

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):

Belgium

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 Foundation Centre (EFC)

European Foundation Centre (EFC)/ Donors and Foundations Networks in Europe (DAFNE) - joint Philanthropy Advocacy initiative

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 type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| for campaigning | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| other | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

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

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



Since the entry into force of the Charter, philanthropic organisations as well as wider civil society organisations (“CSOs”) have been cooperating with the EU institutions and Member States’ policymakers to promote and protect the rights enshrined in the Charter. Parts of the philanthropy sector have also been assisting victims of fundamental rights’ violations, helping them identify the legal avenues available and supporting litigation at national and EU level. Philanthropy, alongside the wider civil society, plays a key role in defending and promoting the values enshrined in Article 2 of the EU Treaty, which include respect for human dignity, human rights and the rule of law.

However, the rights enshrined in the Charter are of utmost importance for the philanthropic organisations and funders themselves, particularly the right to association and assembly, freedom of expression and information or the right to protection of personal data. They need to be duly secured and observed in order for philanthropic actors to carry out their crucial objectives. These rights become particularly relevant where an authority’s intervention is against, or relates to an organisation’s objectives, acts or statements.

Therefore, Philanthropy infrastructure organisations such as DAFNE and EFC are using the Charter in their advocacy work to protect the space for philanthropic actors, in cases when the restrictions are imposed on their fundamental rights to associate, operate, express views, seek and provide information, receive funding and campaign.

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 type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Publications/handbooks on how to use the EU Charter | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | 1 | 2 | 3 | 4 | 5 |
|---|----------------------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| 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 checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Information about where to turn to with questions about the EU Charter | <input checked="" 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 checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| organised trainings on the EU Charter for others | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| used tools available on the e-justice portal Charter tutorial , Fundamental Rights Interactive Tool , Charter checklist | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | Yes | No | Do not know |
|--|----------------------------------|----------------------------------|-----------------------|
| participated in a good practice exchange on the use of the EU Charter | <input checked="" type="radio"/> | <input 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 type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

Could you give us some more information on the good practice exchange on the use of the EU Charter in which you participated?

The European Foundations Cent

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The European Foundations Centre (EFC) and the Donors and Foundations Network in Europe (DAFNE) together in partnership with the European Centre for Non-for-Profit Law (ECNL) created a handbook "How to Use EU Law to Protect Civic Space". This handbook, was published beginning of May 2020 <https://ecnl.org/wp-content/uploads/2020/05/EU-Law-Handbook.pdf> is an user-friendly guide for CSOs who want to know what EU law is and how it affects individuals and organisations, when and how stakeholders can challenge national provisions or measures and which legal avenues and resources are available to defend their civic space. Litigation clinics and additional trainings including CSOs and legal professionals on how to use the Charter are needed to fully develop practical knowledge and capacity of the stakeholders.

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 type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" 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)?

[ADD NATIONAL EXAMPLES IF AVAILABLE]

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?

Philanthropy Advocacy is monitoring, raising awareness and providing information to the European Commission, the European Parliament and FRA with an ask to ensure that EU and national legislation impacting the philanthropy sector is compatible with fundamental rights and European values.

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?

Member States should invest in building

Member States should invest in building trust and dialogue between authorities and civil society including philanthropic actors in order to have an effective participatory approach when creating laws and policies that are in line with Charter.

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?

For CSOs to better understand the use of

For CSOs including philanthropic actors to better understand the use of Charter, it is also important to make this knowledge accessible. This is especially relevant for those organisations that do not have experience with litigation or deeper knowledge on charter rights. They can benefit from using this instrument in their empowerment and advocacy efforts, allowing the Charter to reach also into the daily lives of the general public. It is therefore advised to encourage and invest in creating tools that make the effective use of the Charter more accessible to CSOs and philanthropic actors, legal advisors to the sector and the general public.

In order to enable CSOs to promote or litigate the rights in the Charter, they need better trained advisors, funding to cover trainings, but also to overcome resistance when working against unfavourable legal systems or have to deal with lack of access to justice.

Robust and flexible funding should be available especially to groups that face attacks and smear campaigns as a result of their engagement in litigation.

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

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 checked="" type="radio"/> | <input type="radio"/> |
| Good practice exchange with other organisations working with the EU Charter | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Earmarked EU funding provided to inform people about their EU Charter rights | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | 1 | 2 | 3 |
|---|-----------------------|-----------------------|----------------------------------|
| 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 type="radio"/> | <input checked="" 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?

The current version of the Annual report

The current version of the Annual report on the Charter is written in a rather technical way.

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?

Philanthropy Advocacy emphasizes the i

Philanthropy Advocacy emphasizes the importance of monitoring of the legal and political development in the EU MS focused on the European values enshrined in the Art. 2 of the Treaty on the European Union, including the rule of law and democracy and all the rights safeguarded by the Charter. All the monitoring activities should be carried out in cooperation with civil society organisations, to follow implementation of the Charter and to establish whether there has been any relevant developments in the Member States.