

Consultation of civil society organisations and rights defenders on the new European Commission Strategy on the effective application of the Charter of Fundamental Rights in the EU

Introduction

Civil society organisations and rights defenders play a key role in making the EU Charter of Fundamental Rights a reality for all. However, research and consultations suggest that the Charter is still not used to its full potential across EU Member States, and that public awareness of the Charter is low. Only one in 10 respondents in the EU knows what the Charter is, a 2019 Eurobarometer survey found.

The EU Charter of Fundamental Rights is celebrating the 20th anniversary of its proclamation and the 10th anniversary of it becoming an instrument of EU primary law. This is a timely occasion to review the 2010 strategy for the effective implementation of the Charter by the EU. For this purpose, the European Commission is seeking input from a wide range of relevant actors in the Charter's enforcement chain – including civil society organisations and rights defenders.

The result will inform the European Commission's work on the upcoming Charter Strategy, which will be adopted in autumn 2020. Contribution from civil society organisations and rights defenders will be crucial, because a key element of the strategy will be to see how to improve the effective application of the Charter on the ground.

The consultation will be open from **23 March – 12 May 2020 at 12:00**.

We would like to ask you to reply to the consultation on behalf of your organisation and to complete the questionnaire only once. If you wish, you can provide a name of your organisation. The results of the consultation will be analysed by the EU Agency for Fundamental Rights (FRA) for the use of the European Commission and all answers will be presented in a fully anonymised way. Please refer to the privacy statement attached for information on data protection regarding this consultation.

The consultation questionnaire should be completed in English only. It should take you approximately 15-20 minutes to fill it. We encourage you to answer as many questions as possible, but even incomplete questionnaires will be taken into account. To finish the survey please click the "submit" button.

We would like to thank you in advance for your time and input.

For further information, see:

- European Commission annual report on the application of the Charter: (https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights/application-charter/annual-reports-application-charter_en)
- FRA paper: The EU Charter of Fundamental Rights on its 10th anniversary: views of civil society and national human rights institutions (https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-charter-use-cso-nhri_en.pdf)
- Eurobarometer: Awareness of the Charter of Fundamental Rights of the European Union (<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwjB05CVofznAhUNi1wKHVr3AxEQFjABegQlCBAB&url=https%3A%2F%2Fec.europa.eu%2Fcommfrontoffice%2Fpublicopinion%2Findex.cfm%2FResultDoc%2Fdownload%2FDocumentKy%2F86863&usq=AOvVaw1QW-5Y2hMOETeujTgewq25>)
- European Commission Charter Strategy 2010: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52010DC0573>

A. Awareness and use of the EU Charter of Fundamental Rights among civil society organisations and rights defenders

Where does your organisation mainly work (or where is it based):

EU level/umbrella organisation

At which level does your organisation work? (multiple answers possible)

- International level
- EU level
- National level
- Local level

Which of the following terms describes best your organisation?

- Non-governmental organisation
- Trade union
- Employer's organisation
- Social and professional organisation
- Faith-based, religious, philosophical or non-confessional organisation
- University or other qualified experts of European/international body/organisation
- Other

Optional: indicate the name of the organisation you work for (the information is collected as background information and will not be made public).

European Digital Rights (EDRi)

How do you assess the level of knowledge with regard to the EU Charter and its application in your organisation?

- Very good
- Good
- Average
- Not so good
- Not good at all

Does your organisation use or refer to the EU Charter in its work?

- Often
- Sometimes
- Rarely
- Never
- Do not know

How does your organisation use the EU Charter?

	Yes	No	Do not know
in trainings	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
for raising awareness on human rights	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
for litigation/strategic litigation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
for campaigning	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
other	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

If other, please specify how you use the EU Charter in your work:

When training activists on how to do EU advocacy before EU institutions

Could you provide some examples where the EU Charter adds value to the work of your organisation?

Which of the following measures would support your own organisation in better and more often using the EU Charter in your work? Please rank the 5 most important, starting with 1 being the most important in your view:

	1	2	3	4	5
Training for our staff/volunteers about how the EU Charter could be used in our work	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Earmarked funding for the development and/or maintenance of EU Charter know-how	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Publications/handbooks on how to use the EU Charter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Good practice exchange with other organisations working with the EU Charter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Information on the EU Charter-relevant jurisprudence of the CJEU	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Information about where to turn to with questions about the EU Charter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Has your own organisation ever:

	Yes	No	Do not know
organised trainings on the EU Charter for your own staff	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
participated in trainings on the EU Charter organised by other organisations	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
organised trainings on the EU Charter for others	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
used tools available on the e-justice portal Charter tutorial , Fundamental Rights Interactive Tool , Charter checklist	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
participated in a good practice exchange on the use of the EU Charter	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
used FRA's Charterpedia or Charter app	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
used guidance such as FRA Handbooks , national factsheets or video	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
used e-learning, e.g. the HELP online courses	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you think that the currently available opportunities for training on the EU Charter are sufficient?

- Yes No Do not know

Would you be interested in receiving specific training and or/handbooks on how to use the EU Charter for (strategic) litigation?

- Yes No Do not know

B. Application of the EU Charter in law and policy-making

Are you aware of initiatives of your Member State to promote the EU Charter at national level?

- Yes No Do not know

Does your organisation cooperate with public authorities (national or local level) to promote the application of the EU Charter, for example when they:

	Yes	No	Do not know	not part of our core task
draft legislation or policy initiatives?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
make use of EU funds?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
design action plans in an area that impacts fundamental rights?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

develop measures to promote the awareness of rights?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
monitor legislation and policies already in force?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Could you provide some examples of this cooperation (including with whom you have cooperated)?

A large part of our work includes advocacy work (lobby meetings, campaigns, etc...) that relate to Charter rights and its implementation

Does your organisation cooperate with EU institutions to promote the application of the EU Charter?

- Yes No Do not know Not part of our core task

Could you provide some examples of this cooperation?

Cooperation with FRA, EDPS, European Commission and European Parliament in joint initiatives.

What are the challenges or obstacles that your organisation is facing in cooperating with public authorities to promote the application of the EU Charter?

between 1 and 5 choices

- lack of access to public documents/information
- no structured/regular relationship with authorities
- lack of interest on the side of the authorities to cooperate with civil society organisations
- the Charter and its application are not of sufficient priority for the authorities
- our overall workload and/or lack of human resources for this task
- no funding available for this task
- this is not part of our core tasks/ we do not see sufficient added value
- do not know
- other

In your view, what support could national or local authorities provide to civil society organisations, so that they could better use the EU Charter?

Funding and specific activities connecting the Charter and the activity of the organisation. For instance, a workshop on the right to privacy in a workshop organised by a privacy organisation or funding litigators using the Charter to enforce fundamental rights protection.

In your view, what support could EU institutions/bodies provide to civil society organisations, so that they could better use the EU Charter and/or become multipliers at national level?

Funding for specific workshops and publication of Charter-related materials.

C. Role of CSOs and human rights defenders in raising awareness of the Charter among the public

Do people turn to your organisation to ask for information about their rights and about what they can do if their rights have been violated?

Yes No Do not know

Do you raise awareness about people's rights and about what they can do if their rights have been violated?

Yes No Do not know

If yes, please provide examples where such initiatives turned out to be of relevance also for the application of the EU Charter:

We issue a fortnightly newsletter, papers (<https://edri.org/papers/>) and blogposts related to fundamental rights. Our members litigate, advocate, submit changes to legislative proposals, etc...

What actions could your organisation take to improve people's awareness of their EU Charter rights and of where to turn if those rights are violated? (multiple answers possible)

- Mainstream the Charter in our work and activities
- Provide information sessions for the interested public (if funding is available/provided)
- Produce communication material explaining the added value of using the EU Charter at national, regional and local level
- Tailor government materials on the EU Charter for targeted audience (people with disabilities, children, etc.)
- Engage in media and public debate
- Emphasise the EU Charter in their PR work
- Other

What could help civil society organisations/ human rights defenders in their efforts to inform people about their EU Charter rights? Please rank the 3 most important, starting with 1 being the most important in your view:

	1	2	3
Training about the EU Charter (and how it can be used) for our staff/volunteers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Good practice exchange with other organisations working with the EU Charter	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Earmarked EU funding provided to inform people about their EU Charter rights	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU Charter related communication tools developed by the EU but translated into national language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU Charter related communication tools produced by national actors in the national language with financial assistance of the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

D. Commission's annual report on the application of the Charter

The Commission publishes annually a report on the application of the Charter of Fundamental Rights by the EU institutions and the Member States. It informs about legislative and policy work related to the Charter and about case law of the Court of Justice of the EU and of the national courts.

Are you aware of the annual report of the European Commission on the application of the Charter?

Yes No Do not know

Do you use the report in your work?

Yes No Do not know

Please share any suggestions on how the Commission's annual report on the Charter could be made more relevant and understandable for practitioners and for the public?

Is there anything else you would like to share with us regarding the Charter of Fundamental Rights and how you work with it or would like to work with it?

Background Documents

[Privacy statement](#)

Contact

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