The Price of a Relationship

Censorship, Democratic Erosion, and the Limits of EU Accountability

Response to the European Ombudsman's Decision
Case OI/4/2024/MIK

DEMOS — Centre for Democracy, Creativity and Social Inclusion
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A Case Study Originating in Guinea-Bissau

Response to the European Ombudsman's Decision

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Executive Summary

Democratic erosion rarely announces itself. It spreads — beyond borders, through institutions, one quiet accommodation at a time. This paper documents how the EU's own commitments to freedom of expression, academic independence, and democratic accountability were set aside in West Africa, and how the institution charged with preventing that ratified it instead. The European Commission suppressed, for political reasons, a research initiative it had contracted in the service of democracy; the European Ombudsman, after an unusual own-initiative inquiry, found no maladministration. On ample evidence and sustained reasoning, this paper argues that the Decision was fundamentally flawed, and that it sets a worrisome precedent.

The Case

DEMOS — Centre for Democracy, Creativity and Social Inclusion — carried out the Voices of the People initiative in Guinea-Bissau between 2018 and 2022, with EU financial support. The project produced the country's first national public opinion study and an edited volume, both contracted for publication and dissemination. Censorship began in November 2021, and four years of obstruction and refused mediation followed. The Ombudsman's acceptance of the case in July 2024 was itself unusual — an exception made in the public interest, given the gravity of the human rights allegations. A year later, under a new Ombudsman, the Decision closed the inquiry with no remedy and no finding on the censorship question.

Context

Background is essential to understanding both the censorship and its significance. Guinea-Bissau under President Umaro Sissoco Embaló was sliding fast into autocratic rule, its state deeply corrupt and its political elite enmeshed in narcotrafficking. Embaló himself, once Gaddafi's emissary in West Africa, openly admired strongmen — Putin and Trump among them. Yet in the very period the suppression was imposed and maintained, senior European External Action Service (EEAS) officials chose proximity over distance: they cultivated a personal relationship with him.

Part I — The Original Wrong

Part I establishes that the censorship was a political act, and that the inquiry abandoned the human rights grounds on which it had been opened.

Point 1: The suppression followed a private meeting between the EEAS Managing Director for Africa, Rita Laranjinha, and President Embaló. This was no administrative irregularity but a deliberate political act — sustained through four documented patterns of restriction, from overt prohibition to oblique restrictions.

Point 2: The censorship engaged fundamental rights — academic freedom and freedom of expression for DEMOS and its scholars, and the right of Guinea-Bissau's citizens to the

knowledge commissioned in their name. The inquiry opened on those grounds, then closed without a finding on any of them.

Part II — A Compromised Investigation

Part II examines how the investigation failed in both method and analysis. The inquiry was not diligent: it heard one side, left key evidence unexamined, and closed without answering the questions it had itself posed.

Point 3: It heard the Commission at length but never properly interviewed DEMOS, and questioned no officer who had administered the contract or ordered the halt. The Commission refused mediation provided for in the contract and closed every avenue short of litigation — knowing Belgian courts were beyond a small NGO's reach. The inquiry neither examined this nor asked whether the Commission had acted in good faith.

Point 4: Key documents demonstrating that the Commission knew the obligation to publish the study was real and binding were not examined. The type of agreement used — a service contract rather than a grant, a distinction central to the dispute — was accepted without independent analysis. The inquiry found fault, yet offered no remedy.

Part III — Conceptual Error

Part III exposes the conceptual error at the heart of the Commission's defence — one the Ombudsman accepted without scrutiny.

Point 5: The Commission claimed the study was a "public good" and therefore could not be sold. The Ombudsman accepted the claim without scrutiny. It is a category error: public funding does not equal public access. The EU's own open science framework contradicts the Commission's position. Nor did the Decision ask whether a less restrictive option existed. Worse, in its reply to the Ombudsman, the Commission entrenched the error. It now instructs the staff who manage its external-action contracts that free distribution is "mandatory" for any study they commission — and is making its ownership of every such study more explicit. The rule that silenced this study is now taught as procedure.

Part IV — Impact

Part IV traces the consequences at three levels: the project, Guinea-Bissau, and the EU itself.

Point 6: Four years of obstruction damaged the work of ten scholars, kept the study from its intended audiences, and cut short a model of democracy research designed to be replicated in Africa and beyond.

Point 7: The suppression exposed the EU's acquiescence to autocratization in Guinea-Bissau — a disposition not to disturb relations with a government dismantling a precarious democracy. The choice undercut the EU's credibility as a defender of democracy and lowered the cost of regime repression. That repression deepened with the coup of 26

November 2025 — the moment a regime subverted its own citizens' verdict at the ballot box — and has worsened since.

Point 8: The Decision normalises a class of conduct — the use of contractual power to suppress inconvenient knowledge — and sends a signal across the institution. An Ombudsman who ratifies democratic erosion is not a check on it but its normaliser.

Closing

The test of democratic institutions is not what they declare but what they make visible. By that test, this case is a failure of democratic accountability at every level where accountability was meant to operate. The questions it raises remain open. What harms democracy abroad harms democracy at home.

Introduction

Democratic erosion rarely announces itself. It proceeds through accommodation — signals sent, questions not asked, violations absorbed into routine. The global wave of autocratization has made this dynamic visible across every region. What is less visible is how it reaches inside democratic institutions themselves. This paper is a case study in that process. It shows how the EU's own commitments — to freedom of expression, academic independence, and democratic accountability — can be quietly set aside, beyond Europe's borders first, and how the institution charged with preventing that from happening can ratify it instead. The stakes are not narrow. This is what democratic erosion looks like in practice: incremental, quiet, each step defensible in isolation — and collectively fatal.

The case begins with a study. An innovative public opinion initiative — the first of its kind ever conducted in Guinea-Bissau — was subsidized by the European Union to foster democratic knowledge and civic participation among its citizens. The contract required publication and dissemination of the findings. Instead, in November 2021, EU Delegation officials halted publication without explanation — a block that hardened, by June 2022, into a formal declaration that any publication was "strictly prohibited." Four years of shifting justifications and refused mediation followed.

The matter reached the European Ombudsman, who opened an own-initiative inquiry on human rights grounds. The step was unusual: the original complaint had been lodged by a research centre based in the Global South, which did not meet the eligibility criteria for that office. The exception was granted because the gravity of the allegation warranted it. A year later came a finding of no maladministration. This paper demonstrates, on the basis of ample evidence and sustained argument, that the Decision was fundamentally flawed. It sets a worrisome precedent.

Understanding why requires context. Guinea-Bissau under President Umaro Sissoco Embaló was a democracy in freefall. He shuttered parliament, subordinated the courts, and restricted civil liberties. A man with an autocratic worldview, he had served as Gaddafi's emissary in West Africa and openly admired Putin and Trump.[1] The state he ruled ranked among the world's most corrupt, its political elite enmeshed in the cocaine trade to Europe. The descent had a destination: on 26 November 2025, the military seized power to prevent the announcement of results from an election Embaló appeared to have lost — a self-coup condemned by the African Union, ECOWAS, and the European Parliament.[2]

[1] On Gaddafi: Embaló was Representative of the Libyan Investment Authority in West Africa, Gaddafi's principal vehicle for projecting influence across Africa; APA News, "Can Umaro Embaló be the Messiah for Guinea-Bissau?", January 2020. On Putin: Embaló attended Russia's Victory Day parades in 2024 and 2025, met Putin in the Kremlin on 26 February 2025 — addressing him as "brother" — and took part in both Russia–Africa summits; Reuters, 26 February 2025; Kremlin.ru, 26 February and 9 May 2025; Associated Press, 9 May 2025. On Trump: Embaló met Trump in Paris in December 2024 to congratulate him on his election, and again at the White House in July 2025.

This is the leader that senior EU officials chose to cultivate personally. Ambassador Sónia Neto and the EEAS Managing Director for Africa, Rita Laranjinha, became the first EU officials in Guinea-Bissau's history to receive presidential decorations — Neto six weeks after the "strictly prohibited" order; Laranjinha in May 2025, with the English volume still blocked. Three weeks before the coup, Laranjinha returned to Bissau, as Portugal's special envoy, to seek Embaló's support for Portugal's UN Security Council bid. The Voices of the People study was proscribed in this setting. It appears to have been the price of a relationship.[3]

The Ombudsman's handling of this case is not a procedural footnote. It bears on a question that the current moment makes urgent: whether EU accountability institutions can be trusted to name democratic erosion when they encounter it — including when that erosion originates in the conduct of EU officials themselves. The answer matters well beyond West Africa. What harms democracy abroad harms democracy at home.

[2] The African Union and ECOWAS denounced the coup and suspended Guinea-Bissau from their bodies. The European Parliament adopted a resolution that "unequivocally condemns the military's seizure of power" and "rejects the unconstitutional change of government" (Resolution of 18 December 2025, P10_TA(2025)0341). The EEAS response was a single statement in which the EU "notes with concern the developments in Guinea-Bissau" and calls for a return to constitutional order — notably restrained given the gravity of the democratic breakdown, and in sharp contrast to the EU's response to Guinea-Bissau's 2012 coup, when aid was suspended and travel bans and asset freezes imposed within weeks.

[3] Ambassador Sónia Neto was awarded the Ordem Nacional Colinas do Boé in August 2022 (*Observador*, 9 August 2022); Rita Laranjinha received the Ordem Nacional de Mérito, Cooperação e Desenvolvimento on 5 May 2025 (Agência de Notícias da Guiné, 6 May 2025). The EEAS appointed her successor in August 2025 (EEAS, 30 August 2025); Embaló received Laranjinha as Portugal's special envoy for Africa in November 2025 (Agência de Notícias da Guiné, 3 November 2025).

PART I — THE ORIGINAL WRONG

The censorship, the human rights dimension, and the inquiry's abandonment of both

The facts of the suppression and the Ombudsman's response to them cannot be separated. The gravity of the Decision's silence is only fully visible against the record of what the inquiry had before it and chose not to address. Part I establishes both: the original wrong committed by the European Commission, and the abandonment of that question by the institution whose mandate required it to be answered.

Point 1 — The Censorship: A Political Act, Not an Administrative Irregularity

1.1 The Suppression in Context

The sequence of events is documented and precise. In March 2021, DEMOS organised two public workshops in Bissau to present the findings of the Voices of the People study: one with civil society leaders, one with legislators and officials from Guinea-Bissau's main political parties. The study's conclusions — documenting widespread popular dissatisfaction with governance and democratic accountability — were by this point a matter of public record in Bissau's political circles. It is reasonable to conclude that President Embaló was aware of their content.

On 26 November 2021, EEAS Africa Director Rita Laranjinha, in Bissau for an EU summit with the Portuguese-speaking African countries (PALOP), held a private meeting with President Embaló. The following day, the EU Delegation's Head of Cooperation in Bissau gave the final approval to publish, relaying the Ambassador's enthusiastic endorsement of the manuscript. Two days after that — three days after Laranjinha's meeting with Embaló — the EU Delegation ordered a halt to publication. No rationale or account was offered, despite repeated requests.[4]

The immediate context makes the sequence all the more striking. On 27 November, the Delegation's Head of Cooperation wrote to DEMOS relaying the Ambassador's reaction: "congratulations on this fantastic study."[5] The printing hold came two days later. A reversal of this kind is not decided in Bissau alone. The Head of Delegation acts on

[4] Communication between DEMOS and EU Delegation Officers, 27 November 2021–30 June 2022 (document on file). Laranjinha's meeting with President Embaló: 26 November 2021. Final publication approval: 27 November 2021. Printing hold ordered: 29 November 2021. The case documents and correspondence cited throughout this paper are available in full at vozesdopovo.org. Codes in square brackets identify each document in the archive. [VP-005]

[5] WhatsApp message from Simona Schlede, Head of Cooperation, EU Delegation to Guinea-Bissau, to Miguel Carter, 27 November 2021, relaying Ambassador Sónia Neto's assessment. On the chain of command: under Council Decision 2010/427/EU, Article 5(3), the Head of Delegation "shall receive instructions from the High Representative and the EEAS." Schlede's own correspondence shows the matter was being taken up in Brussels: on 25 January 2022 she proposed a videoconference on the study with "colleagues joining from EU headquarters in Brussels" (email from Simona Schlede to Miguel Carter, 25 January 2022). [VP-005]

instructions from Brussels, and the Delegation's own messages show that the matter was being handled there. All the circumstantial evidence points to one office: Laranjinha's.

The suppression was not a decision that commanded institutional consensus. When DEMOS escalated the matter to Brussels — through a formal legal notice in October 2022, the physical delivery of censored book copies to EU headquarters, and a growing international petition — the Commission convened a reading committee. That committee, meeting in October 2022, found no problems with the manuscript and recognised it offered "a lot of valuable information." Hans Christian Stausboll, INTPA's Acting Director for Africa, expressed displeasure at the decision to block publication and indicated there would be "no obstacles" to proceeding.[6] Multiple Commission officials conveyed similar frustration. This was a political decision taken, initially, by a specific set of officials — not a judgment that reflected considered institutional values.

1.2 A Documented Progression of Restrictions

Building on the UN Special Rapporteur on Freedom of Expression's definition of academic freedom, DEMOS mapped the facts of the case through a four-part typology that crosses two variables — whether a restriction is direct or indirect, and whether it is complete or partial — to explain developments with greater analytical precision. Four patterns of infringement have taken place since November 2021; three remain ongoing:[7]

> ***Overt restrictions*** (November 2021 – October 2022): an explicit prohibition on any publication — what the Commission's own June 2022 letter described as "strictly prohibited." No rationale, no deadline, no opportunity to discuss or amend the study. The Commission later characterised this as a "delay"; a genuine delay would have included a deadline. This did not.
>
> ***Oblique restrictions*** (October 2022 onwards, ongoing for the English volume): nominal permission to publish, systematically undermined by conditions that made publication impossible in practice. In March 2023, DEMOS learned for the first time that any commercial publication of the English volume was prohibited. No publisher bears the costs of production and distribution of a book it cannot sell. No funds were provided for publication. Publication of the English volume remains blocked to this day.[8]
>
> ***Limited restrictions*** (January 2024 onwards): partial publication achieved in Portuguese, but distribution channels unavailable and print copies undelivered to

[6] Video conference, 25 November 2022. DEMOS records of EC exchanges, 2022–2023 (document on file). [VP-009]

[7] DEMOS, Annex A to the Response to the European Commission, 20 November 2024. [VP-022]

[8] The oblique restriction on the English volume stems from the no-commercialisation condition communicated to DEMOS in March 2023. The contract's Addendum 2 required submission of the English manuscript to a reputable academic publisher — a commitment that presupposed commercial publication, since no EU funds were allocated for publication. The condition was imposed as the Commission's formal position only in March 2023, after all other avenues had been exhausted. [VP-003; VP-009]

their intended audiences — a direct result of the 2021 ban, at significant cost to DEMOS.

By-product restrictions (ongoing): the cumulative collateral damage of censorship to DEMOS's institutional capacity — its ability to function, pursue other publications, extend the Voices of the People methodology to other African countries, and secure the academic recognition the initiative earned.

Censorship, in short, took place in manifold ways and degrees, reinforced by successive EC decisions, and is ongoing. The harm has compounded with each passing year — and now carries the Ombudsman's seal of approval.

1.3 The First Explanation, Three Years Late

The first explanation ever offered for the November 2021 suppression came nearly three years after the fact, at the September 2024 meeting between the Ombudsman's inquiry team and Commission representatives. EC officials stated on the record that the Delegation had halted publication because it "considered that some conclusions included in the study were subjective and could undermine the EU's relations with Guinea-Bissau."[9]

No specific conclusions were identified. No passages were cited. No evidence was offered. This explanation had never been communicated to DEMOS. It contradicts the approvals given in Bissau in November 2021 and by the Brussels reading committee in October 2022. It is a post-hoc rationalisation — and an implausible one. The study's chapters recommend anti-corruption reforms, stronger political parties, improved democratic institutions, greater participation of women in public life, and inter-ethnic collaboration. When did such recommendations become a threat to EU relations in Africa? Censoring a study about Africa and the voices of its citizens causes far more damage to EU-Africa relations than anything written in this book.

1.4 A Shifting Sequence — and an Implicit Admission

The Commission's legal position on publication did not arrive fully formed. It shifted repeatedly, each shift achieving the same practical result while providing fresh procedural cover:

November 2021: informal halt, no explanation

December 2021: proposed Addendum 3, asking DEMOS to formally relinquish its publication right — an implicit admission that the right was real and binding[10]

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[9] European Ombudsman, Report on the Meeting of the Inquiry Team with Representatives of the European Commission, Case OI/4/2024/MIK, 5 September 2024. The Decision repeats this account as fact (para. 3) and dates the printing hold to "2022." The record before the inquiry shows it was ordered on 29 November 2021 (see note 4). [VP-016a; VP-027; VP-005]

[10] Proposed Addendum 3 to Service Contract FED/2019/406-596, transmitted by Thierry Cozier, Head of Finance, Contracts and Audits, EU Delegation to Guinea-Bissau, 15 December 2021. DEMOS formally declined in January 2022. [VP-006-007]

January–February 2022: apparent willingness to resolve, no specifics

June 2022: formal letter declaring publication "strictly prohibited"[11]

October 2022: publication can "go ahead" — but no terms, no settled position on whether copyright could be transferred, no operational clarity[12]

November 2022: the Commission agrees to look into transferring the copyright to DEMOS[13]

February 2023: the Commission declines — not on principle, but because of "the extremely arduous and lengthy internal procedure required"[14]

March 2023: the free-of-charge condition finally named as the Commission's formal position — nearly sixteen months after the initial halt, and only after every other means of maintaining the embargo had been tried and failed

September 2024: before the Ombudsman, a new ground — the study is a "public good," so it must be free of charge, and its copyright cannot be transferred. The argument appears nowhere in the Commission's earlier dealings with DEMOS[15]

Prior to the suppression, the commercialisation question had itself been an open matter of discussion between DEMOS and Delegation officers — not a settled prohibition.[16] The grounds shifted at each step: no reason, then the contract, then procedure — and finally, before the Ombudsman, principle. The Decision takes the last at face value. It presents the free-of-charge condition as a longstanding and transparent contractual requirement, rooted in the public good. The documentary record tells a different story.

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[11] Email from Paloma Velasco, EU Delegation to Guinea-Bissau, to Miguel Carter, 28 June 2022. [VP-005]

[12] Email from Hans Christian Stausboll, DG INTPA, to Miguel Carter, 22 October 2022. The email set no free-of-charge condition. [VP-009]

[13] DEMOS's notes of the video call with Hans Christian Stausboll, DG INTPA, 25 November 2022: Stausboll "indicated that the EU would look into the procedure for transferring the copyright and get to DEMOS after the New Year." DEMOS restated this understanding in writing on 6 January 2023. The Commission did not dispute it. [VP-009]

[14] Email from Hans Christian Stausboll, DG INTPA, to Miguel Carter, 10 February 2023. The Commission had consulted "the EC's central service for intellectual property rights (Joint Research Centre)." [VP-009]

[15] European Ombudsman, Report on the Meeting of the Inquiry Team with Representatives of the European Commission, 5 September 2024: the output of a service contract "thus becomes a 'public good'." The term appears nowhere in the Commission's correspondence with DEMOS from 2020 to 2023 — all of it submitted to the Ombudsman. The 20 March 2023 email grounded the free-of-charge condition in Section 2.2 of the Terms of Reference and in the fact that the contract had been fully paid. The Decision nonetheless reads the term back into that email: in March 2023, it states, the Commission required that "the book, as a 'public good' produced with EU funds, be distributed free of charge" (para. 4). Its summary goes further: "the study was considered a 'public good', and the Commission was correct to insist that it be made available to the public free of charge." The Decision also records, without comment, the Commission's claim that it could not transfer the copyright "for the same reason" (para. 19). That was not the reason it gave in February 2023. [VP-016a; VP-027; VP-002b; VP-005; VP-006-007; VP-009]

[16] Communication between DEMOS and EU Delegation Officers, October–November 2021 (document on file). [VP-004a]

Point 2 — The Human Rights Dimension and Its Abandonment by the Inquiry

2.1 The Legal Framework

The censorship question is not, at its core, a matter of contract law. The EU Charter of Fundamental Rights protects freedom of expression under Article 11, and freedom of the arts and sciences, including academic freedom, under Article 13. Article 19 of the International Covenant on Civil and Political Rights applies to the human rights dimension of the complaint. The EU's external action framework commits it, through its development cooperation instruments, to the promotion of human rights and democratic governance in partner countries.[17] The Voices of the People initiative was subsidized from the European Development Fund for the explicit purpose of fostering democratic participation and public knowledge in Guinea-Bissau. The censorship of its outputs engaged fundamental rights from the moment it occurred — rights that the Ombudsman's own mandate requires it to protect.

2.2 Two Layers of Harm

The human rights dimension operates at two levels.

At the European level, it involves the rights of DEMOS and the ten scholars who collaborated on the study to freedom of expression and academic freedom — rights held under the Charter and the European Convention on Human Rights. These are individuals whose professional reputations, years of research, and legitimate academic expectations were subordinated to a diplomatic calculation made without their knowledge and never explained to them.

At the African level, it involves the rights of the citizens of Guinea-Bissau whose voices the study was designed to amplify. The Voices of the People initiative produced the first public opinion study ever conducted in Guinea-Bissau. Suppressing it deprived those citizens of the first comprehensive scientific account of their own political views and social values. It was produced under the auspices of an EU institution that had contracted, with EU public funds, to promote knowledge in the service of democracy in their country.

It is this second dimension that gives the censorship argument its full gravity. The decision to halt publication was made to protect a diplomatic relationship with a government whose president had reason to find the study inconvenient. This was not an administrative irregularity. It was a choice about whose interests the EU's development cooperation ultimately serves — the citizens of a partner country, or the comfort of their autocratic president.[18]

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[17] EU Charter of Fundamental Rights, Articles 11 and 13; International Covenant on Civil and Political Rights, Article 19; Treaty on European Union, Article 21.

[18] For a profile of President Embaló and the political context of Guinea-Bissau under his presidency, see Point 7 below.

2.3 The Essential Ground on Which the Case Was Opened

The censorship of the Voices of the People study was the essential ground of DEMOS's complaint. DEMOS, registered in the developing world, not the EU, does not meet the eligibility criteria that ordinarily govern access to the Ombudsman. The Ombudsman nonetheless opened an inquiry proprio motu, citing the public interest and good administration.[19] The complaint it took up was a complaint about censorship and the violation of fundamental rights. The public interest invoked to open the case cannot be separated from what the case was about.

2.4 The Inquiry Team Follows the Evidence

Over the months that followed, the inquiry engaged seriously with the censorship argument. In November 2024, DEMOS responded to the Commission's denial that censorship had occurred by outlining the different patterns of restriction imposed on academic freedom — from overt prohibition to oblique conditions, from limited distribution to ongoing by-product harm.[20]

In January 2025, the Ombudsman's inquiry team sent a further letter to the Commission putting four specific questions and requesting inspection of all contracts, addenda, and related correspondence.[21] Three of the four questions probed the mechanisms of the oblique restriction directly: whether conditions for academic publication had ever been set out in writing; how the Commission reconciled its no-commercialisation position with the contractual commitment to submit the manuscript to a commercial academic publisher; and when and how DEMOS had been informed of the free-of-charge requirement. The fourth was the sharpest: it asked for the legal basis for the no-commercialisation rule and required the Commission to address a scenario in which DEMOS waived royalties, but a commercial publisher still made a profit. These questions were, point for point, the questions DEMOS's November 2024 submission had raised. They demonstrate that the inquiry team had engaged seriously with the censorship argument and identified the oblique restriction as the mechanism requiring examination.

2.5 What the Decision Left Out

Nearly six months later, the July 2025 Decision arrived. The censorship question — every dimension of it — had vanished. Specifically:

- The Decision does not record the Commission's response to the January 2025 questions
- It does not say the Commission answered satisfactorily — or failed to answer
- It contains no reference to the human rights instruments named in the complaint

[19] European Ombudsman, Letter from the Director of Inquiries to DEMOS, July 2024, Case OI/4/2024/MIK. [VP-014]

[20] DEMOS, Response to the European Commission, 20 November 2024. [VP-021]

[21] European Ombudsman, Letter to the European Commission, 13 January 2025, Case OI/4/2024/MIK. [VP-025a]

- It makes no finding on academic freedom
- It offers no account of why questions the inquiry team considered sufficiently serious to put to the Commission in January 2025 required no resolution in July 2025
- No reference to censorship, academic freedom, or any restriction on freedom of expression appears

This is not an oversight. An inquiry team that puts four specific questions to the Commission about the mechanisms of censorship does not accidentally omit those questions from its decision nearly six months later. The censorship question was abandoned — set aside without explanation, without finding, and without transparency. Compounding this, DEMOS was never shown the Commission's answers to the 13 January 2025 questions — a transparency failure examined in Point 3.4 below.[22]

2.6 A Choice about Accountability

The shift from censorship and human rights to a narrow contractual question is not a neutral analytical move. It is a choice about what the inquiry would and would not hold the Commission accountable for.

The Ombudsman's mandate, established by Article 228 of the Treaty on the Functioning of the European Union, is to investigate maladministration by EU institutions, with protection of fundamental rights as a core dimension. An oversight institution that opens an inquiry on human rights grounds, investigates the question across many months, identifies specific unresolved issues requiring further Commission response, and then issues a decision containing no finding on those issues — without explanation — has not been neutral. It has made a choice. The consequences are concrete: the Commission faces no accountability for the suppression; DEMOS receives no remedy; the citizens of Guinea-Bissau receive no recognition of the harm done to them by an institution that contracted, with their country's development funds, to serve their interests.

[22] The Ombudsman's letter of 13 January 2025 told the Commission: "we are likely to send your reply and related enclosures to the complainant for comments." That was the procedure followed with the September 2024 Meeting Report. It was not followed here. DEMOS was never shown the Commission's reply, or what it contained — denying DEMOS the opportunity to respond to the Commission's final legal position before the Decision was issued. [VP-025a; VP-018a]

PART II — A COMPROMISED INVESTIGATION

Procedural inadequacy and analytical failure: how they compounded each other

A flawed investigation is not only one that lacked the right witnesses or documents. It is also one that declined to reason carefully from the evidence it did possess. In this case, both failures were present — and each reinforced the other.

Point 3 — A One-Sided Investigation: The Procedural Failures

3.1 No Independent Witnesses

Paragraph 8 of the Decision states that the Ombudsman's inquiry team inspected documents and met with representatives of the Commission. That is the entirety of the inquiry's account of its method.[23]

The investigation did not interview a single Delegation officer who administered the contract, managed the project, or was involved in the decision to halt publication. Not the officers who negotiated Addendum 2 and conducted the email and WhatsApp exchanges with DEMOS in which the intent of that addendum is laid out in real time. Not the EEAS Africa Director, who met President Embaló just three days before the halt — and whose authorisation, under EEAS rules, that halt required. Not the officials who ordered the printing hold in November 2021. Not the Ambassador who described the study as "fantastic" two days before suppressing it. Not any of the ten scholars whose work remains unpublished.

Most telling of all, the investigation never properly heard the complainant. DEMOS — the party that lived the events and raised the alarm — was given only a brief preliminary call before the inquiry formally opened, never a full, formal interview. It should have been the centrepiece of any genuine investigation. The Commission had a formal meeting to present its account. DEMOS never did.[24]

This matters not only as a procedural gap but as an investigative one. Any serious inquiry into alleged maladministration must examine motives — not merely documents. The internal communications between Delegation officers in the days surrounding the November 2021 halt; the emails and WhatsApp messages exchanged between Brussels and Bissau as the embargo hardened; the instructions given to the lawyers who drafted the June 2022 prohibition and the March 2023 free-of-charge position — none of this was sought. Nor was the simplest question put: who took the decision, and why. Without it, the

[23] European Ombudsman, Decision OI/4/2024/MIK, paragraphs 8–9. [VP-027]

[24] The only conversation was a telephone call with the inquiries officer on 11 June 2024, a month before the inquiry opened. The Commission, by contrast, met the inquiry team on 5 September 2024 and received the draft report of that meeting to check that it was "factually accurate and complete" before DEMOS saw it. At the meeting, the inquiry team "skipped questions 4 and 5" — the two that asked whether the free-of-charge requirement was justified in this case and whether the Commission could reimburse open-access costs or withdraw the requirement. European Ombudsman, Report on the Meeting of the Inquiry Team with Representatives of the European Commission, 5 September 2024. [VP-013; VP-016a]

inquiry could not establish why the Commission acted as it did, only what formal positions it subsequently adopted. If the inquiry heard only the Commission's lawyers and not those who administered the contract, ordered the halt, or suffered its consequences — can it be called an inquiry at all?[25]

3.2 The Denial of Mediation

The contract between DEMOS and the EU Delegation included a formal, multi-step dispute resolution mechanism under Article 40 of the General Conditions, requiring the parties first to seek amicable settlement, then conciliation through a third party, before resorting to legal proceedings before Belgian courts.[26]

When the publication embargo was imposed in November 2021, DEMOS immediately sought dialogue. Requests for explanation and engagement went unanswered or were refused. When it became clear in 2023 that the free-of-charge condition made academic publication impossible, DEMOS formally invoked the mediation clause. The Commission declined, stating explicitly that it did not "see any added value in entering into further negotiations." An institution that invokes contractual obligations against a contractor while simultaneously refusing to honour the dispute-resolution mechanism those same contracts establish is not acting in good faith. The Decision does not acknowledge this conduct, assess it, or draw any inference from it.

3.3 The Asymmetry of Access to Justice

The Commission's refusal of mediation left Belgian courts as the only remaining avenue. For the European Commission, litigation before Belgian courts is a routine institutional activity. For a small research NGO operating from Paraguay and Guinea-Bissau, it is not a realistic option. The financial cost of international litigation, the complexity of EU procurement law, and the structural asymmetry between a civil society organisation and the legal apparatus of the European Commission make that avenue functionally inaccessible.

By refusing dialogue and then mediation, the Commission did not simply decline a procedural request. It effectively closed every avenue of recourse available to DEMOS, in full knowledge of that asymmetry. The Decision does not ask whether a contracting authority that systematically closes off non-litigious dispute resolution, while knowing

[25] Simona Schlede, Head of Cooperation, EU Delegation to Guinea-Bissau, wrote on 27 November 2021 that she had "read the entire book" and relayed the Ambassador's reaction: "the Ambassador who congratulates you on this fantastic study." On 28 December 2021, in a phone conversation with Miguel Carter, Schlede stated that she did not know why the Ambassador had taken the decision to halt publication — and said she disagreed with it. WhatsApp exchange between Simona Schlede and Miguel Carter, 27 November 2021; notes of phone conversation, 28 December 2021 (documents on file). [VP-005]

[26] General Conditions applicable to European Union-financed service contracts for external actions, Article 40 (Dispute Settlement); Special Conditions, Article 40.4 (exclusive jurisdiction of the courts of Brussels). Email from Hans Christian Stausboll, Acting Director, DG INTPA, to Miguel Carter, 21 April 2023, replying to DEMOS's request for conciliation of 30 March 2023. [VP-002; VP-009]

that legal proceedings are inaccessible to the other party, has acted in good faith. It should have.

3.4 Silence on the Commission's Answers

DEMOS was never shown the Commission's answers to the four questions. It was told only, in April 2025, that the inquiry was analysing "additional clarifications and documents recently obtained from the Commission." New material thus informed the Decision — material DEMOS could neither verify nor answer. That is a failure to meet the transparency obligations the Ombudsman's own inquiry procedure requires.[27]

This matters for two reasons. First, DEMOS was denied the opportunity to respond to the Commission's final legal position before the Decision was issued. Second, and more fundamentally, the Decision does not reveal what the Commission said. It records no answer to the four questions, characterises no reply, and offers no account of how or whether those questions were resolved. Yet it closes the case on the ground that "the Commission has given a reasonable explanation why it cannot waive the condition of non-commercial publication" (para. 32) — an explanation DEMOS was never shown. DEMOS therefore cannot know whether the Decision's silence on the censorship question reflects a finding that the Commission's answers were satisfactory, a finding that they were not, or simply a decision to set the matter aside. This opacity is not a minor procedural lapse. It is one of the central deficiencies of the Decision.

Point 4 — The Evidence That Was There and the Inferences That Were Not Drawn

4.1 Addendum 3: Mentioned but Not Weighed

The proposed Addendum 3 of December 2021 was part of the documentary record before the inquiry. The Decision mentions it twice, in passing (paras. 3 and 11). It then adopts the Commission's after-the-fact reading: the Commission "could reasonably assume that it did not ultimately need to amend the underlying contract, as it could unilaterally stipulate the conditions related to publication" (para. 25). The Ombudsman did not exercise due diligence. It accepted the Commission's account as fact, with no independent verification or legal analysis of the contracts.[28]

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[27] European Ombudsman, Letter from Rosita Hickey, Director of Inquiries, to Miguel Carter, 11 July 2024, Case OI/4/2024/MIK. Email from Michał Krajewski, Inquiries Officer, to Miguel Carter, 30 April 2025: "We are finalising the analysis of all the information collected in this inquiry, including additional clarifications and documents recently obtained from the Commission." [VP-014; VP-025b]

[28] Addendum 3 struck out two items from the Terms of Reference: deliverable 9, "a translated copy of the book manuscript in English, for submission to reputable academic press," and the purpose of promoting "awareness and knowledge about Guinea-Bissau to the broader international community, by making available novel information on this country in English." Fifteen months later, on 20 March 2023, the Commission invoked that same purpose (Section 2.2 of the Terms of Reference) to require that the book be distributed free of charge — a condition that, as DEMOS argued, would prevent publication with a reputable academic press (para. 5). The same clause was thus used twice, in opposite directions, toward one result. In 2021, the Commission sought to strike it out. In 2023, it cited it. Each time, the effect was to block the English edition — in the name of a clause meant to secure it. Email from Hans Christian Stausboll, DG INTPA, to Miguel Carter, 20 March 2023. [VP-

The logic of the document is unambiguous: you do not ask a contractor to surrender a publication right if you believe no such right exists. The Commission's attempt to extinguish the publication commitment by negotiation is direct evidence that the Commission understood the obligation to be real and binding. When DEMOS refused, the Commission maintained the prohibition, escalated to a formal declaration that publication was "strictly prohibited," and later invoked the free-of-charge doctrine as procedural cover. DEMOS was, in effect, punished for holding to its contractual commitment. The Ombudsman had this document — and did not investigate what it implies.

4.2 A Sequence of Conduct the Decision Does Not Examine

The Decision presents the free-of-charge distribution condition as a settled and longstanding contractual requirement, applied transparently to the Voices of the People initiative. The documentary record tells a different story.

As the sequence set out above shows (Point 1.4), the free-of-charge condition was not the original basis for blocking publication. It arrived last — in March 2023 — only after an unexplained printing hold, a failed attempt to extinguish the publication right by addendum, and a formal prohibition had each been tried. Its justification came later still. The "public good" doctrine the Decision adopts (para. 4) was first put forward before the Ombudsman, in September 2024 — after nearly three years of correspondence in which the term never appears. When the inquiry asked whether free distribution was "a regular requirement for studies financed with EU funds," the Commission cited no rule. There was none to cite: the condition appears in no contract clause, no annex of the Commission's rulebook for external action, and no regulation.[29] Before the suppression, the commercialisation question had been an open matter of discussion, not a known prohibition.[30] A thorough inquiry would have examined this sequence and asked what it implies about the Commission's good faith throughout. The Decision does not.

4.3 DEMOS's Documentary Evidence: Submitted but Not Examined

DEMOS submitted detailed arguments and documentary evidence from the April 2024 complaint onward, including in November 2024 and again in May 2025 — among them WhatsApp communications capturing the negotiating intent of Addendum 2 in real time, and the full correspondence record of the Delegation's shifting positions between 2021

006-007; VP-009]

[29] European Ombudsman to the European Commission, 11 July 2024, question 3: "Is this a regular requirement for studies financed with EU funds?" The Commission's answer reasoned from ownership and from the risk of criticism by the European Court of Auditors or EU taxpayers; it cited no rule. Report on the Meeting of the Inquiry Team with Representatives of the European Commission, 5 September 2024. The condition appears neither in the General Conditions for service contracts attached to the contract (Annex b8d, August 2018, Article 14) nor in their current version (2021.1), nor in the Commission's model service contract for its own procurement. [VP-015; VP-016a; VP-002]

[30] Communication between DEMOS and EU Delegation Officers, October–November 2021 (document on file). [VP-004a]

and 2023.[31] This material does not appear in the Decision's analytical sections. The Decision's reasoning tracks the Commission's submissions closely in both structure and substance, while the countervailing record assembled by DEMOS is absent from its conclusions. A close textual comparison bears this out. Of the 21 positions the Commission set out at the September 2024 meeting, the Decision adopts 15 in the Ombudsman's own voice and rejects none. Its account of the facts follows the meeting report, often word for word. Two passages lost in the transfer mentioned the word "censorship."[32]

The WhatsApp exchanges between DEMOS and Delegation officers, in 2020, speak to the central question the Decision was required to resolve: what the parties understood and intended when Addendum 2 was agreed. Declining to engage with this material is not an oversight. It is an analytical choice.

4.4 The Contract Type: A Question That Could Have Changed Everything

The choice of contract type was not a peripheral procedural detail. The Commission's own rules for external action draw the line clearly. Under a grant, the results of the action belong to the beneficiary; the Commission holds a right to use them.[33] Under a service contract, they become the property of the contracting authority. Procurement, in the Commission's own words, serves "the purchase of services and material necessary to the working of the European institutions." A public opinion study commissioned to foster democratic participation in Guinea-Bissau is not that. It is precisely the kind of initiative for which a grant is the proper instrument — and under which ownership of the results would have remained with DEMOS. Had a grant been used, the Commission's principal instrument of suppression — ownership — would never have been available to it.

This argument was point 1 of the April 2024 complaint. The Delegation's then Head of Cooperation, who signed the original 2019 contract, subsequently acknowledged the error in a phone call with DEMOS.[34] The inquiry made it its first question to the

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[31] DEMOS, April 2024 complaint to the European Ombudsman; DEMOS, Response to the European Commission, 20 November 2024; DEMOS, Additional Submissions to the Ombudsman Inquiry, May 2025. [VP-011; VP-021; VP-026]

[32] European Ombudsman, Report on the Meeting of the Inquiry Team with Representatives of the European Commission, 5 September 2024, compared with the Decision of 8 July 2025. The Decision's account of the background follows the Commission's own framing of events, as explained in the companion text to this paper: *The Devil Is in the Details: How the Ombudsman Overlooked What Was at Stake in the Voices of the People Case* (DEMOS, 2026). [VP-016a; VP-027]

[33] General Conditions applicable to European Union-financed grant contracts for external actions (PRAG Annex e3h2, July 2019), Article 7.1: ownership of "the action's results, reports and other documents relating to it will be vested in the beneficiary(ies)"; Article 7.2 gives the contracting authority the right to use them. Compare the General Conditions for service contracts attached to DEMOS's contract, Articles 14.2 and 14.6 [VP-002]. European Commission, "Grants and procurement" (EU budget pages): "The results of the action remain the property of the beneficiaries"; procurement is "used by the Commission for the purchase of services and material necessary to the working of the European institutions."

[34] The Delegation's then Head of Cooperation, who signed the 2019 contract, acknowledged the error in a phone call on 16 November 2023.

Commission in July 2024.[35] The Commission replied that a service contract was correct, and explained why it prefers one: under a grant, "the beneficiaries have more freedom to decide on the focus and content," and must co-finance the action. Both marks were present here. DEMOS conceived and designed the initiative; the Commission did not request it. DEMOS and its partners bore at least three quarters of the real cost of the study, documented to the Ombudsman in detail. By the Commission's own criteria, this was a grant action.[36]

The Ombudsman had every element in the file. It accepted the Commission's answer as given.[37] The officer who signed the contract, and later admitted the error, was never contacted — his name was on a document the Ombudsman held. No independent legal analysis of the contract type was commissioned. Both were available. Neither was pursued. This is what the absence of due diligence looks like in practice: a question that could have changed everything, answered by the party under scrutiny, closed without verification.

4.5 A Finding without a Remedy

The Ombudsman's own language in paragraphs 28–31 of the July 2025 Decision constitutes, in effect, a finding of institutional fault. The Commission failed to communicate material conditions in a timely way; it was "regrettable" that the condition had not been communicated earlier; the Commission had failed to fulfil its obligations of "transparency and legal certainty"; the claim that DEMOS should simply have known, or sought clarification, "does not seem reasonable."[38]

These are not minor observations. They describe a contracting authority that allowed a researcher to invest years of work in pursuit of a contractually embedded goal and then revealed, after the work was complete, that the goal could not be achieved under the contract's terms. The investment was not small. The contract price covered less than a quarter of what the study cost to produce. The rest was to be repaid in the currency the contract itself promised: publication, service to the people of Guinea-Bissau, and the recognition that follows. The Commission kept the study and withheld the return. Yet the Decision produces only a forward-looking suggestion for improvement. No remedy is offered for the case at hand. No instruction is given to the Commission to revisit the

[35] European Ombudsman, Letter from Rosita Hickey to Christian Linder, Secretariat-General, European Commission, 11 July 2024, Question 1. [VP-015]

[36] Report on the Meeting of the Inquiry Team with Representatives of the European Commission, 5 September 2024, answer to question 1; Decision, para. 20. On DEMOS's contribution: DEMOS, Response to the European Commission, 20 November 2024, pp. 1 and 6–7: DEMOS and its partners bore 75% of the real cost of the follow-up study and 69% of the whole initiative; the Commission "did not formulate or request the study but responded positively to funding requests." Exhibits 11 and 12 (budget worksheets) were submitted to the Ombudsman and are held on file. [VP-016a; VP-027; VP-021; VP-001]

[37] The Decision adds: "In any case, the complainant accepted this contract" (para. 22). DEMOS accepted the instrument the Delegation chose in a negotiated procedure. It was never told that a grant was an option. [VP-027]

[38] European Ombudsman, Decision OI/4/2024/MIK, paragraphs 28–31. [VP-027]

conditions it applied. This is all the more striking given that the Ombudsman's own inquiry, from its opening questions in July 2024, had been actively exploring remedial steps.[39] That trajectory was abandoned along with the censorship question. The Decision proceeds from finding to closure — leaving the harm unremedied and the Commission's conduct without consequence.

[39] The own-initiative inquiry OI/4/2024/MIK was opened on 11 July 2024 under European Ombudsman Emily O'Reilly, with a stated aim of finding a solution and a set of pointed, substantive questions put to the Commission — about the contract, the suppression of the study, and possible remedies. The Decision that closed the case told a different story: it set those substantive questions aside and fell silent on the censorship question. It was issued on 8 July 2025 under O'Reilly's successor, Teresa Anjinho, who took office on 27 February 2025. (European Ombudsman to the European Commission, 11 July 2024, Case OI/4/2024/MIK.) [VP-015; VP-027]

PART III — CONCEPTUAL ERROR

The public goods argument and the danger of leaving it unchallenged

At the centre of the Commission's defence lies a single, load-bearing claim: that the Voices of the People study is a "public good," and that protecting the public interest requires that it be distributed free of charge. From this classification, everything else follows. Because the study is a public good, it cannot be commercialised. Because it cannot be commercialised, academic publication with a reputable press is effectively barred. The Ombudsman accepted this reasoning without interrogating it. That acceptance was a significant analytical failure — and its consequences extend well beyond this case.

Point 5 — The Public Goods Fallacy: A Category Error With Systemic Consequences

5.1 The Commission's Argument Rests on a Category Error

In economic theory, a public good has a precise and well-established meaning: it is non-excludable — no one can be prevented from accessing it — and non-rival — one person's use does not reduce its availability to others. Clean air, street lighting, epidemiological knowledge: these are public goods because they are available to all.[40] A study held in an administrative archive, withheld from academic publishers, and inaccessible to the international scholarly community fails the first test outright: it is excludable, because access has been actively denied. Knowledge may be non-rival by nature, but knowledge kept from the public is no public good. By every criterion that matters, the Commission's suppressed study is a private asset in institutional custody.

What the Commission has done is substitute institutional ownership for publicness — treating "funded by the EU" as equivalent to "belongs to everyone." These are not the same thing; conflating them produces exactly the opposite of a public good: knowledge locked away from the public it was produced to serve. A good is not made public by being publicly funded. It is made public by being publicly accessible.

5.2 Three European Democratic Theorists Converge on the Same Refutation

The Commission's error fails not only the economic test but the philosophical one. Norberto Bobbio, Hannah Arendt, and Jürgen Habermas — three foundational figures in European democratic thought — each approached the concept of the public differently, but converge on the same conclusion: what makes something genuinely public is not who owns it, but whether it is visible, accessible, and available for common deliberation.[41] For Bobbio, publicness requires visibility — power exercised openly, subject to scrutiny; its

[40] Joseph E. Stiglitz, *Economics of the Public Sector*, 3rd ed. (New York: W.W. Norton, 2000), ch. 5.

[41] Norberto Bobbio, *The Future of Democracy* (Cambridge: Polity Press, 1987); Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958); Jürgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1989).

antonym is invisible power, decisions taken in the dark.[42] For Arendt, things become real only through appearance before others, by entering a shared world of common concern.[43] For Habermas, the public sphere is the communicative space sustained by the free circulation of publications, ideas, and debate — the arena in which citizens reason together on matters of common concern; to block that circulation withdraws knowledge from the deliberative commons.[44]

The Commission's claim to be protecting a "public good" fails all three tests simultaneously: it fails the test of visibility (Bobbio), the test of shared reality (Arendt), and the test of communicative accessibility (Habermas). A study locked in an administrative archive, denied academic publication, and kept from the audiences it was designed to reach is not a public good by any serious account of what "public" means. The Commission did not protect the public. It appropriated the concept to justify its opposite — and the Ombudsman accepted that appropriation without question.

5.3 The EU's Own Framework Contradicts This Position

The Commission's argument is in direct tension with the EU's stated policy on publicly funded research. The open science framework — expressed in Horizon Europe and the 2023 Council Conclusions on open access — rests on an explicit principle: because research is publicly funded, it should reach the widest possible audience, including through academic publishers.[45] This is the inverse of the Commission's position. Public funding creates an obligation to maximise reach — not to vest copyright in a managing institution and restrict dissemination. The Commission invoked the language of public access to keep the study, in practice, inaccessible to the public. That is not a nuanced interpretive disagreement. It is a contradiction at the heart of the Commission's own institutional logic.

5.4 No Proportionality Analysis

Even accepting the Commission's public good classification at face value, the Ombudsman's analysis fails at a further level. EU administrative law requires that any restrictive measure be proportionate — suitable to its objective, no more restrictive than necessary, and not imposing burdens that exceed its benefits.[46] The Decision's paragraph 27 is a bare conclusion, not a proportionality analysis. It does not ask whether a less restrictive alternative — free digital access combined with permission for commercial print distribution — would have served the same public availability goal while also

[42] Bobbio, *The Future of Democracy*, ch. 4, pp. 79–97.

[43] Arendt, *The Human Condition*, ch. II, pp. 50–58.

[44] Habermas, *The Structural Transformation of the Public Sphere*, Part II, §§6–7.

[45] Regulation (EU) 2021/695 establishing Horizon Europe, Articles 14 and 39(3); Council of the European Union, Council conclusions on high-quality, transparent, open, trustworthy and equitable scholarly publishing, 23 May 2023 (doc. 9616/23).

[46] Treaty on European Union, Article 5(4); Case C-331/88, R v Minister of Agriculture, ex parte Fedesa [1990] ECR I-4023, paras. 13–14.

enabling academic publication.[47] If less restrictive alternatives existed, the most restrictive option required justification. None was provided.

5.5 The Burden Falls Most Heavily on Those Least Able to Bear It

The Commission's position, applied consistently, would mean the EU owns — and may bar the commercial publication of — the outputs of all the research it finances. It does not. Under Horizon Europe and most EU research grant frameworks, beneficiaries — universities, companies, researchers — retain ownership of their results, including intellectual property rights; the EU receives a licence but does not claim ownership.[48] The selective application of the non-commercialisation principle to this service contract, without explanation or principled distinction, creates an unequal burden on knowledge-producing organisations. Well-resourced universities can absorb open-access publication costs from institutional overhead. Smaller NGOs and scholars based in the Global South — precisely those most likely to be contracted by EU Delegations for local research in development contexts — cannot. This is not an incidental effect. It is a predictable consequence of a blanket condition designed without equity in mind.

5.6 This Argument, Left Unchallenged, Becomes a Threat to Freedom of Expression

The free-of-charge condition arrived only after every other means of maintaining the embargo had been tried and failed. But the danger it poses extends far beyond this case. If no study produced under an EU external-action contract may be commercially published, the officials who manage those contracts acquire vast discretionary power: they can determine, on political or other subjective grounds, which works are fit to reach the public — and which are not. Only well-resourced organisations and wealthier authors could afford to publish independently and absorb the costs of free distribution.

This does not protect the public. It progressively hollows out one of the historic institutional pillars of freedom of expression: the independent publisher and the open book market. A doctrine that concentrates publication decisions in the hands of administrative officials is a doctrine with autocratic potential — one more instrument of democratic erosion through incremental restrictions on opportunities to share knowledge and exchange ideas. Is this what the European Commission and the Ombudsman understand by protecting the public interest?

5.7 The Flaw Is Now Taught as Procedure

In its December 2025 reply to the Ombudsman, the Commission did not reconsider the condition it had imposed on the study. It entrenched it.[49] What began as one contested

[47] European Ombudsman, Decision OI/4/2024/MIK, paras. 27 and 30. [VP-027]

[48] Horizon Europe Model Grant Agreement, Article 16.1: "Results are owned by the beneficiaries that generate them."

[49] European Commission, Reply to the European Ombudsman on the Suggestion for Improvement in Case OI/4/2024/MIK, C(2025) 8523 final, Brussels, 5 December 2025, signed by Commissioner Jozef Síkela. The reply was transmitted to DEMOS by the Office of the European Ombudsman (Michał Krajewski, Inquiries

decision is now the instruction given to every official who manages such contracts — and, with it, a standing threat to academic freedom.

The Ombudsman's Decision had closed with a single Suggestion for Improvement: that the Commission communicate publication conditions more clearly in future. The Commission accepted it. But it gave effect to that suggestion not by re-examining the public-goods rationale — the category error set out above — but by writing that rationale into the training of its staff.

The training comes first. The Commission's development-cooperation service has already revised the course it gives the staff who manage its external-action contracts. It now instructs them that a study's free distribution is "mandatory because the study was produced with public funds and is therefore a public good." This is the precise conflation this paper has refuted: *public funding mistaken for public accessibility* — now taught as settled procedure.

The ownership clauses come second. The Commission told the Ombudsman it will revise its rulebook for external-action contracts — the Practical Guide to Contract Procedures for EU External Action, known as the PRAG — so that the contracting authority's "irrevocable worldwide ownership" of all results, which it may "exploit … as it sees fit," is spelled out to every tenderer and extended expressly to "studies." These clauses are not new. They were in the contract DEMOS signed in 2019 — alongside the commitment to publish. The revision adds emphasis, not power.[50]

The reply thus supplies both halves of what suppression requires. The rationale — "public good" — provides the justification; the ownership clause provides the means. The contract supplies the ownership. The training tells the official what answer to give. No contract contains the rule. It lives in the consent to publish that an official grants or withholds — with no duty to give reasons, as this case shows. Together they turn a one-off decision into standing practice, available to any official who finds a study subsidized by the Union inconvenient.

The fix is also an admission. To make the condition explicit now is to concede it was not explicit before (see Point 4.5). Yet the remedy does not repair that lapse in this case. It instructs officials to impose the same condition in every case that follows. What the training formalises is a mandate for discretion without reasons: an official may halt a study, cite the rule, and answer to no one.

Officer) on 24 April 2026. See also European Ombudsman, Decision in Case OI/4/2024/MIK, 8 July 2025. [VP-028; VP-029]

[50] The two instruments are: (1) module 7 of the e-learning course on the Practical Guide to Contract Procedures for European Union External Action (PRAG), maintained by the Directorate-General for International Partnerships (DG INTPA); and (2) the planned 2026 revisions to the PRAG — Annex b8b (Instructions to Tenderers, section 13(f)) and Annex b8d (General Conditions for Service Contracts, Article 14.6). The ownership wording of Annex b8d (Articles 14.2 and 14.6) was already in the General Conditions of August 2018 attached to contract FED/2019/406-596; the 2026 text adds the words "studies" and "other written material of any kind." As of October 2026, the 2026 edition of the PRAG had not been published. [VP-028; VP-002]

This is the heart of the matter. The new instruction would not have prevented what was done to this study. It prescribes it. A clearer warning, delivered earlier — that a study produced under an EU external-action contract belongs to the Commission and may be released only on its terms — does not protect academic freedom. It formalises the power to override it. None of the objections raised in Point 5 is addressed: not the economic category error, not the contradiction with the Union's own open-science commitments, not the absence of any proportionality test, not the unequal burden on scholars and institutions in the Global South.

The contradiction is not abstract. Elsewhere, the Commission opens knowledge: its own documents may be reused by anyone, free of charge, even commercially; its research grants leave the results with the researchers and pay for open access; its own procurement contracts allow distribution "by sale or otherwise." Only in external action — far from Brussels, where the Commission's word is rarely contested — does "public funds" become "free of charge, mandatory." A principle reserved for those least likely to resist is not a principle.[51]

Above all, the rule rests on a hollow conception of the public interest. The genuine public interest in publicly funded knowledge lies in its widest possible circulation — in its availability for the common deliberation on which democratic life depends. That is the public realm as Bobbio, Arendt, and Habermas described it: visible, shared, open to all. A rule that lets an official lock such knowledge away, in the name of the "public good," inverts the very concept it invokes. What it protects, in the end, is not the public but the discretion of the officials who decide on its behalf — the public interest reduced to whatever a hierarchy of administrators declares it to be. *L'intérêt public, c'est moi.*

The Voices of the People case is, for this reason, no longer a single grievance. It has become a template, and every scholar who produces a study under an EU external-action contract is now exposed to it. What was done to one study can now be done to others — not in defiance of the rules, but in compliance with them. What buried one study is now taught to the officials who will manage the next.

[51] Commission Decision 2011/833/EU of 12 December 2011 on the reuse of Commission documents, Article 4 (reuse "for commercial or non-commercial purposes") and Article 9(1) (reuse "shall in principle be free of charge"); since 2019 the Commission's default licence is Creative Commons Attribution 4.0, which permits commercial reuse. Regulation (EU) 2021/695 establishing Horizon Europe, Articles 14 and 39(3); Horizon Europe Model Grant Agreement, Article 16.1. European Commission model service contract (Directorate-General for Budget), Article II.13.3(c): the Union holds the exclusive right to authorise distribution of results "by sale or otherwise."

PART IV — IMPACT

What the Decision means for the project's intended beneficiaries, for Guinea-Bissau, and for democratic accountability in Europe

The framing of this part expands deliberately across its three points: from the individuals and communities the project was designed to serve, to the democratic consequences for Guinea-Bissau, to the implications for accountability within the European Union itself. The three levels of harm are distinct but connected. Each grows from the one before.

Point 6 — The Damage to a Project, Its Community, and Its Potential

6.1 The Scholars

The Voices of the People edited volume brought together ten scholars from Africa, Europe, and the Americas — researchers who invested years of work in a project that was completed, approved, and then suppressed. Their work remains unpublished in the form the contract specified. The English-language volume — designed to reach the international scholarly community on Africa — has not appeared. The Portuguese publication was delayed by two years and reached only a fraction of its intended distribution. The academic recognition, peer review, citation, and scholarly reception that publication was designed to generate have not materialised.

The costs to individual researchers are real and asymmetric. Senior scholars at established European and US institutions can absorb the impact of a delayed publication, however unjust the delay. Researchers based in Africa, with fewer institutional cushions, cannot. The suppression has landed hardest on the researchers least equipped to absorb it.

6.2 The Audiences Denied Access

The Voices of the People initiative was designed to reach specific audiences: Guinea-Bissau's civic and political leaders; its policymakers and officials; its citizens and diaspora; the international development community working in Bissau; and the global scholarly community studying Africa's politics, society, and democratic development. Not one of these audiences has received the study in the form the contract envisaged.

Print copies remain stranded. The English volume is unavailable through any academic channel. The programme of public presentations, journalist workshops, radio coverage, and civic engagement planned for Guinea-Bissau — all contracted deliverables — was never carried out. The study exists. Its intended audiences have been systematically denied access to it.

6.3 The Damage to Science and Its Community

The Voices of the People study is not only a contractual deliverable. It is the first systematic public opinion study ever conducted in Guinea-Bissau — a country of two

million people, independent since 1974, that has never before been the subject of research of this methodological scope and rigour. Its suppression does not merely harm DEMOS and its collaborators. It reduces the evidentiary base available to scholars, policymakers, and development practitioners working on Guinea-Bissau and on the broader challenge of democratic development in Africa.

That base is Europe's as much as Africa's. The English edition was commissioned for the international community; Europe's citizens subsidized it; Europe's own scholars, journalists and policymakers are among those still kept from it. Knowledge suppressed in Bissau by an EU official is knowledge withheld in Brussels, Berlin and Stockholm — and, in this case, knowledge produced to serve democracy.

The signal the suppression sends to the research community is equally damaging. Scholars and research organisations considering EU-funded inquiry in politically sensitive environments now have a documented case in which completed, approved, and contractually required research was suppressed for political reasons, the suppression was maintained for years through shifting justifications, and the EU's own accountability institution found no maladministration. The chilling effect on the questions researchers are willing to ask — and on the willingness of institutions to undertake similar initiatives — is not speculative. It is the predictable consequence of this outcome.

6.4 The Replication Potential Foreclosed

The Voices of the People methodology — a national public opinion study, a multidisciplinary edited volume, and a programme of civic engagement — was never meant to stand alone. It was the first instrument of a larger enterprise, built on a simple premise. Democracy rests on two pillars: the *demos*, the sovereign people in whose name a regime exists, and the *kratos*, the structures of power through which decisions are made. Scholarship and practice have long attended to the second and shortchanged the first. Voices of the People was designed to help redress that imbalance — to treat the perceptions, practices, values and sentiments of ordinary citizens as evidence of the first order: for gauging a regime's legitimacy, its risks, its resilience, and its prospects for democratic renewal.

That premise belongs to no single region. It holds wherever democracy is studied or defended, and the methodology was built to travel — Guinea-Bissau was the first application, with others to follow. The foundation on which that expansion depended — DEMOS's capacity, its credibility, the demonstrated viability of the method — has been damaged by more than four years of suppression, failed negotiation, and obstruction. An initiative with the potential to deepen the study of democracy in any society has been foreclosed at its first iteration.

Point 7 — Guinea-Bissau, Autocratization, and the Cost of Acquiescence

7.1 The Inversion of Purpose

The purpose of the contract is not a matter of dispute. At the September 2024 meeting with the Ombudsman's inquiry team, Commission representatives stated on the record that the EU funds used to finance the study were intended to "foster sustainable and inclusive social development," "consolidate and support democracy," and generate "public awareness" and promote "knowledge about Guinea-Bissau."[52]

What the suppression actually produced was precisely the opposite. Public presentations across Guinea-Bissau were cancelled. Journalist workshops designed to generate news coverage of the study's findings were never held. A climate of caution spread through Guinea-Bissau's civil society, as organisations dependent on EU funding drew the obvious lesson about the costs of independent public engagement with politically sensitive findings. The contract required the dissemination of democratic knowledge. The Commission used its contractual power to suppress it. This is not a procedural irregularity. It is a substantive inversion of purpose.

7.2 EU Accommodation and the Falling Cost of Political Repression

The mechanism linking accommodation to the cost of political repression is not speculative. Robert Dahl, among the most influential democratic theorists of the past century, set it out in two axioms: the likelihood that a government will tolerate an opposition increases as the expected costs of repression increase; and the more the costs of repression exceed the costs of toleration, the greater the chance for a competitive regime.[53] Dahl was writing about governments and their domestic opponents. His logic can be applied in reverse to the external actors who help set those costs. When diplomatic partners, major donors and institutions formally committed to democratic conditionality signal accommodation rather than censure, they lower the expected cost of political repression. Each accommodation lowers the threshold for the next.

The EU's censorship of the Voices of the People study was known in civil society and political circles in Guinea-Bissau. Its signal was unambiguous: critical independent research about the country's governance and democratic conditions, even when contracted and subsidized by the EU itself, was not safe from suppression if it inconvenienced President Embaló. The EU did not raise the cost of political repression. It lowered it.

7.3 The Cost of Acquiescence

A single suppressed study does not, on its own, break a democracy — and we do not claim it did. But it did not stand apart from what surrounded it. The suppression exposed the

[52] European Ombudsman, Report on the Meeting of the Inquiry Team with Representatives of the European Commission, Case OI/4/2024/MIK, 5 September 2024. [VP-016a]

[53] Robert A. Dahl, *Polyarchy: Participation and Opposition* (Yale University Press, 1971), pp. 15–16.

EU's acquiescence to autocratization in Guinea-Bissau — a disposition not to disturb relations with a government dismantling a precarious democracy. The choice undercut the EU's own credibility as a defender of democracy and lowered the cost of regime repression. A committed defender of democracy would have welcomed the Voices of the People initiative as a way to strengthen democratic prospects — not suppressed it to preserve a relationship.

The autocratization the EU would not resist — Embaló's progressive dismantling of democratic institutions: the closure of the National Assembly, repeated attacks on press freedom, the Supreme Court brought under presidential control, the main opposition party and its candidate barred from the 2025 elections — deepened with the military coup of 26 November 2025, and has worsened since.[54]

What the Ombudsman did not examine — and what the evidence required — is the political environment in which "protecting EU relations with Guinea-Bissau" was offered as justification for the suppression. At the time, Guinea-Bissau was among the world's leading autocratizers.[55] It ranked among the most corrupt countries in the world — 161st of 182 in Transparency International's index.[56] A UN estimate puts the cocaine transit through Guinea-Bissau at more than two tons a month, bound for Europe, generating revenues that rival the country's entire annual budget, with its political-military elite structurally enmeshed in the trade. Since around 2020, it has boomed once again; in September 2024, a single plane landing in Bissau carried 2.63 tons.[57] In this environment, the claim that EU relations with Guinea-Bissau needed to be protected from the findings of research on citizens' views and values is not self-evidently legitimate. It required examination. Why did the Ombudsman not ask?

[54] Key developments in Embaló's dismantling of democratic institutions include: the dissolution of the National Assembly in December 2023; the systematic subordination of the Supreme Court to presidential authority; the suppression of press freedom, including the arbitrary expulsion of Agência Lusa, RTP África, and RDP África in August 2025; and the exclusion of PAIGC, Guinea-Bissau's main opposition party, and its presidential candidate from the 2025 elections. On 26 November 2025, the military seized power in Bissau. ECOWAS and the African Union suspended Guinea-Bissau and condemned what observers described as a self-coup. European Parliament, Resolution of 18 December 2025 on the grave political situation in Guinea-Bissau after the coup of 26 November, P10_TA(2025)0341.

[55] Based on Varieties of Democracy Institute data. Felix Wiebrecht, Yuko Sato, Marina Nord, Martin Lundstedt, Fabio Angiolillo, and Staffan I. Lindberg, "State of the World 2022: Defiance in the Face of Autocratization," *Democratization* 30, no. 5 (2023): 769–793.

[56] Transparency International, Corruption Perceptions Index 2025: rank 161 of 182, score 21/100.

[57] A UN official in Bissau put the flow at "no less than 30 tonnes" a year: Alexandre Bish, "The Second Coming of West Africa's Cocaine Trade," Global Initiative Against Transnational Organized Crime (GI-TOC), 18 March 2019. At the wholesale price in Bissau (€10,000–16,000 a kilogram), 30 tons are worth €300–480 million, on a par with the 2022 state budget of €375 million; at about €42,000 a kilogram in Europe, some €1.3 billion. GI-TOC, *Cocaine Markets in West Africa* (March 2026), p. 18; EMCDDA and Europol, *EU Drug Market: Cocaine* (2022); *Forbes África Lusófona*, 1 February 2022. On the renewed boom and the 2024 seizure: GI-TOC, *A Murder and a Shooting: What Do Two Recent Incidents Reveal about Guinea-Bissau's Cocaine Politics?* (2025), pp. 1, 3.

7.4 The Necessary Qualification

The European Union has historically been the country's foremost external supporter of the democratic processes that began in the 1990s — financing elections, backing peacekeeping operations, supporting community development, and funding its principal civil society and human rights organisations. This record is real and well known.

The Voices of the People prohibition stands, nonetheless, as an illustration of how these commitments can unravel. The argument is precise: in a specific and documented case, officials of the EU exercised contractual and institutional power to suppress a research initiative in the service of democracy, apparently to protect a diplomatic relationship with an autocratic president — and in doing so lowered the cost of repression in a country sliding into autocratic rule. Individual decisions within broadly well-intentioned institutions can betray their own purposes. The absence of accountability mechanisms allows those betrayals to compound.

Point 8 — The Spillover: What Harms Democracy Abroad Harms Democracy at Home

8.1 The Original Wrong and the Ombudsman's Wrong

The European Commission suppressed a contracted democratic study for political reasons. The Ombudsman's Decision ratified the suppression. These are, at their core, the same wrong committed at two levels of the EU's institutional architecture. The accountability mechanism that existed to prevent the first wrong failed to address it. The result is a failure at every tier at which accountability was supposed to operate.

The consequences for institutional trust are concrete. An oversight institution that dissolves a potential human rights violation into a finding of no maladministration — after opening an inquiry on precisely those grounds and investigating the question for many months — has lent its authority to a result that shields the responsible parties and denies the affected parties any remedy. Whether or not this was the intent, it is the effect. And effects, in institutional accountability, are what matter.

8.2 A Misappropriation of Public Purpose

EU taxpayers were told, through the official documentation of this project, that their funds would promote civil society, democratic participation, and public knowledge in Guinea-Bissau. In practice, the Commission subsidized a study and then suppressed it — preventing it from reaching the audiences it was designed to reach, cancelling the civic engagement programme it was designed to support, and blocking the academic publication that the contract's own performance indicators treated as a measure of success.

This is not a communication failure, as the Ombudsman's Suggestion for Improvement implies. It is a misappropriation of public purpose: the use of funds allocated for democratic development to achieve, in practice, the suppression of democratic

knowledge. The citizens of Guinea-Bissau, whose voices the initiative was designed to amplify, were its most direct victims. EU taxpayers were misled as well. They were told their money would promote democracy in Guinea-Bissau. No one told them that the study their money helped to produce would be silenced so as not to displease an autocratic president.

8.3 Institutional Normalisation

The lesson that the Decision sends to EU officials is not ambiguous. A Delegation suppressed a contracted study for political reasons. After the dispute escalated to Brussels, the Commission maintained the suppression through years of shifting justifications, refused mediation, and presented a procedurally framed defence to the Ombudsman. The Commission was held accountable for none of this. The inquiry closed with a single suggestion that future communication be improved.

This is institutional normalisation: the process by which a class of conduct — the use of contractual power to suppress inconvenient knowledge in the context of EU external action — is absorbed into the range of acceptable administrative behaviour. It does not require intent. It requires only that the accountability mechanism, when faced with the conduct, declines to name it for what it is and declines to impose any consequence. That is what the Decision has done.

8.4 The Ombudsman as Normaliser

The Ombudsman is the EU's principal institutional guarantor that the exercise of official power is consistent with democratic values and fundamental rights. An Ombudsman who finds no maladministration in a documented case of democratic erosion — in a case her office opened precisely because of its human rights implications, and whose inquiry team was still probing the censorship question nearly six months before the Decision was issued — is not functioning as a check on democratic erosion. The institution is functioning as its normaliser.

Democratic erosion does not proceed through dramatic institutional ruptures. It proceeds through what scholars have called "death by a thousand cuts" — the gradual accommodation of violations by the institutions designed to prevent them, through signals sent, inferences not drawn, questions not asked.[58] The Ombudsman's Suggestion for Improvement — that the Commission should in future communicate publication conditions more clearly — makes this accommodation visible in miniature. It treats a deliberate act of political suppression as a communication failure. It offers a procedural improvement as the remedy for a substantive rights violation. And it closes a case in which the inquiry team itself had identified questions that remained unanswered, without requiring those questions to be answered.

[58] Susan C. Stokes, *The Backsliders: Why Leaders Undermine Their Own Democracies* (Princeton University Press, 2025), pp. 16–34. See also Varieties of Democracy Institute, Democracy Reports (annual); International IDEA, Global State of Democracy reports, available at idea.int.

A decision that normalises this conduct does not stay in Guinea-Bissau. It spreads — carried by the precedents institutions set, the lessons officials draw, and the signals that democratic erosion, when left unnamed, is permitted to send. It leaves Europe's citizens with a plain question: is this the oversight they expect from their Ombudsman?

What harms democracy abroad harms democracy at home.

Conclusion

What the mandate required — and what democratic accountability demands

The Ombudsman's Decision in case OI/4/2024/MIK makes a modest contribution. It identifies a real failing on the Commission's part — the failure to communicate the free-of-charge condition in a timely and transparent way — and translates it into a forward-looking recommendation. We acknowledge this. This paper is not written in bad faith toward the institution. It is written in the conviction that the European Ombudsman matters — that independent, rigorous, and courageous oversight of EU administration is essential, not optional — and that this case did not receive the inquiry it deserved.

What the mandate required was this:

- Interview the Delegation officers who administered the contract, ordered the printing hold, and whose motives were central to any finding on maladministration — including the former Head of Cooperation who subsequently acknowledged that the wrong type of contract had been used
- Examine Addendum 3 and draw the inference its logic compels: that the Commission understood the publication obligation to be real and binding, and attempted to extinguish it by negotiation before resorting to prohibition
- Analyse the sequence of shifting positions between November 2021 and March 2023 — not accept the free-of-charge condition as a longstanding and transparent requirement when the documentary record shows it arrived last, after every other means had failed
- Commission an independent legal analysis of the contract type question — a question the inquiry team itself raised as its first question to the Commission, and one that a measure of critical discernment, applied to the Commission's own criteria, would have settled in DEMOS's favour.
- Engage the Commission's public goods argument with the scrutiny it required — and recognise it for the category error it is, contradicted by the EU's own open science framework
- Apply proportionality analysis to the most restrictive option, when less restrictive alternatives were available and the Ombudsman's own questions acknowledged as much
- Record whether and how the Commission answered the January 2025 questions, disclose any reply, and provide DEMOS the opportunity to respond before the case was closed
- Address the fundamental rights invoked in the complaint — freedom of expression and academic freedom — which formed the essential ground of the inquiry's own opening and were abandoned without explanation

- Acknowledge the Commission's systematic closure of every non-litigious avenue of redress — the refusal of dialogue, the rejection of mediation, the structural inaccessibility of Belgian courts — and assess whether a contracting authority that behaves this way toward a small NGO in the developing world is acting in good faith

None of these steps was taken. Together, they do not describe a demanding or unreasonable standard. They describe the ordinary requirements of a thorough and independent inquiry. An inquiry that did not meet them has not yet been completed.

We raise these failures not to demolish but to demand better.

Better is what the moment requires. Two global institutions dedicated to regime monitoring — Varieties of Democracy, a leading academic consortium based in Gothenburg, and International IDEA, an intergovernmental organisation focused on democracy promotion and assessment — document the same finding year after year: across every region, democratic institutions are under strain; the incremental erosion of accountability, press freedom, judicial independence, and civil society space is the dominant mode of this new autocratization.[59]

Guinea-Bissau is one instance among many. The suppression of the Voices of the People study — a project whose founding premise was that placing the *demos* at the centre of democratic inquiry is constitutive of democracy itself — was not incidental to this global pattern. It was a small but symbolically precise contribution to it. When the EU suppresses a study designed to give voice to citizens, to make their perceptions, values, and democratic aspirations visible and available for public deliberation, it does not merely breach a contract. It acts against the very logic of democratic self-government — against the *demos* in whose name it claims to act.

This is what makes the case a canary in the coal mine. A study of Guinea-Bissau's citizens was suppressed to protect a diplomatic relationship with an autocratic ruler. The suppression was maintained for years through shifting justifications. Every avenue of non-litigious redress was closed, deliberately and in full knowledge of the asymmetry between the parties. And when an accountability institution examined the conduct, it abandoned the searching questions its own inquiry team had asked, accepted the responsible party's account without independent scrutiny, and found no maladministration.

Each of these steps, taken alone, might be explained away. Together, they constitute a pattern — and patterns are how democratic erosion proceeds. If conduct of this kind does not register as a failure to uphold the democratic principles the Ombudsman's mandate exists to protect, then the mandate has lost its edge. And when that happens quietly, in cases still at an early stage or too distant to command attention, the erosion has already begun.

[59] See Varieties of Democracy Institute, Democracy Reports (University of Gothenburg, annual); International IDEA, Global State of Democracy reports, available at idea.int.

What undermines democracy in Guinea-Bissau undermines democracy in the European Union.

This is not a rhetorical flourish. It is a structural observation about how democratic norms travel — and how their erosion travels too. The EU's accountability institutions are among the most important instruments available for halting that erosion. To fulfil that role, they must be more than a theatre of compliance — more than processes that produce the appearance of accountability while shielding power from scrutiny. They must be, in the fullest sense, what their mandates say they are: independent, diligent, unflinching in their scrutiny, and alert to the larger world in which they operate.

The values the European Union professes — freedom of expression, academic independence, the rule of law, support for democracy and civil society in the developing world — are not abstractions. They are commitments. But commitments can be hollowed out — imperceptibly, incrementally, and with consequences that only become visible once the damage is done.

The concern is not ours alone. An international petition calling for the publication of *Voices of the People* and the defence of academic freedom has drawn more than 500 signatories from 48 countries.[60] It reached higher still: the African Studies Association — the leading scholarly association in African studies — raised it directly with the President of the European Commission.[61]

We invite the European Ombudsman to take up, through a fresh inquiry, the questions this Decision left unexamined. We invite the European Parliament and the broader democratic and scholarly community to consider what the record shows. And we invite the institutions of the European Union to ask, honestly, whether these commitments are being honoured in practice — or whether, in this case and perhaps in others like it, they have been quietly set aside.

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[60] The petition's signatories included, among others: Mahmood Mamdani (Columbia); Bo Rothstein (Gothenburg); Donatella della Porta (Scuola Normale Superiore); Leslie Bethell (Oxford); Manuel Alcántara-Sáez (Salamanca); Leonardo Boff; Paulo Sérgio Pinheiro (former Brazilian Minister of Human Rights); Issa G. Shivji (Dar es Salaam); Takyiwaa Manuh (Ghana; former Director, UN Economic Commission for Africa); Carmen Diana Deere (past President, Latin American Studies Association); Anne Pitcher (past President, African Studies Association); Aníbal Pérez-Liñán (Notre Dame); Iva Maria Cabral (Rector, University of Mindelo; daughter of Amílcar Cabral); and Aristides Gomes (former Prime Minister of Guinea-Bissau). The petition and the full list of signatories are available at vozesdopovo.org. [VP-010]

[61] African Studies Association, Task Force for the Protection of Academic Freedom and Board of Directors Executive Committee, letter to Ursula von der Leyen, President of the European Commission, 1 November 2024, copied to senior EU leadership — including the High Representative for Foreign Affairs and Security Policy, the Secretary-General of the Commission, the Director-General for International Partnerships, and the President of the European Parliament. The letter expressed concern over the restrictions on the Voices of the People study and urged a positive resolution and the safeguarding of academic freedom for EU-funded research. [VP-019]

Coda: A Path Forward

The harm runs wide and deep. Years of labour. A study suppressed. An initiative foreclosed at its first step. A nation denied the study made to give it voice. A full accounting of that damage would justify a remedy of corresponding scale. DEMOS does not press for that here.

It asks for something far more modest — and squarely within what the European Union already agreed to.

Bring the book to its people. The Portuguese volume should be transported to Guinea-Bissau and presented there, as the contract always envisaged — and, by way of Portugal, to the Bissau-Guinean diaspora, whose voice matters to the country's future. This is not a concession to be won from the Union. It is the completion of work the Union itself subsidized.

Let the English edition exist. The contract foresaw publication with an academic press. The Union's own condition — that no copy may be sold — makes commercial publication impossible. The Union should therefore meet the cost, including the labour of any revisions the long delay has made necessary.

Safeguard academic freedom. What happened to the Voices of the People initiative should not be possible — not here, and not in the next EU-funded study whose findings someone, somewhere, would prefer unpublished. DEMOS has set out constructive proposals to this end. The principle behind them is simple. Public funds should open knowledge to the public, never lock it away.

None of this is restitution in the full measure the harm would warrant. It is the least that could be done — and, in truth, close to what a good-faith resolution would have reached long ago. DEMOS offers it in that spirit: not to relitigate what is past, but to finish, at last, what was begun together.