

European Democracy Shield: A Threat to Free Speech and Democratic Accountability

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KEY TAKEAWAYS

The EDS centralizes speech control in Brussels, risking censorship, weakened pluralism, and a public debate that suppresses dissent and democratic accountability.

By empowering EU-funded gatekeepers, the EDS threatens independent media, national sovereignty, and free expression across Europe and beyond.

The EDS could export EU speech rules globally, pressuring U.S. platforms and undermining First Amendment norms on both sides of the Atlantic.

The European Commission has unveiled the European Democracy Shield (EDS) as a sweeping initiative it claims will protect EU democracies from foreign interference, disinformation, and hybrid threats.¹ Ostensibly, the initiative promises to safeguard free and fair elections, support independent media, and foster civic engagement.² Yet critics—ranging from journalists to legal scholars to civil liberties experts—warn that the EDS represents a lever for centralizing narrative control in Brussels, outsourcing press freedom to government-funded bodies, and transforming public discourse into a managed information space.³

Instead of empowering citizens, the EDS risks insulating a powerful supranational bureaucracy from dissent and accountability. It poses grave risks that deserve urgent, hard scrutiny.

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What Is the European Democracy Shield?

The EDS is the flagship element of the Commission’s 2025 “democracy package.” According to official documentation, the EDS aims to “empower, protect and promote strong and resilient democracies across the EU.”⁴

The EDS is organized around three main “pillars”:

1. **Safeguarding the integrity of the information space**—including an “incidents and crisis protocol” under the Digital Services Act designed to coordinate swift responses to disinformation and hybrid threats.⁵
2. **Strengthening democratic institutions, free and fair elections, and independent media** by deepening cooperation among member states and supporting civil society actors including media outlets and nongovernmental organizations (NGOs).⁶
3. **Boosting societal resilience and citizen engagement** through civic education, media literacy initiatives, and efforts to boost citizen participation.⁷

A central institutional component is the planned European Centre for Democratic Resilience, which will bring together EU institutions, governments of member states, candidate countries, and civil society actors to coordinate early warning functions, information sharing, and disinformation response.⁸

Officially, the proponents of the EDS frame it as a defense of “free speech, independent media, resilient institutions, and a vibrant civil society.”⁹

At first glance, the EDS mirrors many of the goals that conservatives across Europe and the wider West have long championed: combating foreign state meddling in elections, preserving the integrity of democratic processes (especially elections), and ensuring that independent politically balanced media and civil society can flourish.¹⁰ Nonetheless, the EDS risks erecting a centralized, top-down regime over speech, media, and public discourse—one that may suppress dissent rather than protect pluralism.

Centralization of Narrative Control— from Protection to Curation

Critics warn that EDS effectively centralizes narrative control in Brussels. The concern is that Brussels and its affiliated institutions—the new Centre

for Democratic Resilience, EU-funded NGOs, state-endorsed “fact-checkers,” and “trusted flaggers”—will have disproportionate power to define acceptable speech and penalize dissent.¹¹

A recent report by MCC Brussels describes the EDS as a “censorship operating system” whose aim is not to defend democracy but to “shield the unelected European Commission from domestic dissent and political accountability.”¹²

Under this regime, *disinformation* becomes a flexible label—one that could easily be applied to any viewpoint dissenting from the EU’s preferred narrative. Who, then, decides what counts as disinformation or manipulation? The EDS documentation provides little clarity. Fact-checkers and “trusted flaggers”—many of them funded by the EU—may become de facto gatekeepers of acceptable speech. Rather than enabling a pluralistic press and civil society, the EDS risks substituting them with a curated, top-down “public debate” managed from above.

The risk is compounded because the EDS promises not only reactive measures (countering foreign interference) but also proactive ones: “pre-bunking” campaigns, educational interventions, curated media literacy guidance, and a voluntary influencer network.¹³

Taken together, these amount to a comprehensive state-driven architecture for shaping what people see, hear, and are allowed to believe. That is not merely defense—it is curation.

Undermining Democratic Accountability and Institutional Oversight

The EDS also raises deeper concerns about democratic accountability. Critics argue that it may insulate EU institutions from legitimate criticism by framing dissent as “disinformation.” As one legal advocacy group warns, the EDS’s tools—monitoring online content, regulating social media speech, and punishing perceived “disinformation”—may be used to suppress dissenting views and legitimate debate.¹⁴

Moreover, the architecture of EDS favors unelected or semi-autonomous bodies (the European Centre for Democratic Resilience, EU-affiliated NGOs, fact-checkers, “trusted flaggers”) over elected national parliaments or the voters themselves. The EDS becomes a buffer between the EU bureaucracy and citizens—shielding the powerful from accountability. This is precisely the concern raised by the MCC Brussels report.¹⁵ By bundling journalists, civil society organizations, and social media influencers into a unified apparatus under EU oversight, the EDS threatens to degrade the independence

that is essential for meaningful press freedom. Independent media and NGOs may be subtly (and not so subtly) incentivized to align with the official narrative if funding, access, and influence depend on EU approval.

In effect, the EDS risks converting civil society from a diverse marketplace of competing ideas into a curated echo chamber—not for democratic empowerment but for bureaucratic control. Imagine *all* news sources in Europe reading like *politico.eu* or *euronews*.

Dissent as a “Regulatory Risk”

The launch of EDS has already triggered concern among free speech advocates. One European conservative outlet argues that the EDS poses a risk of transforming democratic debate into a “managed information system,” where dissent—especially dissent from Brussels orthodoxy—is treated as a “regulatory risk.”¹⁶

This concern reflects a long-term trend: Efforts to fight so-called disinformation or foreign interference increasingly become pretext for content moderation, suppression of controversial views, and selective enforcement. The EDS simply crystallizes and institutionalizes that trend at the EU level.

In this foggy environment, for example, pro-life and pro-family views can easily be construed as “threats to democracy.” Moreover, political communication supporting the “wrong candidate” can lead to elections being cancelled and candidates barred from running, as they were in Romania’s presidential elections in 2024 and 2025.

The EDS also plans proactive cultural and educational interventions: media literacy programs, guidelines for educators, “citizens participation” portals, a democracy guide, and support for civic-tech initiatives.¹⁷

Civic education and media literacy can indeed strengthen resilience against foreign propaganda. But the danger lies in who controls the curriculum and who defines the “correct” perspective. With the EU bureaucracy in charge, such programming risks becoming ideological conditioning—not neutral instruction. By shaping what citizens are taught to see as “trusted media,” “responsible civic engagement,” or even “truthful discourse,” the EDS threatens to produce a generation of citizens whose political understanding is filtered through Brussels-approved lenses. In effect, “pre-bunking” becomes a softer, more insidious form of censorship: not removing speech after the fact but preventing unwanted ideas from ever surfacing in the public mind.

The EU has long employed pre-bunking campaigns. Early in the COVID pandemic, the Commission warned that citizens should expect “coordinated narratives”

questioning science and trust in institutions. Rather than rebutting specific claims, the EU pre-framed dissenting narratives as *expected disinformation tactics*.

The EDS embodies a broader pattern of transnational regulation of speech, national institutions, media, and civil society. By subcontracting the power to define acceptable speech and enforce penalties to a supranational bureaucracy, the EDS undermines national sovereignty and democratic accountability within individual member states. Local political dynamics, national debates, and domestic accountability mechanisms may be bypassed or overridden, as they were when the European Court of Justice ruled that its decisions supersede Poland's constitution.¹⁸ In effect, the EDS institutionalizes a European technocracy that positions itself above voters and governments.

Why the EU's "Democracy Shield" Threatens the United States

Although framed as an internal EU initiative, the EDS poses direct and indirect threats to the United States across four strategic domains: free speech norms, U.S. technology and platforms, transatlantic regulatory divergence, and geopolitical competition.

1. American Free Speech Norms Globally. As EU regulatory structures become more speech-restrictive, Brussels increasingly pressures platforms to adopt European content moderation standards worldwide.¹⁹

Because the EU is a regulatory superpower, U.S. companies often adopt its rules across all markets for operational simplicity. The EDS expands this dynamic: content labeling, political speech monitoring, and state-aligned "trusted flaggers" will influence how global platforms structure political discourse even inside the United States—regardless of constitutional protections.

2. Regulatory Burdens for U.S. Tech Firms. The large technology firms targeted by most EU initiatives such as the Digital Services Act—Meta, Google, X, Amazon—are overwhelmingly American.

The EDS imposes:

- Obligations to coordinate with EU "resilience boards,"
- Pre-election content labeling rules, and
- Emergency information control mandates.

These policies would force U.S. companies to collude with European governments in depriving their citizens of fundamental free speech rights as a

condition of doing business. Moreover, these standards would have both a public and private “Brussels Effect”: They would push other governments to follow the EU’s example by imposing similar laws, and platforms will be incentivized to censor “offensive speech” globally.

3. Transatlantic Regulatory Divergence. The United States has repeatedly warned Brussels that aspects of its digital regulatory architecture—enshrined by laws such as the Digital Services Act, Digital Markets Act, AI Act, and Data Governance Act—risk solidifying incompatible transatlantic standards. The EDS goes further by embedding speech and political content regulation into EU governance. If this trend is left unchallenged, the United States and EU will drift into two competing regulatory blocs, undermining joint artificial intelligence (AI) and tech cooperation, cross-border data flows, and cybersecurity collaboration.

The result is a transatlantic relationship that fractures technologically even if defense cooperation remains strong. It will also accelerate Europe’s technological backwardness by frightening off investment needed for the continent to catch up with the United States.

4. U.S. Strategic Influence. Soft power depends on open, pluralistic public spheres. If the EU builds an entrenched bureaucratic censorship system—even under the banner of “resilience”—long-term consequences include empowered technocratic elites who are hostile to U.S. digital norms, reduced ideological diversity within Europe, and a political environment that delegitimizes conservative, pro-Atlantic voices.

This is particularly damaging given rising populist realignments across Europe. The EU’s censorship framework will inevitably be used against parties that are also America’s natural conservative counterparts.

Further, when the EU suppresses legitimate political debate under the pretext of “fighting disinformation,” it undermines Western credibility. Authoritarian states such as Russia and China exploit this inconsistency, arguing that the West’s commitment to free expression is a “myth.”

By weakening liberal democratic norms, Europe inadvertently reduces the moral and political power of the entire West—including the United States—in the global competition of models.

Recommendations

The U.S. government should protect American interests, balance and fair transatlantic cooperation, and global free-speech norms by adopting a clear, strategic policy toward the EDS.

Heritage recommends the following actions:

Publicly Reaffirm America’s Free Speech Standards in Transatlantic Dialogues. The Administration should clearly and repeatedly state that free speech is sacrosanct in the United States, including online political expression. This position should inform all EU-U.S. Trade and Technology Council discussions and bilateral dialogues. The message should be unmistakable: U.S. companies cannot be compelled to enforce foreign political speech restrictions affecting Americans.

Require Platforms to Segregate EU-Mandated Content Controls from the U.S. User Experience. Washington should encourage—or mandate through regulation—that:

- EU political speech directives apply only to EU-based users;
- U.S. users are not subject to EU-mandated labeling, downranking, or suppression; and
- No EU political moderation system may influence U.S. political discourse.

This should build on robust transparency requirements targeted at platforms, requiring them to disclose voluntary and mandatory compliance with foreign censorship demands. Consistent with Heritage’s established recommendations on Big Tech, platforms should be required to provide granular transparency around algorithmic design and impacts on user freedom of speech, content moderation practices, and data collection and use.²⁰

Launch a Transatlantic Free Speech Alliance. The United States should initiate a free speech alliance that brings together U.S. and European lawmakers and government officials, conservative think tanks on both sides of the Atlantic, and free speech academics.

This body would track, analyze, and push back against EU efforts to enforce political speech moderation. America should shape the normative debate, not merely react.

Expand U.S. Antitrust Scrutiny of EU Digital Regulation. The Department of Commerce, U.S. Trade Representative, and Department of Justice should jointly review whether elements of the EDS constitute discriminatory regulation targeting U.S. corporations that is inconsistent with American domestic antitrust and competition policy, de facto protectionism favoring European platforms, or attempts to set global standards without U.S. consent.

Strengthen U.S. Engagement with Central and Eastern Europe. Czechia, Poland, Slovakia, and Hungary have shown greater sensitivity to

the dangers of overbroad censorship. Washington should leverage alliances with these sovereignty-oriented European governments and conservative parties throughout the continent to build a bloc skeptical of the EU's speech-regulation push to dilute the political power behind the EDS.

Promote U.S. Leadership in AI and Digital-Governance Standards.

The United States should accelerate work on:

- AI safety and values-alignment frameworks that prioritize the common freedom and welfare of Americans and Europeans;
- Open-source transparency tools, data portability, and interoperability for digital services;
- Political speech protections consistent with the First Amendment; and
- Digital freedom standards of excellence for global speech platforms.

By creating credible American alternatives, the United States can reduce Europe's impulse to impose one-size-fits-all regulatory systems globally.

Prepare Targeted Sanctions for Government Actors Who Engage in Unlawful Censorship. If EU or national officials use the EDS to suppress legitimate political opposition or human rights defenders, the United States should consider Magnitsky sanctions, visa bans, and public diplomatic censure to send a message that state-directed censorship is incompatible with Western democratic norms.

Condition Certain U.S.–EU Digital Cooperation on Safeguards Against Political Censorship. The United States should insist that any joint cybersecurity or information-sharing initiative includes free speech guardrails, platforms must remain free to uphold their users' free speech interests, and political content decisions are not outsourced to EU-appointed bodies or NGOs. No cooperation should expose Americans or Europeans to politically motivated suppression.

Conclusion

The EDS is being sold as a bulwark against foreign interference, misinformation, and hybrid threats. That mission is worthy, and many of its targets—espionage, disinformation campaigns, and deepfakes—deserve serious attention.

But the EDS, as currently conceived, will restructure democratic discourse. It inserts a supranational body—the European Commission, with its new European Centre for Democratic Resilience and a network of EU-supported NGOs and fact-checkers—between the governing and the governed. It converts public debate into a curated information ecosystem where dissent is not just discouraged but potentially treated as “regulatory risk.”

Rather than empowering citizens, the EDS centralizes control; rather than supporting independent media, it elevates filterers and gatekeepers; rather than fostering civic engagement, it institutionalizes top-down “media literacy.”

For those who believe in free societies, individual liberty, and democratic accountability, the EDS should be an enormous red flag. Under the guise of defending democracy, it risks tightening the Commission’s grip on political speech and insulating it from the very accountability that legitimate democratic power rests upon.

If the EDS proceeds without objective definitions, judicial oversight, transparency, and respect for free speech, then it risks not saving democracy but strangling it on both sides of the Atlantic.

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Endnotes

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18. On December 18, 2025, the European Court of Justice ruled in *Commission v Poland* that Poland's Constitutional Tribunal had violated EU law by disregarding the *primacy, autonomy, effectiveness and uniform application of EU law* and by failing to ensure effective judicial protection. This judgment upheld a complaint from the European Commission, and it confirmed that decisions of the court are binding on all member states, including Poland, even where a national court has challenged EU law on constitutional grounds.
19. A key figure in this overreach was former EU Commissioner for the Internal Market Thierry Breton, who was the chief political enforcer and public face of the EU's Digital Services Act, which gives the European Commission sweeping authority over "Very Large Online Platforms"—all of which are American companies (X, Meta, Google/YouTube, Amazon, Apple, TikTok via U.S.-based operations). The act does not confine enforcement to EU users or EU speech. Under Breton, platforms were pressured to change global moderation policies.
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