventing the spread of the virus and mitigating national economic impacts; however, this took attention away from vulnerable social categories. As stated by the Executive Director of ILGA-Europe, this period represented a storm against the LGBTI community and placed concrete obstacles in the way of reaching equality within the next few years (ILGA 2020a). These were mostly manifested as increased risk to defenders of LGBTI rights, the undermining of civil society activities by authorities, and attempts to ban public events.

Indeed, as has been highlighted by Commissioner Helena Dalli and by the European Union Fundamental Rights Agency (FRA) director Michael O'Flaherty, real progress concerning LGBTI rights was extremely limited, due to the COVID-19 pandemic, and was accompanied by hate initiatives throughout the European continent (FRA 2020a).

In her State of the Union 2020 speech, EC President Ursula Von Der Leyen expressed her commitment to building "a Union of equality" (Rankin 2020) which will guarantee the LGBTI community's protection in the EU. This intent took concrete form in the LGBTI Equality Strategy 2020–2025; its four pillars aim to tackle discrimination against LGBTI people, ensure their safety, build LGBTI-inclusive societies, and lead the call for LGBTI equality around the world (European Commission 2020b). Not only did the EC commit to monitoring the progress of these goals, but it also encouraged the development of good practices that might advance LGBTI rights at the national level. A number of countries showed remarkable improvements in line with this strategy, and concretely applied inclusive politics for LGBTI people. Specifically: the Netherlands approved the Equal Treatment Act, requiring equal treatment regardless of gender identity, gender expression or sex characteristics; Montenegro shared a four-year comprehensive action plan while prohibiting discrimination on the basis of sex characteristics; and North Macedonia updated its laws by adding gender identity and sexual orientation as protected grounds (ILGA 2020b). The effects of these reforms on the LGBTI community will be visible only in the future, but their implementation already constitutes a positive change.

However, 2020 was denounced as a period of general stagnation in the advancement of LGBTI rights, with half of the sixty-nine countries analysed in the ILGA Rainbow Europe Index 2020 not reporting any positive change (ILGA 2020b). The three countries which rated the lowest score on the ILGA scale were Azerbaijan, Turkey and Armenia, due to irregularities in legal recognition and restriction on the freedom of

assembly (ILGA 2020b). Further, nineteen human rights defenders were reported to be facing three-year prison sentences for participating and organising a Pride march in Ankara (Amnesty International 2020a).

Moreover, regression in LGBTI rights, including the undermining of civil society and the attempt to ban public events, was stronger wherever the rule of law had undergone weakening changes (ILGA 2020b). The erosion of LGBTI rights was strongly present within the European Union. The Congress of Local and Regional Authorities of the Council of Europe expressed particular concern for Poland's adoption of "anti-LGBTI ideology" in decisions and statements made during the 2020 presidential campaign, as well as for the "family charters" approved in the cities of Sztum and Tomaszow Mazowiecki (Council of Europe 2020b). Similarly, Hungary took strong anti-LGBTI positions, with the Hungarian Parliament's proposal for Article 33 of the draft omnibus Bill T/9934, which made it impossible for transgender people to legally change their sex and/or gender legal identity (Council of Europe 2020a). Besides being a backward step for transex and intersex people, this law exposes them to harassment, discrimination and the risk of violence (Human Rights Watch 2020).

Notably, the Council of Europe Commissioner stated that hateful speech against the LGBTI community is promoted by political and legal gaps which facilitate cultural stigmatisation and legal discrimination within specific contexts (Council of Europe 2020c). However, the respect and strengthening of the rule of law in national countries greatly contributes to the protection of LGBTI rights, as the case of Romania has proved. In June 2020, the Romanian Senate drafted a law aiming to prohibit gender identity theory within scholastic environments. In December 2020, Romanian Constitutional Court declared the law contrary to Romania's Constitution and prevented its approval (European Parliament 2021).

Despite a few improvements, 2020 represented a stagnant year for the advancement of LGBTI rights. This was mirrored by the fact that, according to the ILGA Rainbow Index, countries are regressing in their policies and long-term reforms for the protection of LGBTI people. These conditions have been further aggravated by the COVID-19 pandemic which has exacerbated the economic and living conditions of minorities and vulnerable social categories. Indeed, according to a report by the UN General Assembly, the pandemic impacted several of the work sectors where LGBTI people are most frequently employed, such as hospitality, grooming, education and sex work. The closure of these activities and the loss of jobs have forced a number of LGBTI people to return to hostile families or to be homeless. In addition, hate towards LGBTI people has been increasing during the pandemic as a result of affirmations by religious and political leaders linking the spreading of COVID-19 to the

very existence of LGBTI people; public allegations of this kind have been reported within twelve European countries including Ukraine and Georgia (United Nations General Assembly 2020).

## 5. The European Green Deal and climate action

The stark rise in the incidence of natural disasters and climate hazards across Europe revealed the critical need for aggressive climate action. Between 2019 and 2020, Europe intimately felt the impact of climate change with the fires in the Canary Islands, multiple earthquakes in Albania and Croatia, a volcanic eruption in Iceland, and flooding across Europe (Guardian 2020). Each of these disasters has led to increased numbers of internally displaced persons (IDPs) — though Europeans only account for one percent of climate-related migration (Monella and Martínez 2020) — and disproportionate harm to marginalised communities. Notably, the Court of Justice of the European Union (CJEU) declared that climate change is a human rights issue that falls within the scope of the European Convention on Human Rights under the right to life and the right to private and family life (Setzer and Byrnes 2020, 16). President Ursula von der Leyen declared that climate change will “affect us all, wherever we live, whatever we do,” especially those in the most vulnerable and at-risk communities of colour (European Commission 2020d).

In 2020, Europe experienced its hottest winter on record “at 3.4 degrees Celsius above the average European winter temperature”; this significantly contributes as a catalyst to natural disasters (Abnett 2021). As temperatures rise, there is a high likelihood that more environmental disasters will occur, resulting in rapid migratory outcomes. This is putting EU citizens in difficult positions as they simultaneously combat external migration patterns. Yet new solutions may mitigate these migratory outcomes. The EU has recognised its personal stake in environmental justice through climate-change-related issues such as migratory patterns and displacement. This led to a commitment to advance climate action, in the adoption of the European Green Deal in December 2019. The EC announced its three-pronged strategy to mitigate the most drastic effects of climate change and transform the EU into a resource-efficient economy (European Commission 2019). The EU committed to “no net emissions of greenhouse gasses by 2050, economic growth decoupled from resource use”, and no person and no place left behind (European Commission 2020c). These three key commitments, financed by the NextGenerationEU Recovery Plan’s investment of 1.8 trillion euro, will lead to a plethora of sustainable benefits: healthier agriculture and biodiversity, energy efficient infrastructures, healthy and affordable food, cutting-edge clean technological innovation and circular economy, future-proof jobs and skills training for the transition, and a globally

competitive and resilient industry (European Commission 2020c). As climate change becomes a larger existential threat globally, these commitments will encourage sufficient climate action for the creation of a sustainable future.

Climate change litigation and policy have become essential parts of institutional strategies since the Paris Agreement was signed in 2015, in response to increased global natural disasters, with the purpose of preventing the global temperature increase from reaching 2 degrees Celsius (Maizland 2021). In 2020, the Institute for European Environmental Policy (IEEP) released several policy recommendations to the EC to aid EU member states in reaching their 2050 commitments; these included recommendations on the European Green Deal's impact on EU trade policy, urbanisation, circular economy, food security, and mental well-being (Institute of European Environmental Policy 2020a). As the world's largest trading bloc and chief export market for 80 countries, the EU must adequately foster sustainability, but liberalising its position in trade causes environmental and ecosystem degradation with global health risks (Kettunen and Davey 2020). Meanwhile the equity of urbanisation, development and mental health will need to be considered for lower-income communities who are disproportionately exposed to climate-related threats throughout the continent. This environmental discrimination and racism expose vulnerable communities to the brunt of climate crises. Along with lack of access to green spaces, this takes a toll on the long-term mental well-being of millions of Europeans every year, especially considering the COVID-19 pandemic lockdowns (Mutafoglu, Brink, Schweitzer and Jones 2020). Another critical aspect of the climate crisis is the destruction of agriculture and the resultant food insecurity. As part of the NextGenerationEU Recovery Plan to feed Europe, there must be more resilience to account for the increases in population, farming and environmental degradation of soil (Allen, Kollenda and Hiller 2020). All these issues can be addressed through the implementation of nature-based solutions (NbS).

The IEEP has suggested that the EU can reach its goals and fill any gaps through the Nature-Based Solutions Manifesto, which was launched at the 2019 UN Climate Action Summit; the Manifesto plays a critical role in protection and restoration through utilising the environment itself, but not through exploitation (Kettunen et al. 2020). NbS have the capacity to capitalise on the environment while supporting biodiversity and supplying sustainable solutions to Europe's critical climate-related issues. One way to achieve the EC's goals is through the circular economy; for example, the repurposing of products rather than using one-use products (Tsafos 2020). The European Green Deal's multi-layered approach and circular design enables the EC to create a more sustainable market for daily consumers and institutions. The circular element to climate action, inclusive of decarbonisation efforts, could be the EC's ticket to filling gaps.

Climate change proves to be of the utmost importance since, being a crucial global issue, it is subject to unexpected events in the international landscape, such as the Trump Administration's withdrawal from the Paris Agreement, the COVID-19 pandemic, and the rise in populism. Significantly, the conservative rhetoric of the recent wave of populism has exercised power against progressive developments in the EU such as climate change and women's rights. Although, as of 2018, the EU had emitted 385,332 tons of carbon since 1850, the EC dedicated the region to better climate action in 2020 (Maizland 2021). The European Green Deal seeks to sustain the modern economy and to reach net-zero greenhouse gas emissions by 2050 while mitigating international health and security issues.

## **6. The economic, social and political implications of Brexit**

On 31 January 2020, the United Kingdom officially left the EU following the result of the 2016 referendum, where 52 percent voted to leave (Electoral Commission, n.d.). The procedure, which was started by Theresa May and brought forward by Boris Johnson, came to an end after three rejections of the Withdrawal Agreement by the House of Commons and two requests to delay the deadline to leave the EU over the span of four years.<sup>1</sup> While being too soon to draw conclusions on the long-term effects of the UK's departure from the EU, its short-term economic, social and political impact is already visible.

### **6.1. Economic impact**

Brexit represented a notable change in the British economy, with the EU being its most important export market and its biggest source of foreign investment. The EU-UK Trade and Cooperation Agreement (TCA) sets out preferential arrangements in areas such as trade in goods and in services and covers other areas of interest to the EU, such as state aid, investment, competition and tax transparency. While it goes beyond the terms of traditional free trade agreements, it is not comparable to the economic integration the UK previously enjoyed as a member state (European Commission 2021). The deal provides for zero tariffs and zero quotas on all goods complying with the appropriate rules of origin; however, traders and businesses now have to deal with unexpected delays caused by visa rules, additional paperwork and documentation (Mueller and Robins 2021). European firms with a significant export share in the UK, such as machinery, textile and food companies, have been facing additional challenges (European Committee of the Regions 2018, 55).

1 A detailed timeline of Brexit can be found [here](#).

The tougher post-Brexit immigration rules have also discouraged EU workers from seeking employment in the UK. Many British businesses have reported difficulties in filling positions that were previously occupied by EU workers, most recently with the lack of truck drivers causing passing shortages of a range of items (Mueller and Robins 2021).

The negative impact of the new trade agreement is reflected by the fall registered over the past year in the trade of goods between the EU and the UK. In 2020, UK goods exports to the EU were down by 45 percent in January and were still down around 15 percent on the level before the transition period ended. UK goods imports from the EU also took a hit, as they fell by over 30 percent at the start of 2020 and were still down by around 20 percent in August compared to December 2020 (Office for Budget Responsibility 2021, 58). According to a study by the Centre for European Reform, leaving the single market and customs union had, as at August 2021, reduced the UK goods trade by 15.8 percent (Springford 2021).

## 6.2. Social impact

The negotiation and transition period were characterised by rising concern about the social and equality impact of Brexit. Since the 2016 referendum, there has been a marked rise in hate crimes reported in England and Wales, with Brexit being identified as having a major influence (Hepburn 2020, 35). Racism and discrimination have also increased among certain migrant communities in Scotland since the referendum. According to a survey of the University of Strathclyde, 77 percent of young Eastern European school pupils aged 12–18 living in Scotland and England had experienced racism and xenophobic attacks, and almost half (49 percent) had seen “more racism” since the Brexit referendum (Sime et al. 2017). Research also found a difference in the rise of hate crimes between pro-Leave and pro-Remain areas, with the former registering a bigger increase (Albornoz, Bradley and Sonderegger 2020; Carr, Clifton-Sprigg, James and Vujic 2020).

Brexit has also immensely impacted the rights of both EU citizens moving to the UK and vice versa after the end of the transition period. UK nationals are considered third-country nationals under EU law, being able to retain their status as Union citizens only by acquiring the nationality of a member state (European Parliamentary Research Service 2020, 3). Citizens of the EU are now subject to the points-based immigration system, which prioritises the entrance of skilled workers with a job offer, and highly-skilled scientists and researchers even without a job (UK Government, n.d.). The decreasing number of EU migrants in the UK workforce is expected to have a detrimental impact on the delivery of public services across different sectors. In 2017, 18 percent of the home-building workforce came from an EU country, with the percentage in London being

as high as 50 percent. Under the new strict immigration rules, many of these workers are unlikely to fulfil the criteria for entry (Stewart, Cooper and Shutes 2020, 511). Lower migration from the EU could also have significant effects on the workforces in health and social care, two sectors that have already been suffering from shortages over the last few years. In 2018, EU nationals made up 5 percent of NHS workers in NHS England, including around 10 percent of doctors and higher percentages for some specialisms. In the social care sector, EU nationals constituted 7 percent of the total workforce in 2017, and 10 percent in London (Stewart, Cooper and Shutes 2020, 512).

Many have also expressed concern over the impact Brexit would have on human rights protection in the UK, as EU law lost its primacy and the state is no longer subject to the Charter of Fundamental Rights enforced by the CJEU. British citizens will have one less forum for complaints of violations of their fundamental rights (O’Cinneide 2018, 6).

### **6.3. Political impact**

Brexit was a deeply political process and left a significant mark on the political landscape on both sides of the English Channel. While the British Conservative Party has complied with its promise to “get Brexit done”, the process has awakened some old tensions with Northern Ireland and Scotland. The Northern Irish border with the Republic of Ireland was one of the most heated points of discussion during the negotiations, as it would remain the UK’s only border with the EU. With both sides making it a priority to avoid reimposing border checks, a deal was finally struck allowing Northern Ireland to continue following many European rules. Thus, trucks would be able to cross the Irish border freely, with new paperwork required for goods moving between Northern Ireland and the rest of the UK. However, these changes have led British businesses to limit distribution. This has caused a rise in tension in the region, resulting in outbreaks of rioting. Similarly, the gap between the UK and Scotland has become even deeper following the 2016 referendum, with Scotland having a majority Remain vote (Mueller and Robins 2021). Moreover, within the EU Brexit has represented an unprecedented threat to the European integration process. Seeing the UK successfully leave the EU has set a precedent and strengthened the ever-growing anti-EU sentiment of right-wing parties across the Union.

The departure of the UK from the EU has had an economic, social and political impact on both. While the withdrawal agreement aimed at maintaining an overall friendly relationship based on mutual trust and cooperation, the obstacles and tensions it has led to are becoming more and more visible. It remains to be seen how the long-term effects of Brexit will impact both the EU and the UK.

## **7. Economics and strategy in the Balkans**

The Balkan peninsula has been an area of contention between world superpowers for years (Conley, Hillman, Ruy and McCalpin 2020). While the EU aims to transform a historically volatile region into a stable neighbouring area, Russia has been attempting to prevent the installation of NATO bases and the extension of the EU in territories with strong cultural, historical and political ties with Moscow. In the last few years, China has also started to exercise a more subtle political and economic influence over potential EU countries, in order to hinder the U.S., a most important ally of the EU. During 2020 the EU and China enhanced financial developments and strategic politics to reinforce their respective alliances with Balkan countries. In particular, there were huge investments in economic development and important consequences for human rights and democracy in the region.

Amid the outbreak of the COVID-19 pandemic in the Balkans, the EU promised a financial support plan of €3.3 billion for Western Balkan citizens (European Commission 2020f). While a part of the plan, announced in April 2020, aimed to support social needs and recovery with the amount of €389 million, €4.5 million was designated for emergency humanitarian aid to vulnerable refugees and migrants. The EU also allocated €8 million for urgent needs in migrant camps (European Commission 2020f). This aid was delivered to signify the future of a stronger relationship with the Western Balkans. This partnership also took concrete form in the draft negotiating frameworks for EU candidate states such as Albania and North Macedonia: among the guidelines and principles regulating their accession process, the EC once again stressed the importance of strengthening democracy with a specific focus on rule of law, democracy and human rights (European Commission 2020g). During the 2020 EU Western Balkans Summit, President Ursula Von Der Leyen also stressed respect for these as prerequisites for accession, encouraging Balkan countries to continue reforms of the functioning of democratic institutions and a free press, which she defined as “intrinsic to Europe’s DNA” (European Commission 2020d).

While the EU made an effort to strengthen its bond with the Balkans, China too has assumed an important role. Chinese investments were fundamental for the construction of important infrastructure such as the new terminal at the Croatian port of Rijeka (Shopov 2021), and the acquisition of big companies such as Serbian tyre factories (Anthony 2020). Unlike the EU’s, China’s keen investment in the region has not been constrained by a rigorous political agenda, although this approach seems also to have affected other fields like the freedom of press. Despite the lack of clarity on whether Balkan media might be partially or completely owned by Chinese investors, cooperation agreements between the Chinese news agency Xinhua and the Serbian news agency Tanjug have influenced

Serbia's press to adopt a more pro-China perspective. China's financial investments could represent a further obstacle towards greater freedom of expression in Balkan countries like Serbia, which has been experiencing a downward trend in the years preceding 2020 (Hartwell and Vladislavljev 2020). Additionally, this relationship led Serbia to sign a joint statement with countries including North Korea, Iran and Zimbabwe in defence of China's extermination of the Uyghurs (Report Without Borders 2020). On the subject of Hong Kong, Serbian President Aleksandar Vučić expressed support for China's sovereignty by stating in June 2020 that Serbia "condemns any attempts at undermining the reunification" (Euractiv 2020). In return, China repaid Serbia by not recognising Kosovo's political independence. This position was extremely evident when they sent medical aid for COVID-19 to all Western Balkan countries except for Kosovo (Hammond 2020).

The Balkans remain a geostrategic region for internationally acknowledged superpowers such as the EU and China. Depending on which political engagement becomes predominant in the region in coming years, the human rights situation might change significantly. The COVID-19 pandemic highlighted the EU and China's efforts to gain more influence in the Balkans. In this context, the EU seemed to foster more gradual and transparent support in exchange for promoting human rights, while China provided flexible financial support to the region at the detriment of freedom of expression and democracy.

## **8. Conflicts, human rights and democratisation**

Two main armed conflicts characterised Europe in 2020: the ethnic and territorial conflict between Armenia and Azerbaijan, and the subnational conflict in Ukraine (Davis 2021). Unsurprisingly, the COVID-19 pandemic, the outbreak of protests during the Belarus presidential elections and political strains between Greece and Turkey exacerbated these clashes (Davis 2021). On the local level, international superpowers weighed in on shaping the starting phases and development of the conflicts. In both contexts, Russia and the EU appeared to be the most important actors due to the lesser involvement of the U.S.

The historical tensions between Azerbaijan and Armenia, dating back to the 1980s, turned into a full-fledged conflict in September 2020 when Azerbaijan launched a military attack against the Armenian-occupied region of Nagorno-Karabakh, resulting in the death of hundreds of people (Keddie 2020). Amnesty International condemned the use of cluster bombs, which are prohibited under international law (Amnesty International 2020b). The Karabakh human rights Ombudsman reported that around 70,000 people were internally displaced (Al Jazeera 2020). The WHO expressed concern about the spread of COVID-19 that the clashes threatened to facilitate. It called for an "immediate cessation of

hostilities”, as being fundamental “to preserve access to health services — a fundamental human right” (WHO 2020a). In response to damage to local health infrastructures, the EC allocated €6.9 million in humanitarian aid to support people directly affected (European Commission 2020e). Direct aid from the EU and its involvement in reaching a ceasefire was based on several geopolitical reasons, such as its aims of boosting stability and security, and promoting a stronger alliance between the EU and six neighbouring countries via its Eastern Partnership (Bayramov 2020).

The conflict in Ukraine started in 2014, due to the Russian occupation of Crimea and the following referendum to annex the peninsula to Russia, and has now caused around 13,000 casualties and 1.5 million internally displaced people (Global Conflict Tracker 2020). As discussed in the EU-Ukraine summit (Council of the EU 2020b), EU representatives once again stated their commitment to guaranteeing a peacekeeping process through economic and security policies. Emblematically, the EU-Ukraine Association Agreement strives to promote improved economic and trade links, for Ukraine’s progressive inclusion into the EU market. President Charles Michel condemned the illegal annexation of Crimea and supported the territorial integrity of Ukraine (Council of the European Union 2020b). The 2020 summit highlighted the EU and Ukraine’s shared values of democracy and human rights, with the hope they will take concrete shape in Ukraine’s decentralisation, electoral reform, strengthening of the rule of law, and fighting against corruption.

The outbreak of conflicts in neighbouring countries represented a great challenge for the EU’s peacebuilding and transitional process towards stability and security in the region. In particular, due to pressure from Russia, the Ukrainian front seems to constitute an extremely volatile context where the guaranteeing of human rights might be at risk in the near future.

## **9. Digital transformation in the age of disinformation**

Digital transformation claimed a space in the UN Sustainable Development Goals, as the technological age rapidly advances beyond current EU legislation. The EU seeks to create durable digital infrastructures, strengthen innovation, and protect the right to data for all EU citizens to uphold the ECHR’s right to privacy (Article 8) (Institute of European Environmental Policy 2020b). This SDG requires a considerable effort, and the EC has realised that digital legislation must grow in parallel with technology. This gap was filled by the European Data Protection Board (EDPB) and the General Data Protection Regulation (GDPR) in 2018. In June 2020, the EC’s Directorate-General for Justice and Consumers released the two-year data report on the GDPR, “Data protection as a pillar of citizens”, with positive conclusions and outlooks (European Commission 2020h).

Societal privacy is crucially at stake in the digital age, amidst constant developments in the technological space. Technological progress has entered a grey area where citizens' privacy can be used in negative ways. For example, 2020 was riddled with disinformation and misinformation in the political hemisphere. Facebook and Twitter discovered fifteen operations that outsourced social media disinformation to third parties for political campaigns (Goldstein and Grossman 2020). This information was used to create social tensions between different political parties, states and regions to make significant threats towards a particular actor. However, the GDPR challenged this by creating the toughest privacy and security law in the world which enforces harsh fines against those who violate its standards.

The GDPR's firm stance on protecting EU citizens' right to privacy remained strong in its intentions and outcomes. Its extensive explanations on penalties and policies led to overall success. The two-year data report found that Europeans largely kept up with technological developments and privacy due to the GDPR. The report revealed that EU citizens see an increase in empowerment and awareness about privacy rights, data protection authorities use the corrective powers to enforce the GDPR, and the EC engages in more international dialogue to foster respect for privacy on the global level (Zhivkova 2020). The FRA evaluated these findings with its own survey (FRA 2020b). In terms of empowerment, 69 percent of the population over the age of 16 was familiar with the GDPR and 71 percent knew their national data protection authority. As for data collection (i.e., home address, citizenship, date of birth, sexual orientation, religion or belief, political views, fingerprints, and facial images), 23 percent of respondents reported they did not want to share their data publicly while 41 percent did not want to share their data with private companies. Meanwhile, more than half of the respondents were receptive to sharing their basic data, although this figure remained low for sharing with private companies. Therefore, there was an increase in digital and data literacy, meaning that EU citizens may be more versed in data protection.

However, analysis of the FRA survey on data protection led to concerns about the number of EU citizens aware of their personal privacy settings on smartphones (FRA 2020b). While 72 percent of respondents knew how to operate privacy settings, a gender gap was still present in the participants' knowledge of privacy and location settings — 21 percent of men were unaware of how to check these settings as compared to 27 percent of women. This difference in digital literacy poses a gendered threat within the EU, which should be addressed by the EDPB. The COVID-19 lockdowns have increased the rates of gender-based violence, leaving women to be more reliant on social services for protection, most of which went mobile in 2020.

Overall, the EC and the GDPR have successfully reached their initial goals and made the EU fit for the digital age by 2020. EU citizens assumed a more active role in their digital rights, literacy and privacy. The next hurdle for the GDPR is to protect EU citizens' data from external sources that they cannot hold accountable, and to harmonise cross-border cases on data protection. The EDPB is currently engaging in international dialogue with non-EU member states to have more discussions about digital rights (FRA 2020b). Related forums have already led the EU to establish a positive relationship with Japan for free and safe data flows, and this is the beginning of a long journey (Wahl 2020).

## 10. Conclusion

The EU dealt with detrimental consequences in 2020, but its response and recovery plans are building a stronger future that will safeguard human rights and democracy. A key takeaway is that social and political developments all intersect with each other. It is evident that one crisis has the ability to compound others, instantaneously. COVID-19 behaved as a prime example of this phenomenon as it revealed vulnerabilities to other crises. Its impact caused the EC to react in an unprecedented way — rapidly responding with action plans to address cascading issues such as medical inequality, gender-based violence, climate injustice, racism and discrimination. The way this pandemic manifested in the European region caused a rollback on current human rights and revealed unaddressed gaps in democracy. This bluntness forced the EU to look into a shameful past ridden with colonialism and climate injustice, which will now remain a crux in future discourse when interfacing with new action plans and declarations.

However, not all member states within the EU kept pace with the improving regional standard in human rights and democracy; as a result, some civilians became disproportionately vulnerable to the plight of authoritarianism and disinformation. Some member states took advantage of their societies for political and material gains, especially as they teetered into new alliances with other countries outside of the EU. However, this could be seen as a form of survival, as newer member states, especially in eastern and southern Europe, did not receive the same benefits as central and northern Europe. COVID-19 exacerbated the EU's prioritisation of some member states over others, causing those at the tail end to explore external relationships with other regions which provided stronger and quicker support, as seen in the Balkans. This did come at the cost of ignoring human rights and democratic standards, which will require the EU to have dialogue with member states forming these new relationships. To remain strong, the EU must garner an equitable society where vulnerable communities are not the last to be served when there is a global or regional crisis. Otherwise, it could weaken the overall region to a point where alliances could swiftly change, thus putting the region at a security risk.

Sustaining and creating more equitable societies and mechanisms to safeguard human rights is a constant challenge for the EU and its member states in consideration of unpredictable global developments. The EU did not meet all of its goals in 2020, as it had to perform damage control to establish a sound basis for future goals to be met. The formulation of acts and instruments (such as the EU Action Plan on Human Rights and Democracy 2020–2024, and others discussed in this article) is playing a key role in safeguarding human rights and democracy into the foreseeable future. Several large commitments have been made for the next five years as the EU seeks to successfully implement its strategies and action plans, to promote a healthier and more meaningful society that celebrates inclusion at all levels.

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