

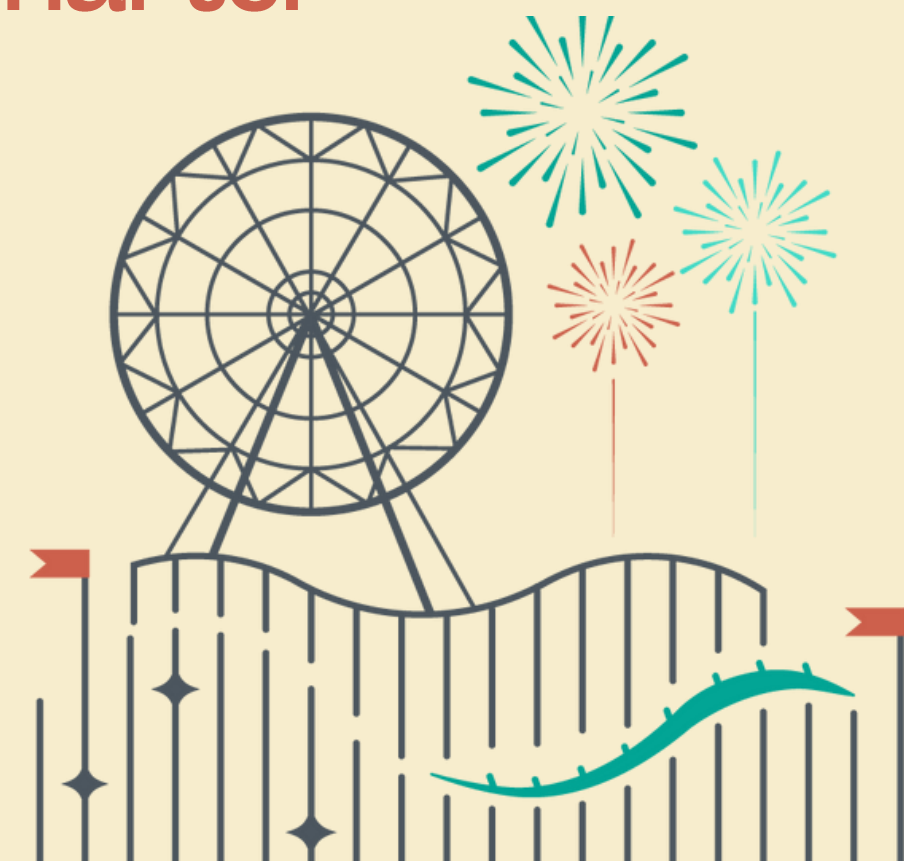


Comparative report on the gaps and strategies to raise awareness and to improve the use of the EU Charter

João Paulo Dias, Marina Henriques, Diana Barros

Centre for Social Studies, University of Coimbra (Portugal)

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Aim of the Report

The report intended to identify:

- ✓ **Common and country-specific gaps and challenges affecting the national implementation and practical use of the EU Charter**
- ✓ **Best practices to overcome the gaps and challenges**
- ✓ **Strategies to promote and strengthen a “culture of rights” based on the EU Charter**

Methodology

Qualitative and quantitative triangulation across:

- ✓ Desk research – comparative national reports from nine country partners
- ✓ Online survey results – conducted from 1 September to 31 October 2024
- ✓ 2 National Focus Groups – representatives of public institutions and CSOs
- ✓ National Public Seminars – professionals who deal with the EU Charter, public entities, academics and researchers, CSOs and the general public

Common Gaps and Challenges

- ✓ **Limited use of the EU Charter by national policymakers, public entities, courts and legal professionals**
- ✓ **Insufficient monitoring and evaluation mechanisms**
- ✓ **Low public awareness of the EU Charter**
- ✓ **Limited awareness and use of the EU Charter among CSOs and human rights defenders**

Country-Specific Gaps and Challenges

Beyond common challenges in the use of the EU Charter, national contexts reveal structural and institutional gaps

- ✓ **Uneven legislative integration** (e.g. Italy)
- ✓ **Institutional resistance** (e.g. Portugal)
- ✓ **Barriers to access to justice** (e.g. Cyprus)
- ✓ **Rule of law backsliding** (e.g. Belgium)
- ✓ **Resource constraints** (e.g. Portugal)
- ✓ **Coordination failures** (e.g. Bulgaria)
- ✓ **Gaps in education and awareness-raising** (e.g. Slovenia and Spain)

Best Practices in Implementing the EU Charter

✓ Integrating the EU Charter into Legal & Policy Frameworks (example)

- In Croatia, the Action Plan for Human Rights explicitly aims to promote effective implementation of the Charter and to raise awareness among key stakeholders.

✓ Targeted training for key stakeholders (example)

- In Slovenia, National Human Rights Institutions and FRA delivered training on the Charter for civil servants and CSOs, focusing on its use in legislative procedures and strategic litigation, with a strong emphasis on victims' reparation and women's rights.

Best Practices in Implementing the EU Charter

✓ **Sharing institutional & professional practices (example)**

- In Portugal, the Charter has been strengthened through handbooks compiling national case law, highlighting implementation challenges in EU fundamental rights law and promoting best practices in judicial dialogue.

✓ **Empowering CSOs & Human Rights Defenders (example)**

- In Cyprus, the Ombudsperson partnered with the National Equality Body to develop a media campaign on equality and non-discrimination rights enshrined in the Charter.

✓ **Monitoring, Evaluation & Transparency (example)**

- In Bulgaria, the government developed guidelines for authorities managing EU funds, including a fundamental rights checklist to be integrated into their management and control systems.

Strategies to Overcome Implementation Challenges of the EU Charter

Challenge # 1 – Legal Frameworks & Public Administration

Capacity-building and Training

- ✓ Tailored training programmes for civil servants and parliamentary staff
- ✓ Charter “ambassadors” (focal points) within public administrations
- ✓ Review and update of university curricula (law, economics, social sciences) to strengthen Charter literacy

Tools and Guidance

- ✓ Fundamental rights checklist for legislative drafting and policy development
- ✓ Government guidance and practical toolkits to promote Charter use in public policy, including role-specific, easy-to-use templates and procedures

Governance and Cooperation

- ✓ Stronger coordination mechanisms among national public institutions involved in Charter implementation
- ✓ Bilateral and multilateral EU-level exchanges to share practices, tools and lessons learned

Incentives and Impact

- ✓ Incentives for effective application of Charter principles by policymakers and civil servants

Strategies to Overcome Implementation Challenges of the EU Charter

Challenge # 2 – Courts & Legal Professionals

Judicial Training

- ✓ Tailored Charter-focused training modules within judicial schools and Bar Associations
- ✓ Focus on Charter-based reasoning: when and how the Charter applies, and its added value beyond mere citation
- ✓ Peer learning with judges from the CJEU and ECtHR

European Exchange of Practices

- ✓ Bilateral and multilateral mechanisms to support judicial dialogue
- ✓ Exchange on case law, judicial trends and best practices
- ✓ Engagement with European judicial networks (e.g. ENCJ, European Lawyers Network)

Tools and Resources

- ✓ User-friendly, open-access manuals and searchable case-law databases on the Charter
- ✓ National promotion of existing tools (e.g. Charterpedia)
- ✓ Use of the FRA Charter e-learning courses providing practical guidance on Charter application

Strategies to Overcome Implementation Challenges of the EU Charter

Challenge # 3 – CSOs & Human Rights Defenders

Strategic Litigation

- ✓ Awareness-raising on the Charter's role in strategic litigation and use in daily advocacy

Participation

- ✓ Free, accessible fundamental-rights initiatives
- ✓ Pathways for smaller CSOs and individual defenders to participate in training activities and Charter-related advocacy

Capacity-Building and Funding

- ✓ Dedicated national and EU funding streams for small-scale CSOs
- ✓ Capacity-building initiatives for Charter-based projects and actions
- ✓ Simplified EU funding procedures and tailored support to overcome resource and eligibility barriers

Complaints and Remedies

- ✓ National and EU-level non-judicial mechanisms to file complaints on Charter violations

Networking and Incentives

- ✓ Stronger and more diverse CSO networks, including partnerships with EU-level umbrella organisations
- ✓ Incentives for Charter use, including awards and public recognition

Strategies to Overcome Implementation Challenges of the EU Charter

Challenge # 4 – Public Awareness

Public Awareness Campaigns

- ✓ Bring the Charter closer to the public by highlighting its content and practical relevance
- ✓ Use simple, clear, and inclusive language for TV, radio, social media, brochures, etc.

Child- and youth-friendly materials

- ✓ Develop age-appropriate content for children and young people (e.g. educational games, videos, Reels/TikTok)

Education System Integration

- ✓ Review school curricula
- ✓ Engage students via contests, fairs, and field trips
- ✓ Integrate the Charter into the curriculum of subjects (e.g. History, and Civic Education)

Accessible Versions for Vulnerable Groups

- ✓ Produce user-friendly and accessible versions of the Charter, tailored to different needs
- ✓ Use diverse formats and channels (e.g. cartoons, songs, theatre, short films and other creative media)

Strategies to Overcome Implementation Challenges of the EU Charter

Challenge # 5 – Monitoring & Evaluation

Strengthen National Human Rights Institutions

- ✓ Reinforce mandates and operational capacity to monitor Charter implementation
- ✓ Safeguard independence and objectivity, free from political influence
- ✓ Enable an effective “watchdog” role, holding both state and non-state actors accountable

Engaging CSOs and Human Rights Defenders

- ✓ Participation mechanisms for CSOs and defenders in annual national reporting on fundamental rights

Capacity-Building for Media Professionals

- ✓ Targeted training and guidance for journalists and editors on identifying and reporting potential Charter violations

Data collection and monitoring

- ✓ Mechanisms to collect data on Charter awareness and use
- ✓ Accessible reporting channels to flag and assess potential Charter violations

Evaluation and learning

- ✓ Evaluation of training, seminars, and campaigns to refine strategies and tools

How to Communicate the EU Charter?

❖ Five Specific Strategies for:

- Policymakers and Public Administration
- Legal Practitioners
- CSOs and Human Rights Defenders
- Media Professionals
- General Public

❖ For Each Group it Must be Defined:

- Channels and Tactics
- Responsible Actors
- Monitoring and impact assessment

Cross-cutting messages

The Charter must be a guiding framework for law-making, policy design, and public administration, ensuring that fundamental rights are systematically respected.

The Charter protects everyone's fundamental rights and freedoms, directly affecting daily life, dignity, equality, and access to justice.

“(….) the future will have to follow more concrete paths with further articulation, as demanded by several legal, political and CSO actors, in order to use the Charter of Fundamental Rights in their daily work and to have a recognised positive impact fully felt by any individuals. The road is still unclear, but many actors are trying to paddle in the same direction.” (Report, p. 43)