

MUZZLED: THE SILENCING OF POLITICAL DISSENT IN EUROPE?

(Part II)

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Abbreviations	Full terms
AKP	Justice and Development Party
CAES Centres	Centres for reception and situation examination
CESCR	Committee on Economic, Social and Cultural Rights
CPT	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CRC	Convention on the Rights of the Child
CRS Officers	Compagnies Républicaines de Sécurité (Republican Security Corps)
CSTO	Collective Security Treaty Organisation
ECHR	European Convention on Human Rights
EU	European Union
EUAA	European Union Agency for Asylum
EUROJUST	European Union Agency for Criminal Justice Cooperation
EUROPOL	European Union Agency for Law Enforcement Cooperation
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ID	Identification
IOM	International Organisation for Migration

IRC	International Rescue Committee
NGO	Non-Governmental Organisation
NGO HRO	NGO Human Rights Observers
NGO MSF	NGO Médecins Sans Frontières (Doctors Without Borders)
OHCHR	Office of the United Nations High Commissioner for Human Rights
PICUM	Platform for International Cooperation on Undocumented Migrants
RIBs	Rigid Inflatable Boats
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WHO	World Health Organisation

INTRODUCTION

The growing trend of democratic backsliding and weakened human rights protections has made politically motivated imprisonment a recurring practice. As freedom of speech and expression are the cornerstones of democracy, when governments jail their opponents or those who express different political views, it constitutes a direct threat to democratic values and the rule of law. Therefore, it is crucial to critically examine new signs of political repression, arbitrary imprisonment, and shrinking civic space in order to better understand and respond to potential threats to democracy across Europe.

As it is mentioned in the first part of the report, there is no single established definition of political prisoners. However, for the purposes of this report, we will use the Parliamentary Assembly of the Council of Europe definition, which was adopted by the Council of Europe member states in 2012.¹ According to this, a person deprived of their personal liberty is to be regarded as a “political prisoner” if:

- a. the detention has been imposed in violation of one of the fundamental guarantees set out in the European Convention on Human Rights (ECHR) and its Protocols, in particular freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association;*
- b. the detention has been imposed for purely political reasons without connection to any offence;*
- c. for political motives, the length of the detention or its conditions are clearly out of proportion to the offence the person has been found guilty of or is suspected of;*
- d. for political motives, he or she is detained in a discriminatory manner as compared to other persons; or,*
- e. the detention is the result of proceedings which were clearly unfair and this appears to be connected with political motives of the authorities. (SG/Inf(2001)34, paragraph 10).*

This report is divided into two parts. The first part, focusing on political dissent in Europe, begins by discussing existing protection mechanisms, specifically the mechanisms available to the Council of Europe, Organisation for Security and Co-operation in Europe (OSCE), the United Nations, and the European Union, to protect people from arbitrary detention. It then delves into the Southern and Eastern European countries and assesses each country by four indicators. The indicators used to assess the situation vary by region to reflect the distinct challenges each area faces. For Southern European countries, such as Greece, Italy, and Spain, the assessment focuses on the legacies of democratic transitions, structural weaknesses, selective justice, and political clientelism. These indicators highlight how older, established democracies may still struggle with systemic issues. As for the Eastern European countries, including Hungary, Poland, the Balkans, and former Soviet space, the four

¹ Resolution 1500, The definition of political prisoner, Parliamentary Assembly, 2nd October 2012.

indicators - systemic repression, authoritarian consolidation, post-conflict challenges, and illiberal drift within the EU, reflect the more acute and recent challenges of moving from post-communist or conflict states towards fully consolidated democracies. The first part of the report concludes that the threat of mass repression and political imprisonment is lower in Southern Europe compared to Eastern Europe, but at the same time, the erosion of the democratic system through selective justice and corruption remains.

This part of the report will focus on Central and Western Europe, Northern Europe, the Caucasus, and Türkiye. For Central and Western Europe, the countries will be evaluated by these indicators: anti-terrorism legislation, exceptional measures, preventive (pre-trial) detention, migrants, and minority rights. This grouping highlights the challenge these historically stable democracies face in balancing national security and fundamental rights. The focus is on the legal and administrative measures that, while intended to counter modern threats like terrorism and migration crises, can potentially erode civil liberties and disproportionately affect minority populations. In Northern Europe, the analysis will focus on the following: digital surveillance, civil liberties, and detention linked to immigration and security. Northern European nations generally rank highly in civil liberties, yet they are at the forefront of implementing advanced technological and security measures. The chosen indicators reflect the tension between their strong rule of law traditions and the relatively new frontier of security risks posed by digital monitoring and controlled immigration policies. Lastly, in the section on the Caucasus and Türkiye, the report will focus on illiberal democracies, authoritarianism, the massive detention of opponents and minorities, and armed conflicts and civic space. This area is characterised by geopolitical instability, protracted conflicts, and systems of governance that are either rapidly moving away from democratic norms or are fully authoritarian.

The second part of the report will then synthesise the recurring trends across the regions and show the differences and similarities between the countries and regions as well. Then, the report will draw a set of policy recommendations for member states, for the OSCE, for the Council of Europe, and for the European Union. These recommendations will suggest measures aimed at eliminating the existence of political prisoners in Europe, and at strengthening the democratic safeguards required to prevent their recurrence.

4. CENTRAL AND WESTERN EUROPE

a) Austria

Austria does not typically experience political imprisonment, as the country's democracy lies on solid ground, with fortified bases such as the respect for the rule of law and for the State powers, clear division between the executive, legislative and judiciary, respect for human rights and a consolidated constitution. According to a 2023 country report on human rights practices conducted by the United States Department of State (U.S. Department of State, 2023), there were no reports of arbitrary deprivation of life or other unlawful or politically motivated killings. Furthermore, there were no reports of disappearances by or on behalf of government authorities.

However, human rights monitors reported a significant number of complaints against police mistreatment, which were generally investigated internally with minimal public information or oversight and convicted police officers were punished with the minimal punishment for government officials.

In terms of mistreatment inside prison and detention centres, there were no significant reports that raised human rights concerns. However, it is important to note that an alarm was raised by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment regarding the staff shortage that leads to longer periods of confinement and insufficient psychiatric care.

In Austria, imprisonment is based on sufficient evidence and legal warrants issued by a duly authorised official. Austrian law requires that the arrested person be brought before an independent judiciary and charged accordingly for the crimes committed, while having their rights always respected. The law also specifies the grounds for investigative detention and conditions for bail. Detainees have the right to an attorney and criminal suspects are not legally required to answer questions without a lawyer present. Austrian laws provide for compensation for persons unlawfully detained.

Austria also fully respects the freedom of expression, including for the press and other media, with its government generally respecting this right. Civil liberties are protected by the constitution and protects the freedom of speech, at the same time prohibiting incitement, insult, or contempt against a group due to personal reasons, such as race, nationality, religion. It also prohibits public denial or approval of the Nazi genocide or other Nazi crimes against humanity, aiming to prevent the re-legitimisation of the ideology that enabled those atrocities.

Moreover, the country's government cooperates with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organisations in providing protection and assistance to refugees. Laws grant asylum or refugee status to those who fall under these categories and a system is established to provide protection to them. A concern was expressed by representatives from UNHCR, the United Nations Children's Fund (UNICEF), and the International Organisation for Migration (IOM), expressing concern that the government was unable to fully track the movement of children unless they were admitted to a provincial care facility, which can take several months.

This shows that Austria is already advanced in terms of protecting human rights and freedom of expression, while also prohibiting hate speech, and apology for Nazism. Although the country still has a way to go in terms of fully protecting human rights and refugees, such as creating programmes for resettling refugees, Austria has already implemented several projects and laws that can be used as an example for other countries.

b) Belgium

Belgium is a federal constitutional monarchy, where the king acts as the head of state, and the prime minister as the head of government in a multi-party system. Power is divided between three levels of government: the federal government, three language-based communities and 3 regions. The country ranks sixth in the European Union (EU) in terms of Gross Domestic Product (GDP) per capita with 44 thousand euros, well above the EU average. It accounts for 3,4 percent of the EU's total GDP. The constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, and there were no credible reports that government officials employed such treatments (U.S. Department of State, 2023).

However, prison and detention centre conditions often fail to meet international standards, as they present health risks due to overcrowding, hygiene problems, inadequate physical activity, and lack of access to amenities and medical care. Prison overcrowding remained a major problem: as of June 26, 2023, there were 11 thousand prisoners, although prisons had capacity for 10 thousand people only (U.S. Department of State, 2023). Additionally, the understaffing and the bad state of the infrastructure are also issues that aggravate the conditions of imprisoned people, which made the country lose several cases at the European Court of Human Rights (ECtHR), with repeated calls for the country to address detention conditions.

Under the country's constitution, a person can only be arrested while committing a crime or by a judge's order, which must be carried out within 48 hours of the issuance of the order. However, custody imprisonment is still not dutifully monitored to guarantee that no human violation will be committed. An example is the death of a social worker, aged 46, while in custody after police held her overnight. Authorities claimed the woman committed suicide, but family members and human rights nongovernmental organisations (NGOs) protested the official explanation claiming this was the third death of an individual of African descent in the same police station during prior years.

In terms of migration and refugees' rights, the government cooperates with the UNHCR and other humanitarian organisations in providing protection and assistance to refugees, asylum seekers, and migrants. The government provides a system for the protection of refugees, a population that only in 2022, amounted to more than 35 thousand.

The country accepted refugees from resettlement through UNHCR, including persons located in Italy and Greece, and approximately 70 thousand refugees from Ukraine, which strained the country's asylum system, unable to meet its obligation to provide shelter to all in need. According to a report done by Amnesty International between October 2024 and 2025, persistent failure from the government to provide reception to those asylum seekers violates their rights and dignity, pushing them into precarity, homelessness and poor living conditions. Unable to access basic services, they have to rely on solidarity from volunteers

and civilians for food and basic supplies during the winter and its dire living conditions (Amnesty, 2025).

c) France

Systemic racism and religious discrimination are still persistent in France, particularly against Muslim women and girls wearing the veil. At the 2024 Paris Olympic and Paralympic Games, French women athletes were banned from wearing sports hijabs and discriminatory bans continued to apply to sports in general at both professional and amateur levels, ruling out the participation of Muslim women and girls in competitions. In September, the Council of State affirmed the ban on students wearing the *abaya* or *qamis*, in accordance with the 2004 law restricting “signs or clothing showing religious affiliation in public schools, colleges, and high schools” (Legifrance, 2004). The act can be considered discriminatory, since it bans girls from attending public schools while using a religious requirement, such as the hijab, under the defence of secularism (Fornerod, 2004). The UN Human Rights Committee expressed regret that France had not reconsidered its restrictions on the abovementioned law, on the contrary, extending it to the domain of sports, discriminating against Muslim women and girls.

Furthermore, in February, during a visit to the island of Mayotte, the interior minister at the time announced plans for a constitutional change withdrawing the right to French citizenship by birth for children born to foreign parents on the overseas territory unless one of them had been living in France for at least three consecutive months under a valid visa, creating unequal treatment between citizens in the mainland and those born in the overseas (Gazeaud, 2024). Although the bill that would introduce the change was suspended, it was not repealed, meaning that it can be reinstated and submitted to vote again.

Recently, people expressing solidarity with Palestinians faced excessive and disproportionate restrictions, with cities such as Paris, Lyon, Alençon, and others, enforcing pre-emptive protest bans in response to spontaneous demonstrations against Israel’s assault on Rafah. Several human rights defenders, trade union representatives, politicians, journalists, academics, and even medical practitioners were investigated for apology for terrorism, after expressing solidarity with Palestinians, an offence that is an overly broad and vaguely defined, borderline threatening free expression.

After the Charlie Hebdo attack in 2015, France practices against terrorism have been strengthened, such as collaboration between domestic and foreign intelligence, and the framework within which intelligence services are authorised to use tapping techniques (Ayad, 2025). Its robust law enforcement and intelligence services detect, deter, and prevent acts of terrorism on its territory, maintaining its longstanding policy against the repatriation of French foreign terrorist fighters and their children, on a case-by-case basis.

When it comes to migrants’ and refugees’ rights, the Constitutional Council removed in January 2024 several measures considered as discriminatory and xenophobic from the Immigration Control and Integration Act of November 2023. However, the final version still retains provisions including increased administrative powers to detain and expel foreign nationals deemed a threat to public order, regardless of how long they have been living in France or if they have family and their work there.

Finally, the year 2024 became the deadliest on record for migrants attempting to cross the English Channel irregularly by boat, with more than 70 people dying trying to reach the United Kingdom. Human Rights Watch reported that adults and children living in migrant encampments around Calais are regularly subjected to degrading treatment by French officials, with examples of mass eviction operations, near-daily police harassment, and restrictions on provision of and access to humanitarian assistance (Human Rights Watch, 2021).

d) Germany

In 2024, Germany faced allegations of excessive use of force and violations of the non-refoulement principle in its treatment of peaceful protesters, climate activists, and individuals expressing their support of Palestinians' rights. That same year, the authorities deported 28 individuals to Afghanistan, in clear breach of the prohibition on returning individuals to a country where they can be subjected to degrading and inhuman treatment (Amnesty, 2024).

Far-right politicians, businesspeople, and other actors, were exposed by journalists while drawing a plan for mass expulsions, framing it as "remigration". It is a continuation of anti-migrant rhetoric, which also influenced the legislation passed in October: the parliament adopted a new security package of regulations that conflated criminality with race, ethnicity, and nationality. These laws also disproportionately reduced benefits for asylum seekers and extended biometric surveillance and police checks, allowing people to be targeted based solely on their administrative status and not on a reasonable suspicion standard.

Freedom of peaceful assembly is also being threatened by the State, with examples ranging from climate activists being accused of forming a criminal organisation in May, police banning and dissolving an event called "Palestine Congress" in April, the banning of several invited speakers from entering the country, and of protests against arms transfers to Israel also in April, citing a danger to public security (Amnesty, 2024).

In January 2024, parliament also passed the Repatriation Improvement Act, which expanded authorities' powers of entry to premises, search and detention, and further increased the risk of unlawful detention for asylum seekers. The government also announced plans to resume deportations to Afghanistan and Syria, prematurely ending the humanitarian admission programme for Afghanistan, put forward in October 2022, to admit a thousand individuals per month. On December 9th, 2024, Germany suspended asylum applications for Syrian nationals, pushing nearly 50 thousand Syrian asylum seekers into precarity, including mandatory residence in reception centres, work prohibitions, limited access to healthcare services, and a ban on family reunification (North Press Agency, 2025).

There were no reports of the government or its agents committing arbitrary or unlawful killings during the year, but NGOs and journalists' organisations reported several cases of harassment or violence directed against journalists by police during the year, especially when covering demonstrations (U.S. Department of State, 2024). Law enforcement, including the Federal Criminal Police Office, routinely raided homes, confiscated electronic devices, interrogated suspects and prosecuted individuals for the abuse of freedom of speech, including online, while accusing and prosecuting people for hate speech and threats against women.

Germany's constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of arrest or detention in court. The government generally observes these requirements, with no reports of enforced disappearances by or on behalf of government authorities.

e) The Netherlands

In the Netherlands, human rights are protected by national legislation and international conventions. The central government plays an active role in protecting human rights in the country, in line with the Constitution and the international conventions to which the country is a party. Despite the Constitution guaranteeing that everyone must be treated equally in equal circumstances (Article 1, Constitution), several violations of migrants' and refugees' rights have been reported. The new government announced proposals to restrict the procedural position of asylum seekers, including limiting legal aid, and removing their right to appeal a court decision on their asylum claim.

Furthermore, throughout the year of 2024, police employed drones and video surveillance cars with advanced cameras and facial recognition technology used as surveillance tools against peaceful protesters, without the due regulation, safeguards, or accountability, disrespecting the right to privacy:

collection and storing of data by authorities on particular individuals constitutes an interference with those persons' private lives, even if that data concerned exclusively the person's public activities. Moreover, processing information about participation in protests can qualify as the processing of special categories of sensitive data attracting a heightened level of protection, since it reveals political opinions or religious beliefs. The processing of such sensitive data adds to the seriousness of the interference, as does the fact that data is used for police purposes (Amnesty, 2024).

Significant human rights issues included credible reports of violence or threats of violence against journalists, crimes involving threats of violence against members of national, racial, and ethnic minorities, crimes and threats of violence motivated by antisemitism, and crimes involving violence or threats of violence against the LGBTQIA+ community (U.S. Department of State, 2022).

Reported incidents usually involved allegations of excessive force by police and resulted in immediate investigation by the National Criminal Investigation Department, an independent body housed within the Ministry of Justice and Security. One example involves a 37-year-old man who died a week after his arrest during a traffic stop, when videos taken by a bystander showed him being dragged unconscious by his arms out of the vehicle and having his chest compressed by a police officer's knee for six seconds (Dutch News, 2022).

Finally, there were no major concerns regarding physical conditions or inmate abuse in prisons or detention centres in the Netherlands, but in December 2021, more than 200 Venezuelan migrants were left stranded in Curaçao, a constituent island country within the Kingdom of the Netherlands, when repatriation flights to Caracas were abruptly cancelled, and were later moved to a sports complex at a refinery, allegedly without adequate food, water, or sanitation products, in inhumane conditions. Venezuelan refugees also face challenges, such as inability to access basic services such as public health care, prohibition to

work legally, abuse and exploitation, with women being the most vulnerable (Leghtas & Thea, 2019).

5. NORTHERN EUROPE

a) Estonia

There are no accounts of current political prisoners in Estonia (United States Department of State, n.d.-a). Estonia's legal and institutional frameworks support political pluralism, with democratic processes considered to be free and fair (Freedom House, n.d.-a). Political rights and civil liberties are widely respected, and institutions function effectively with broad public trust (Freedom House, n.d.-a).

Today, Estonia is recognised for its high degree of press freedom. International NGO Reporters Without Borders ranked Estonia second best in the world (Reporters Without Borders, n.d.-a). However, the work of journalists faces constraints due to legal factors (Reporters Without Borders, n.d.-a). While freedom of expression is constitutionally guaranteed, defamation and data protection laws may limit reporting (Reporters Without Borders, n.d.-a). Defamation remains a criminal offence punishable under Article 275 of the Estonian Penal Code and, if it targets a representative of the state performing his or her official duties, it is punishable with up to two years' imprisonment (Centre for Media Pluralism and Media Freedom, n.d.).

Additionally, media ownership is highly concentrated, with two major private groups (*Postimees Grupp* and *Ekspress Grupp*) controlling most of the market, while also holding interests in other sectors (Reporters Without Borders, n.d.-a). The Estonian Public Broadcasting (*Eesti Rahvusringhääling*) contributes the plurality of voices but operates with limited funding (Reporters Without Borders, n.d.-a).

The issue of citizenship is salient in the country, stemming from the country's Soviet legacy. Many ethnically Russian residents became stateless following the country's independence (Minority Rights Group, n.d.). Around five percent of Estonia's population is stateless, without the possibility of political participation (Monette, 2025). Recent constitutional amendments have further restricted voting rights for stateless residents (Monette, 2025). Given the country's past marked by resistance to russification, stateless residents are part of a sensitive debate over balancing inclusion and maintaining national integrity and security (Monette, 2025).

b) Finland

Finland is a parliamentary democracy with well-established political institutions and strong protections for civil liberties. There are no known current political prisoners in Finland (United States Department of State, n.d.-b). NGO Freedom House assigns Finland a perfect score of 100/100 based on the country's civil liberties and political rights records (Freedom House, n.d.-b).

Political pluralism is supported by a diverse and independent media landscape (Reporters Without Borders, n.d.-b). Content is available in Finnish, Swedish, and the Sámi language (Reporters Without Borders, n.d.-b). Press freedom is constitutionally guaranteed, with limited possibility for legal sanctions, except in cases of clear defamation, hate speech, or high treason, allowing journalists to operate without fear of legal persecution (Reporters Without Borders, n.d.-b). However, the legal system has yet to strengthen itself against Strategic Lawsuits Against Public Participation (SLAPPs) which can be used as a threat against journalistic work (Reporters Without Borders, n.d.-b). Most media outlets are independent of political parties; while the national broadcaster is supervised by a parliamentary council, politicians cannot appoint or dismiss journalists (Reporters Without Borders, n.d.-b).

Finland's legal framework safeguards the rights of the indigenous Sámi people, who enjoy linguistic and cultural autonomy (Ministry of Justice Finland, n.d.). Although there have been recent instances of the government violating the Sámi's right to prior and informed consent on activities regarding their historical land, the Finnish Constitution guarantees that the Sámi have the right to participate in decision-making regarding their political, social, and economic affairs (Dehaibi, 2025; Ministry of Justice Finland, n.d.).

c) Iceland

There are no known political prisoners in Iceland (United States Department of State, n.d.-c). Elections are free and fair, although the European Court of Human Rights (ECtHR) shed light on violations regarding irregularities during a recount in the northwest electoral district of the 2021 parliamentary elections (Freedom House, n.d.-c). The country compensated the affected applicants (Freedom House, n.d.-c).

The UN Human Rights Committee expressed concerns over the country's disproportionate use of solitary confinement, which is often applied during pretrial detention, including for juvenile offenders (Centre for Civil and Political Rights, 2024). It is reported that around 60 percent of pretrial detainees experience some form of solitary confinement (Centre for Civil and Political Rights, 2024). The Committee also expressed concerns over the country's widespread use of detention for asylum-seekers during the processing of asylum requests (Centre for Civil and Political Rights, 2024).

When it comes to access to information, Iceland enjoys a small but pluralistic media landscape (Reporters Without Borders, n.d.-c). The public broadcaster *RÚV*, whose board of directors is appointed by Parliament, operates independently and is legally shielded from political influence (Reporters Without Borders, n.d.-c). However, restrictions are usually applied directly to journalists, such as during the geological unrest unfolding in the town of Grindavik. Journalists and reporters were not allowed to enter the site, with only one cameraman being let in and recommended to share footage with all other media outlets (Tómas, 2023). Exponents of media outlets such as Erla Björg Gunnarsdóttir spoke out about the adverse effects that such practices have on press freedom (Tómas, 2023).

Finally, business interests, particularly from the fishing sector, influence the media landscape. In 2019, *RÚV* exposed a case of bribery by fishing company Samherji, which allegedly paid Namibian officials for fishing rights (Mong, 2021). The investigative reporting led to a smear campaign against journalists orchestrated by Samherji through accusations and ethics complaints (Mong, 2021). Journalist Helgi Seljan faced personal harassment, including stalking by a private investigator (Mong, 2021). Media unions condemned the intimidation campaign (Mong, 2021).

d) Ireland

The Republic of Ireland holds no known political prisoners (United States Department of State, n.d.-d). According to Freedom House, political rights and civil liberties are respected (Freedom House, n.d.-d). While ethnic minorities (such as Irish Travellers and Roma people) have the right to participate in politics, they have limited representation (Freedom House, n.d.-d). Travellers have been recognised as an indigenous ethnic group in 2017, simultaneously with the National Traveller and Roma Inclusion Strategy (NTRIS) (Freedom House, n.d.-d). Regardless, government consultations with civil society and relevant stakeholders remains insufficient, particularly regarding Travellers and Roma communities (Freedom House, n.d.-d).

While the country holds no political prisoners today, the island has a history of politically motivated imprisonments of Irish republicans in Northern Ireland. From the mid 1970s till the late 1990s, the British Government pursued a policy of criminalisation denying political prisoner status to incarcerated Irish republicans (Moen, 2000). This led to a series of protests, including the 1980–81 hunger strikes in the H-Blocks of Long Kesh (Maze Prison), during which ten prisoners, including Bobby Sands, died (Moen, 2000). By the time of the Good Friday Agreement of 1998, which ended the ethnonationalist conflicts in the island, the British government had allowed for the early release of detainees incarcerated for politically motivated offences, reverting two decades of criminalisation of dissent (Moen, 2000).

Regarding information, Ireland enjoys a free, pluralistic and independent media landscape (Reporters Without Borders, n.d.-d; Freedom House, n.d.-d). Press freedom has benefited from increasing pluralism in recent years, following Businessman Denis O'Brien sale of shares in Independent News & Media (INM) in 2019 and Communicorp in 2021, which allowed for greater competition and diversity (Reporters Without Borders, n.d.-d).

In 2024, a new bill aimed at the protection of journalists from defamation lawsuits and SLAPPs was supposed to replace the criticised Defamation Act of 2009 (Reporters Without Borders, n.d.-d). However, Irish and international organisations criticised the bill for failing to meet EU Anti-SLAPP Directive standards due by May 2026 (Irish Legal News, 2025). Critics spoke out claiming that its protections apply only to defamation cases, excluding other common SLAPP tactics involving privacy, copyright, and data protection laws used to suppress public interest reporting (Irish Legal News, 2025). Additionally, the party Sinn Féin has faced criticism from rival parties for the strategic use of defamation proceedings to limit critical reporting by broadcast outlets (Reporters Without Borders, n.d.-d).

e) Lithuania

Lithuania is one of the European countries where democracy, political rights, and civil liberties are generally considered as respected (Freedom House, 2025). As many European countries, Lithuania faces chronic problems, such as corruption and socioeconomic inequalities. Women, LGBTQIA+ people, different religious minorities, and other groups often experience varying degrees of discrimination, but Lithuania scored 89/100 on the Freedom in the World 2025 scale, which means that political rights and civil liberties are generally protected in the country (Freedom House, 2025). According to the 2023 Country Reports on Human Rights Practices, there were also no reports of political prisoners or detainees in Lithuania (US Department of State, 2023).

However, Lithuania has restrictive asylum legislation that allows for the detention of asylum seekers (Global Detention Project, 2024). In 2021, following a sharp increase in arrivals from Belarus, lawmakers adopted a new legislation mandating the automatic detention of people who irregularly crossed into Lithuanian territory (Amnesty International, 2022). As a result, thousands of people have been detained for prolonged periods. Many were summarily pushed back to Belarus, where they have no chance of seeking protection; others had their asylum claims ignored, and many were denied any judicial review of their detention (Amnesty International, 2022). Lithuania operates a single immigration detention centre, repeatedly criticised for degrading conditions, overcrowding, and disproportionate use of force. In 2022, the European Court of Justice found that Lithuania's regime of mass returns and automatic detention contravened EU law.

f) Norway

Norway is one of the most robust democracies in the world. Elections are fair and free, and power regularly rotates between parties. Civil liberties are respected, with independent media and civil society actors holding the government to account. Discrimination against marginalised groups remain a problem (Freedom House, 2025).

According to the 2023 Country Reports on Human Rights Practices, there are no reports of political prisoners or detainees in Norway (US Department of State, 2023). Moreover, prisoners in Norway retain the right to vote and have guaranteed access to education and healthcare (The Conversation, 2025). However, the Parliamentary Ombudsperson expressed concerns over conditions and treatment experienced by vulnerable detainees (Amnesty International, 2024). More specifically, their reports noted the use of reinforced “security cells” as a coercive measure, including for people at risk of suicide. The ECtHR ruled that Norway had violated the right to life and the right to an effective remedy after a man took his own life in prison in 2020, because the authorities failed to provide adequate care after the man was transferred from the hospital to Oslo prison (Amnesty International, 2024).

According to the Council of Europe, generally, the working conditions and environment for Norwegian journalists are considered as safe and predictable (Council of Europe). Although, there are no specific provision for the protection of journalists in Norway's Criminal Code, there are significant measures to ensure their safety, for example, the Attorney General has instructed the police and prosecuting authorities to prioritise cases involving threats and violence against journalists. Moreover, the Norwegian Ministry of Culture and Equality is the responsible authority for media-related topics in the country.

Norway does not hold political prisoners, nor does it criminalise dissent or journalistic work. Nonetheless the system is not exempt from structural issues. The Norwegian government should ensure that the fundamental rights of all persons deprived of their liberty are protected, with special attention to the most vulnerable prisoners. Furthermore, Norway must provide a transparent and rights-respecting environment for all migrants and asylum seekers, particularly those held in detention pending their deportation.

g) Sweden

According to the Freedom House, Sweden enjoys civil liberties and political rights, legally guaranteed and generally respected in practice, and the respect for the rule of law (Freedom House, 2024). While the country faces challenges, including rising violent crime and an increase in hate speech and vandalism targeting Muslim, Jewish, and other minority communities, there are no reports of politically motivated detentions (US Department of State, 2023).

Sweden was long regarded for comparatively its humane treatment of asylum seekers and undocumented migrants, but since the onset of the 2015 refugee crisis, a series of restrictive immigration control measures have been introduced with an increasingly hostile domestic political environment (Global Detention Project, 2018). The number of refugee applications has dropped over the years, while the detention capacity has increased. Amnesty International has reported concerns regarding refugees' and migrants' rights: the Swedish government initiated some legislative proposals to reduce the rights of asylum seekers, refugees, and migrants, which would result in breaches of multiple human rights, including the principle of non-discrimination (Amnesty International, 2024).

As for the protection of journalists, the Council of Europe during their campaign "Journalists Matter" addressed the situation in Sweden and stated that the two constitutional acts in Sweden, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression, provide particularly strong and detailed protection for freedom of expression in the printed press, radio and television. They also offer constitutional protection to journalists working in editorial media, increasing the responsibility of editors and thereby better protecting individual journalists from defamation lawsuits and other speech-based claims. Moreover, the working conditions of journalists are generally considered safe and well protected in

Sweden. Since August 2024, amendments to the penal code have been in place to further strengthen the criminal protection of journalists (Council of Europe).

h) United Kingdom

The United Kingdom has traditionally been regarded as a consolidated democracy respecting freedom of expression and the rule of law. However, multiple sources indicate a reported deterioration of the human rights situation in the country. The US Department of State reported that conditions worsened during 2023 (US Department of State, 2024).

In 2022, the UK government has adopted legislation that curtails certain human rights, particularly by restricting protest rights and increasing associated penalties (Human Rights Watch, 2024). These legislative actions continued into 2023, reportedly undermining free speech and human rights in the UK (Human Rights Watch, 2024). By early 2023, at least 13 protesters were reported to be imprisoned, serving sentences or awaiting trials (Human Rights Watch, 2024). This regulatory environment was amplified by reported statements from the former UK Home Secretary, who urged police to utilise ‘the full force of the law’ against pro-Palestinian protests, potentially contributing to a broader chilling effect on the rights to assembly and political expression (Human Rights Watch, 2024). Police forces are reportedly using live facial recognition technology to monitor peaceful gatherings (Human Rights Watch, 2024). Facial recognition surveillance technology can violate human rights as it undermines privacy rights and poses serious risks to freedom of expression, assembly and non-discrimination. Moreover, according to Amnesty International, in 2024, public authorities engaged in a range of conduct that had a chilling effect on protest and speech related to Gaza and Palestine. These measures included the use of the widely-criticised Prevent Counterterrorism programme, visa cancellation, and disciplinary proceeding against individuals (Amnesty International, 2024). Peaceful protesters faced prison sentences for expressing their views (Amnesty International, 2024). Recent regulations expanded police power to impose restrictions on protests: environmental protesters engaging in peaceful protests were deemed “seriously disruptive” and often faced imprisonment, in some cases receiving prison sentences of up to five years. The US Department of State similarly reported serious restrictions on freedom of expression, including enforcement of or threat of criminal or civil laws in order to limit expression (US Department of State, 2024).

Human rights organisations have specifically raised concerns regarding the treatment of non-violent protesters. A platform created by relatives and supporters (Rebels in Prison UK) reported that over 30 individuals were detained following non-violent protest actions, primarily linked to climate and anti-war movements. The Center for Climate Crime and Climate Justice argued that the UK is increasingly criminalising dissent, reporting that more than 40 people have been incarcerated in connection with protest actions, including those expressing opposition to the conflict in Gaza (The Center for Climate Crime and Climate Justice, 2024).

Overall, a February 2024 report by Human Rights Watch concluded that the UK government has demonstrated a significant backsliding on domestic human rights protections, posing a serious threat to individual rights while also undermining international standards (Human Rights Watch, 2024).

6. CAUCASUS AND TÜRKİYE

a) Armenia

According to Freedom House indices (2024), Armenia is considered a partially free country in which institutions exist formally, but lack the capacity to ensure accountability (Freedom House, 2025; Human Rights Watch, 2025). Although the presence of political prisoners in the classic sense is relatively limited, the country shows the typical characteristics of an illiberal democracy with serious risks for the integrity of civil and political liberties (Freedom House, 2025). In the name of national security, Armenian authorities have placed significant limits on these freedoms: following the Azerbaijani regime's siege in 2023, 100,000 Armenians indeed flowed into Armenia, and despite a temporary protection status, they reported mistreatment, providing a significant challenge for Armenian authorities (Freedom House, 2024; Human Rights Watch, 2025; Amnesty International, n.d.).

The electoral system is formally competitive, but the substantial conditions of democracy are compromised by irregularities and vote-buying practices, confirmed by international observers (Freedom House, 2025). The political context remains characterised by polarisation, pressures on the opposition, excessive executive power, and limited media pluralism, despite the 2021 tightening of penalties for vote-buying and electoral violence (Freedom House, 2025). Corruption remains widespread, fueled by relationships between politicians, public officials, and businesspeople, making efforts to resolve opaque policymaking, electoral gaps, and weak rule of law insufficient (Freedom House, 2025; Protection of Rights Without Borders, 2025). Systemic political influences have progressively weakened the integrity of judicial institutions (Freedom House, 2025). The widespread selectivity in the application of the law does not guarantee the right to a fair trial and is often accompanied by the use of prolonged pretrial detention (Freedom House, 2025; Protection of Rights Without Borders, 2025).

In this political framework, public policy choices are considered poorly free, with strong influence from private and international actors through lobbying and economic interests (Freedom House, 2025). The withdrawal of Russian military forces from the borders with Armenia, accompanied by the suspension of Armenia's participation in the Collective Security Treaty Organisation (CSTO), highlights the desire to distance itself from strong Russian influence by diversifying security alliances, while showing significant difficulties in

independence in economic and infrastructural areas (Freedom House, 2025; Amnesty International, n.d.).

From the civil liberties perspective, independent media coverage is present but challenged by the narratives of state media linked to the political and economic establishment, with strong affiliation of the press to political and commercial interests and an unchecked spread of disinformation (Freedom House, 2025; Freedom House, n.d.). The country records violent physical repression and forms of pressure, particularly against journalists, as declared by the Committee for the Protection of Freedom of Expression (CPFE), through legal actions brought by government officials and politicians (Freedom House, 2025; United Nations Office at Geneva, 2025; Human Rights Watch, 2025; Amnesty International, n.d.). The most significant example occurred during protests following the border delimitation process with Azerbaijan (Freedom House, 2025; Human Rights Watch, 2025). These episodes, linked to the influence of criminal subcultures, confirm the systematic use of mass detention and prolonged pretrial custody against activists and opponents as a judicial tool of pressure and intimidation (United Nations Office at Geneva, 2025; United Nations Committee Against Torture, 2021). Numerous episodes of physical abuse by the Armenian police on detainees have been recorded by the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe and the United Nations Committee against Torture (Freedom House, 2025; United Nations Office at Geneva, 2025; United Nations Committee Against Torture, 2021; Amnesty International, n.d.).

b) Azerbaijan

The situation in Azerbaijan is very critical; the country is the victim of a consolidated authoritarian regime of repression aimed at silencing any opposing voice, targeting human rights defenders and lawyers, journalists and media workers, academics and researchers, along with political and environmental activists (World Organisation Against Torture [OMCT], 2024). Currently considered among the most consolidated authoritarian regimes in the post-Soviet area, power is concentrated in the hands of the Aliyev family, which, since 1993, has implemented a policy of restricting civil liberties and human rights violations that have led to the detention of numerous political prisoners, despite Azerbaijani authorities denying these claims (Union for the Freedom of Political Prisoners of Azerbaijan, 2021). On June 10, 2025, the Union for the Freedom of Political Prisoners of Azerbaijan published updates to the list of political prisoners in the country, which includes 375 people (Meydan TV, 2025).

In office since 2003, President Ilham Aliyev called snap elections in February and September 2024, managing to obtain a fifth term and a parliamentary majority, confirming numerous international reports and complaints about the low legitimacy of the executive (Freedom House, 2025b; Human Rights Watch, 2025b). The election observation mission of the OSCE declared a total lack of competition and implementation of procedures, pressure on the media through intimidation episodes, and strong restrictions on observation by civil society

organisations (Freedom House, 2025b; Human Rights Watch, 2025b). From these elements, it can be inferred that the electoral system presents significant deficits, enabling the president, through maneuvers aimed at strengthening authoritarian power, to suppress the possibilities of free elections, impartiality, and pluralism (Freedom House, 2025b).

The dominance of the ruling party YAP, acronym for “New Azerbaijan Party,” led by the son of President Aliyev, does not allow opposition candidates to organise rallies or to have media coverage (Freedom House, 2025b). The introduction of a new law hindering the registration of opposition parties by introducing disproportionate requirements, increasing the minimum number of registered members from 1,000 to 5,000, mandatory registration, and consequent sanctions— has created an environment of control and arbitrary selection, limiting political participation for parties critical of the regime and consolidating control over political activity (Freedom House, 2025b).

Aggravating the situation is the presence of systemic corruption, which grants little freedom for members of parliament to freely and correctly determine government policies (Freedom House, 2025b). Effective safeguards against corruption are nonexistent due to a judiciary completely subservient to political power, and the absence of a free press capable of denouncing these behaviors, strengthening an authoritarian and clientelistic governance structure, entirely devoid of accountability (Freedom House, 2025b).

The rule of law is eroded by subordination to executive power in a system where judges are directly appointed on the proposal of the president, producing numerous flawed cases against opposition figures, activists, and journalists (Freedom House, 2025b; Human Rights Watch, 2025b). Limited access to legal defense, the fabrication and covert hiding of evidence are only some of the human rights violations reported by political detainees, culminating in the endemic application of physical abuse and torture by law enforcement, carrying out practices of preventive detention and extensive surveillance often motivated by false accusations (Freedom House, 2025b; Human Rights Watch, 2025b). The treatment of opponents follows a broader pattern based on torture and ill-treatment of detainees (Human Rights Watch, 2025).

Freedom of expression is nonexistent at the political, cultural, educational, and press levels. The government, through continuous legislative amendments that expand the control over the media, maintains strict control over information (Freedom House, 2025b; Human Rights Watch, 2025b). The lack of freedom further impacts religious and educational spheres, with direct political influence on content, limiting academic freedom for alleged episodes of political dissent (Freedom House, 2025b). Activists, political figures, and foreign citizens are continuously monitored without judicial supervision, aggravating a context in which the expression of personal opinions, particularly on political matters, is severely compromised (Freedom House, 2025b; Human Rights Watch, 2025b).

Through the use of spear-phishing campaigns, the government obtained personal information, which has allowed it to suppress opinions contrary to government policy,

leading to arrests and harassment with accusations and defamations by pro-government media (Freedom House, 2025b). Specific laws are imposed to limit freedom of assembly “for the protection of public order and morality”, which, if violated, can provoke severe reactions from police forces (Freedom House, 2025b).

In addition to domestic dynamics, the current situation remains shaped by unresolved issue of the Nagorno-Karabakh region. After the 2020 ceasefire, despite an agreement between Armenia, Azerbaijan, and Russia establishing Azerbaijani control over the region, ongoing border tensions and escalations are frequently recorded (Human Rights Watch, 2025b; Pietromarchi & Marsi, 2023). To gain control over the region, Azerbaijani institutions have promoted a long-term plan targeting ethnic Armenians through ethnic-based demographic engineering policies (Human Rights Watch, 2025b; Freedom House, 2025b; 2024). The Azerbaijani objective has been achieved through regular attacks, intimidation, deprivation of basic rights, and adequate living conditions, forcing their displacement, repeatedly violating human rights, international humanitarian law, and international criminal law (Freedom House, 2025b; 2024). In 2022, the blockade of the Lachin corridor by the Azerbaijani army, the only road connecting the region with Armenia, effectively caused a humanitarian crisis and severe restrictions on freedom of movement (Freedom House, 2025b). The military offensive of September 2023 aimed to dismantle the government, and disarm the army to take control of the region, directly affecting the Armenian population (Freedom House, 2025b). These developments forced the ethnic Armenian population to seek refuge in Armenia, representing, according to Freedom House (2024), a real ethnic cleansing, violating Articles 7 and 8—crimes against humanity and war crimes—of the Rome Statute of the International Criminal Court.

c) Türkiye

In recent years, Turkey has significantly increased its authoritarian drift under the presidency of Recep Tayyip Erdoğan and his Justice and Development Party (AKP) through constitutional changes, severe restrictions on freedom of expression, the detention of political prisoners, and a progressive erosion of the rule of law (Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025c).

The electoral political system has serious deficits, preventing free and fair elections and limiting political participation and competition. After the establishment of a presidential system of government in 2018, the figure of the president has acquired increasing powers, becoming the highest national authority (Freedom House, 2025c). The most recent elections that led to Erdoğan’s re-election were harshly criticized by international OSCE observers due to favoritism toward the AKP and serious irregularities recorded during the voting and counting phases (Freedom House, 2025c; Amnesty International, 2025). The report published by the OSCE Office for Democratic Institutions and Human Rights following an Election Observation Mission (ODIHR-EOM) for the 14 May 2023 general elections, stated primarily

that, despite high popular turnout, the ruling party was favored by unjustified biased media coverage (OSCE ODIHR, 2023). The electoral campaign was characterized by strong polarization, disproportionate use of public resources to strengthen electoral support, and pressure and intimidation of opposition parties (OSCE ODIHR, 2023; Freedom House, 2025c).

Serious forms of intimidation, politically motivated trials, and physical assaults are just some of the activities that have severely compromised the operational capacity of parties competing with the AKP (Freedom House, 2025c; OSCE ODIHR, 2023). The most popular opposition leader, Ekrem İmamoğlu, mayor of Istanbul, had been sentenced in 2022, just six months before the elections, for “insulting state institutions” (Freedom House, 2025c; Latschan, 2025). In September 2025, a ruling for alleged irregularities in the election as party president, later dismissed as unfounded, risked removing Özgür Özel from his current position as leader of the opposition Republican People’s Party (CHP) (Il Post, 2025; Hayatsever, 2025; Geybullayeva, 2025). These episodes represent a clear attempt to undermine democratic norms and silence dissent following numerous local victories by the CHP (Hayatsever, 2025; Geybullayeva, 2025; Latschan, 2025). In the past years, more than 500 people belonging to the opposition party in numerous cities governed by the CHP have been suspiciously detained as being involved in investigations linked to cases of corruption (Hayatsever, 2025; Geybullayeva, 2025; Latschan, 2025). According to the co-founder and co-director of the Istanbul-based think tank IstanbulPol, such practices threaten to reduce the opposition to a symbolic role without any realistic chance of winning elections (Hayatsever, 2025). Corruption and clientelism, due to the politicisation of anti-corruption institutions, create a culture of impunity and lack of accountability, which also spreads into the construction sector and related authorisation processes (Freedom House, 2025c; Human Rights Watch, 2025c).

Freedom of assembly is heavily at risk with the violent repression of demonstrations and the consequent arrest of activists and opponents, who are often held for very long periods in pre-trial detention and arbitrary detention (Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025c). The compromise of judicial independence makes legal proceedings ineffective and unfair, with judges often aligning themselves with government positions to avoid the risk of being replaced or removed (Freedom House, 2025c; Human Rights Watch, 2025c). The lack of transparency and communication has prevented independent and impartial coverage by private and public media due to political pressures, drastically undermining fundamental rights and freedoms and exacerbated by the lack of a solid legislative framework free from political influence (OSCE ODIHR, 2023).

At the media level, independent media face strong political pressures and mainstream media networks reflect government positions due to dependence on public contracts closely linked to President Erdoğan (Freedom House, 2025c; Amnesty International, 2025). Repression manifests in the form of censorship, fines, detention, and physical assaults against journalists, who face strong pressure from business elites close to political power capable of creating media campaigns against the opposition and limiting the dissemination of anti-government

news through heavy internet censorship (Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025c). In 2025, the number of journalists detained in Turkey continues to grow, adding to a long but uncertain list due to the lack of transparency from the Turkish government. Accused of terrorist propaganda, membership in a terrorist organisation, violating demonstration bans, and insulting the president or state institutions, at least 57 journalists have been detained according to the independent agency Bianet (Freedom House, 2025c; Önderoğlu, 2025; Committee to Protect Journalists, 2025; Geneva Press Club, 2022).

Repression of dissent is reflected in religious and academic spheres as well, with severe limitations on minorities, dismissal of professors, and prosecution of students accused of leftist views (Freedom House, 2025c).

To date, Turkey represents an emblematic case of a progressive transition toward forms of authoritarianism. The lack of freedom of expression and freedom of assembly does not guarantee opposition parties any capacity for agency, despite protests and dissent from activists, journalists, and political opponents. The concentration of political power in the hands of President Erdoğan and his AKP party, control over the media and judiciary, contributes to the systematic repression of dissent through the use of physical violence, instrumental use of justice, and limitation of circulation of opposition views through the rhetoric of national security and the fight against terrorism. It can therefore be stated that the presence of political prisoners is not only a widespread practice but also a symptom of a system governed by authoritarian and repressive logic.

CONCLUSION

Across Europe, the silencing of political dissent takes diverse forms. The report reveals a pattern of democratic erosion, as opposed to isolated instances thereof. The intensity, scale, and means of repression vary across the regions and countries, yet even in the most democratic contexts, commitment to human rights and political freedom still requires further improvement. A tendency of states not rejecting democratic norms outright, but instead using democratic, legislative procedures to limit political freedoms, such as protest, is slowly taking place. These limits are particularly concerning as they pertain to issues which are particularly contentious – specifically climate change protests, migration, and the war in Gaza. Nonetheless, countries within Europe employ plainly undemocratic practices and disrespect the rule of law and human rights. This is an existential challenge to the status quo in Europe and the risk of such a trend spreading should not be understated.

Within this report, certain points of comparison and divergence have become clear. These are considered in more detail below and followed by suggestions for policy improvements to prevent further democratic backsliding and extinguish the existence of political imprisonment.

a) Trends

One striking trend across Europe is the use of national security rhetoric to justify restrictive measures. Frequently, this has taken the form of ‘emergency’, reactive legislation which becomes cemented in that country’s legislative framework. Sweden, Lithuania, and Norway, have normalised exceptional measures in their migration systems, including automatic detention, surveillance, and mass deportation (Amnesty International, 2022; Global Detention Project, 2024). Similarly, in the UK counterterrorism rationale is used to restrict protests and justify the punitive sentencing of peaceful activists (Amnesty International, 2024). In Türkiye, the practice is more pervasive due to censorship of the media (Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025c). Government control of the media in Türkiye enables it to reinforce a narrative of national security threats.

Moreover, across the continent, governments violate the precept of the universality of human rights in the context of migration. Full protection is granted to citizens who align with dominant political or social norms, while migrants, minorities, and dissenters experience discrimination and harsher treatment by the state (Freedom House, 2025; Amnesty International, 2024). This is evident in the detention and mass return of migrants in Lithuania, legislative proposals to restrict migrants’ rights in Sweden, and breaches of the *non-refoulement* principle in Germany (Global Detention Project, 2024; Amnesty International, 2022; Amnesty International, 2024; Amnesty, 2024). Likewise, Armenian refugees from Azerbaijan experienced mistreatment at the hands of the Azerbaijani authorities (Freedom House, 2024; Human Rights Watch, 2025).

Generally, governments across Europe are indicating growing rejection of human rights norms. This is typically the case where respect for such norms interferes with government policy and goals. In France, this has repeatedly taken the form of the government's discriminatory approach to Muslim women wearing the veil (Legifrance, 2004). Similarly, in the UK, Germany, and France rights to protest have been substantially restricted in the context of protests against Israel's war in Gaza (Amnesty International, 2024). More extreme rejections of human rights exist in countries like Belarus, Russia, Azerbaijan, and Hungary.

b) Divergences

The landscape for media repression and freedom of expression contrasts substantially across the continent. In the Caucasus and Türkiye, there are limits on the media which undermine principles of freedom of expression. The situation is particularly severe in Azerbaijan where opposition candidates are not permitted to have media coverage and the government controls the media (Freedom House, 2025b; Human Rights Watch, 2025b). In Türkiye and Armenia, the restrictions on the media often take the form of repression, such as censorship, fines, detention, and assaults against journalists (Freedom House, 2025; United Nations Office at Geneva, 2025; Human Rights Watch, 2025; Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025c). In contrast, the media is free from such direct intervention and repression in other parts of Europe.

Another point of divergence is the use of legal means to limit dissent in Western Europe, versus explicit and coercive repression in countries such as Türkiye and Azerbaijan. In the latter, the judiciary, media, and law enforcement operate under direct political control, and imprisonment of journalists, opposition leaders, and activists forms part of the routine machinery of governance (Freedom House, 2025b; Freedom House, 2025c; Amnesty International, 2025; Human Rights Watch, 2025b; OSCE ODIHR, 2023). The tools of repression in these countries therefore bypass the restrictions that are typical within a democracy. As demonstrated in Part I of this report, this is also the case in countries such as Russia, Belarus, Georgia, and Hungary.

In contrast, in Western Europe, governments have used expansive laws and administrative powers to restrict protest and freedom of expression (Amnesty International, 2024; Human Rights Watch, 2024). Protests are increasingly regulated, and peaceful demonstrators face heavy fines or even imprisonment. In this way, these countries preserve democratic institutions and practices, whilst using these to influence the freedom of political expression in certain circumstances.

The use of technology and digital surveillance has proliferated in Western Europe but is less present in other parts of the continent. Across Western Europe, digital surveillance technologies – such as video cameras, facial recognition technology, and biometrics – are used to monitor protests and migration (Amnesty, 2024; Human Rights Watch, 2024). There are often inadequate safeguards against the indiscriminate use of this technology, often granting the police a wide discretion in its use thereof. Elsewhere, more 'traditional' forms

repression persist, such as arbitrary arrest, beating, and the denial of fair trials (Human Rights Watch, 2025b; United Nations Committee Against Torture, 2021).

The presence of free and fair elections is another inconsistency. There are deficits in the electoral processes in Azerbaijan, Armenia, and Türkiye which significantly undermine democracy in these countries (Freedom House, 2025b; Freedom House, 2025c; Amnesty International, 2025). As was demonstrated in Part I of this report, similar deficiencies exist in Hungary and Russia and Belarus have restricted electoral processes which are entirely undemocratic. Elsewhere in Europe, elections are free from government interference and opposition exists, ensuring the maintenance of an effective democratic process.

c) Policy and legal recommendations

A. Member States

Judicial independence is a cornerstone of the checks and balances process inherent to democracy. Member States must ensure that transparent, merit-based procedures for appointing judges and prosecutors exist. Moreover, Member States should introduce effective oversight to prevent misuse of pre-trial detention and ensure greater compliance with standards enshrined in the European Convention on Human Rights.

This report has demonstrated consistent restrictions on the right to protest across Europe. Vague provisions that criminalise terrorism, insults, or public nuisance should be appealed or amended to be narrowed in scope. Peaceful protests should be decriminalised to protect freedom of assembly. Those sentenced to lengthy prison sentences for protests should be released. Moreover, police powers during protests should be limited, not expanded. This would ensure that political repression is limited in scope and protest can form part of a healthy democratic dialogue between citizens and governments.

Migration has become a political pressure point across Europe. Many governments have responded to this by introducing repressive and inhumane policies to tackle a so-called migration crisis. In so doing, these governments have undermined the universality of human rights. To combat this, the automatic detention of asylum seekers should end and community-based alternatives should be used. Member states should also implement bodies to ensure transparent oversight of detention centres and allow access to independent monitoring groups and journalists.

Following the Second World War, the vision for Europe was grounded in the existence of democracy, cooperative organisations, and the establishment of human rights as a fundamental tenet of the modern world. It is essential that current generations remain committed to this project and understand the role of democracy and human rights. To ensure this, member states should introduce civic education programmes emphasising critical media literacy, democratic participation, and the importance of human rights.

B. OSCE

The OSCE should expand the Vienna and Moscow mechanisms (see Part I of this report, page 7) to ensure more effective investigation of politically motivated detentions and publish timely findings. Where there is a lack of cooperation with these mechanisms, member states should face repercussions. The OSCE should improve its democratic links with state governments to ensure that they are supportive of the OSCE's mission and will cooperate with sanctioning relevant individuals and states where the OSCE finds significant shortcomings.

The OSCE could also use its monitoring capacities to develop a coordinated regional database of political prisoners and human rights violations, maintained in collaboration with civil society partners. This would raise awareness of the situation across Europe and ensure effective documentation of violations.

Additionally, the Office for Democratic Institutions and Human Rights should launch specialised, follow-up missions in countries where elections face the greatest restrictions. This could supplement its existing observation missions with targeted focus on those countries which face substantial electoral interference. In this way, the OSCE can focus on limiting further decline in free elections across Europe.

C. Council of Europe

Broadly, there is a significant execution gap in ECtHR judgments. This substantially undermines the capacity of the ECtHR's judgments to affect lasting change in member states. The Council of Europe should foster greater coordination between its different bodies to ensure effective execution of judgments. Focus should be given to judgments which go to the core of democracy in the relevant state, including giving attention to politically motivated imprisonment and limitations on political expression.

Given the uptick in politically motivated imprisonment in Europe, the General Rapporteur on Political Prisoners in Europe should be given scope to conduct an extensive research report on the situation across Europe. There is a lack of synthesised research on this issue and the General Rapporteur should have the means to address this and bring the issue to the fore. Given the centrality of this issue to other areas of the Council's work – such as the Commission for Human Rights – this could form part of a coordinated effort across the Council to address this challenge.

The Council of Europe anti-torture Committee should continue to visit and monitor detention centres across Europe. Following its planned ad hoc visits to eight countries in 2026, it should ensure that follow-up monitoring is implemented to ensure compliance with any suggestions. The CPT could also consider introducing unannounced visits to pre-trial detention, police facilities, and immigration detention centres.

D. European Union

Far greater focus needs to be given to preventing and halting democratic backsliding in member states. The EU must ensure that it responds strictly to those countries who have shown insufficient commitment to the rule of law, freedom of expression and democracy. This could manifest itself in greater conditionality requirements in relation to access to funding. The EU should also monitor member state's compliance with common standards on freedom of political expression and political imprisonment. The EU Fundamental Rights Agency could collect and publish data on political imprisonment across Member States.

To address the unequal application of human rights and detention standards to migrants and asylum seekers, the EU must monitor the reform of the Common European Asylum System. It should ensure that this does not result in measures that limit the rights of migrants and asylum seekers. The EU should also ensure that its border operations align with international human rights and refugee law obligations. Care should be taken to ensure there are effective oversight mechanisms for Frontex and other national border authorities. The EU could also make funding under the Asylum, Migration and Integration Fund contingent upon compliance with international law, particularly the principle of *non-refoulement*.

Given the rapid developments in technology and adoption of digital surveillance, the EU must ensure that effective safeguards are implemented to avoid abuse of these technologies. The EU should review legislation to guarantee that these technologies are not used to limit human rights or political expression.

Together, these recommendations aim to move Europe beyond theoretical freedoms and rights towards consistent, practical implementation thereof. Moreover, these should strengthen the continent's ability to withstand pressure from undemocratic nations such as Belarus and Russia and prevent further backsliding in countries who are shifting away from democracy and the international rules-based order. The EU and other regional institutions must recognise the threat posed to democracy and entire nations if political expression is not free and fair. This is a pivotal period in the history of the continent and fast, decisive action is required to ensure that the rule of law, democracy, and human rights are protected.

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