



Call for proposals to promote civil society organisations' awareness of, capacity building and implementation of the EU Charter of Fundamental Rights

CERV-2024-CHAR-LITI

Information session 27 - 28 May 2024

Organised within the framework of the
CERV Civil Dialogue

European Education and Culture Executive Agency
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Welcome

Godelieve DUTRIEUX, Head of Unit, Citizens and EU Values



Agenda

- 10:00 – 10:40:
 - ❖ The 2024 CHAR-LITI call: general presentation and novelties - Paola CERVO, DG JUST
 - ❖ Focus on the policy priority: CHARTER - Martina TORNKVIST, DG JUST
 - ❖ Focus on the policy priority: CIVIC - Alessia VALENTINO, DG JUST
- 10:40 - 11:10: Questions & Answers
- 11:10 - 11:20: Break
- 11:20 – 12:05:
 - ❖ Focus on the policy priority: LITIGATION - Alessia VALENTINO, DG JUST
 - ❖ Focus on the policy priority: SPEECH - Tommaso CHIAMPARINO, DG JUST
 - ❖ Focus on the policy priority: WHISTLE: - Christel MERCADE PIQUERAS, DG JUST
- 12:05 - 12:35: Questions & Answers
- 12:35 - 12:45: Closing remarks - Csilla DOBOSI, EACEA

Objectives, Political Priorities, Expected activities and Outcome

Paola CERVO – DG JUST

Why a specific call for proposals on the EU Charter of Fundamental Rights?



- Declared in 2000 and came into force in 2009.
- Need to unlock the Charter's full potential.
- **2020 strategy to strengthen the application of the Charter.**
- Promote rights and values by **building primarily civil society organisations capacity and awareness** on the Charter and by carrying out activities to **ensure that the Charter is upheld.**

The Charter calls: a successful uptake

First ever call, focusing on 2 priorities, attracted a lot of interest. 11 projects funded.

Third call keeps the key features of the previous one and introduces budget earmarking by priority.



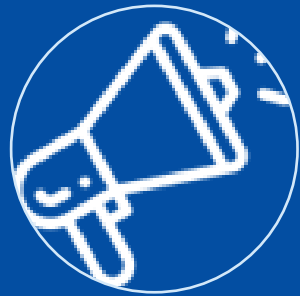
Second call, focusing on 5 priorities and with a substantial budget increase. 37 projects funded.

Possible new call, still to be confirmed.

Policy Priorities for the 2024 Charter call



**Capacity building
and awareness on
the EU Charter of
Fundamental
Rights**



**Promoting rights
and values by
empowering the
civic space**



Strategic litigation



**Combating hate
speech and hate
crime**



**Supporting an
enabling
environment for
the protection of
whistleblowers**



Capacity-building and awareness-raising on the EU Charter of Fundamental Rights

Topic ID: CERV-2024-CHAR-LITI-CHARTER

Martina TÖRNKVIST – DG JUST

Supporting the Charter's implementation through capacity-building and awareness-raising

- In its **Charter strategy**, the Commission acknowledges that **capacity-building is central** for helping civil society organisations and human rights defenders assist people **in using fundamental rights**.
- This strand seeks to fund projects which aim at **promoting a good understanding of the rights enshrined in the Charter** and of **the situations in which the Charter applies**:
 - According to its **Article 51**, the Charter is applicable to Member States only when they are implementing EU law. This differs from the usual applicability of national constitutional provisions and international human rights instruments.
 - Projects can focus on the scope of application of the Charter and/or on the contents of an individual Charter right and/or several rights.
- Projects are intended to **raise the fundamental rights knowledge of relevant actors**. Building on the central role of civil society organisations and human rights defenders, projects **could involve national, regional and local authorities as partners** (co-applicants), with the aim of supporting **joint capacity building and awareness raising efforts**.

Which are the expected results?

- **Capacity-building** and **awareness-raising activities** aiming to increase the knowledge and the use of the EU Charter, especially on its scope of application and the rights it contains;
- **Facilitating cooperation between civil society organisations and other key partners** in enforcing the Charter, such as NHRIs, equality bodies, ombuds institutions and Member State authorities (at national, regional and local levels);
- **Mutual learning, exchange of good practices, development of working and learning methods, fundamental rights impact assessment guidelines**, and programmes that may be transferable to other countries;
- **Training and train-the-trainer activities**, including guidance and learning tools;
- Communication activities, including **dissemination of information and awareness-raising about fundamental rights and redress mechanisms**;
- **Analytical activities**, such as sex-disaggregated data collection and research, and the creation of tools or databases (e.g. thematic databases of fundamental rights jurisprudence);
- Development of procedures, guidelines, technical benchmarks, and tools to help protect **fundamental rights where automation is used**.

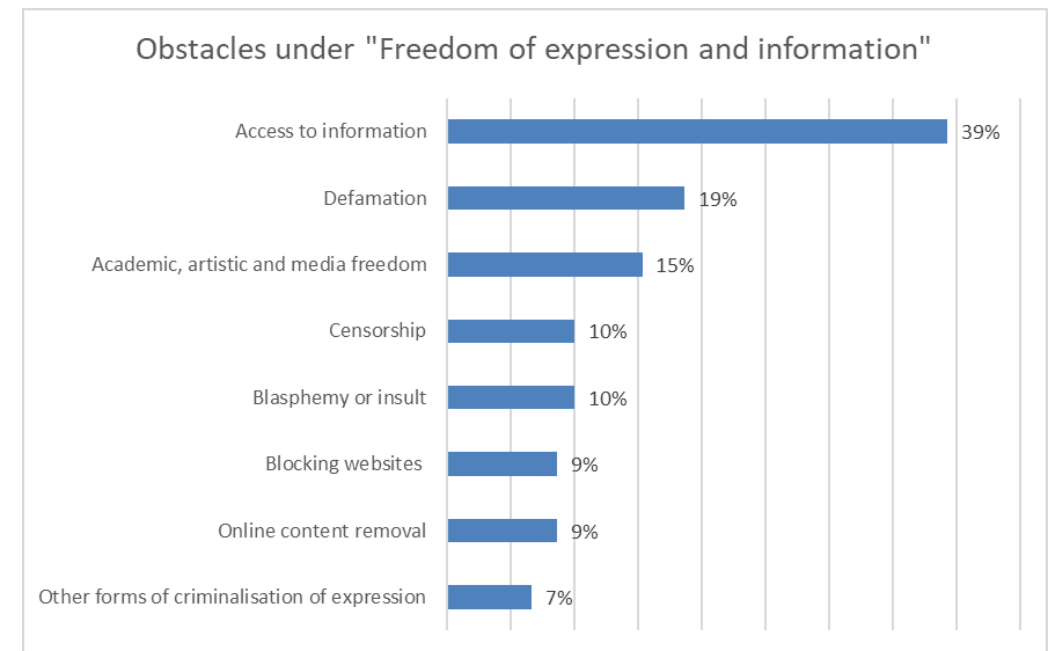
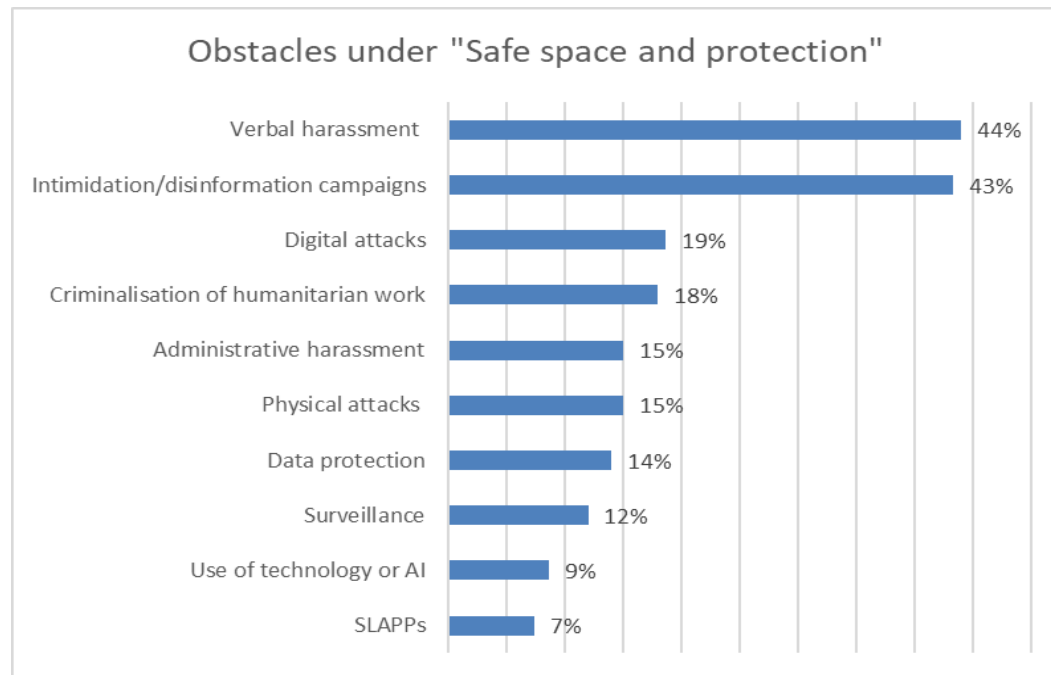
Promoting rights and values by empowering the civic space

Topic ID: CERV-2024-CHAR-LITI-CIVIC

Alessia VALENTINO - DG JUST

Commission policy: thriving civic space

CSOs and rights defenders still report a **range of challenges, obstacles and restrictions** in certain Member States that have limited their ability to carry out their activities:



Commission policy: thriving civic space

- 2022 Annual Charter report, [A thriving civic space for upholding fundamental rights in the EU](#), 2020 [Strategy to strengthen the application of the Charter of Fundamental Rights in the EU](#), Annual [Rule of law reports](#), Pillar IV: check and balances – the framework for civil society, Fundamental Rights Agency (FRA) [work on civic space](#)
- In 2023, the Commission followed up on the Charter report in [a series of seminars](#) and a [final Conference](#). Participants to these events identified in the [final report](#)
 - **several areas where actions** by both Member States and EU institutions, including the European Commission, **would be recommended**; and
 - **overarching principles** that are regarded as fundamental preconditions for an effective approach to promoting and protecting thriving civic space

How would the projects support the Commission work towards a thriving civic space?

- 1. MONITORING:** creation of a systematic and comprehensive monitoring system **to regularly and consistently monitor the environment in which civil society organisations work in the national contexts**
 - building on the Fundamental Rights Agency indicators about the shrinking civic space and of internal organisations' data
 - and in particular of breaches of CSOs and rights defenders' fundamental rights.
- 2. PROVIDING SUPPORT SERVICES:** to CSOs and their members under attack: legal, practical (medical, psychological, family, etc.) support.

Which are the expected results?

- **Increased awareness** based on sound evidence;
- **Cooperation and networks** among the actors protecting the civic space;
- **Dialogue** on the situation of the civic space, increased **public attention** to it, and the development of **positive narratives** on CSOs and HRDs;
- **Increased protection** of CSOs, their members and HRDs;
- **Increased reporting of attacks** and **targeted responses** to such attacks;
- **Increased resilience** of CSOs and HRDs against threats and attacks, including online.

Strategic litigation

Topic ID: CERV-2024-CHAR-LITI-LITIGATION

Alessia VALENTINO – DG JUST

Commission policy: advancing the judicial protection of fundamental rights

- What is needed for an effective litigation strategy?
 - In depth knowledge of the legal instruments + ability of develop creative legal argument
 - Communication skills
 - Advocacy
 - Community engagement
- Why is strategic litigation key to advance the protection of fundamental rights?
 - Legally binding decisions
 - Cross-border impact
 - Community impact

The LITIGATION Topic: Scope and Activities

- There could be a focus on specific Charter rights? YES
- Which type of activities are covered?
 - Training, knowledge sharing, and exchange of good practices;
 - Data collection and research, and the creation of tools or data bases (e.g. thematic databases of jurisprudence);
 - Communication activities, including dissemination of information and awareness raising about rights, redress mechanisms, and strategic cases;
 - Capacity building and awareness raising activities to counter manifestly unfounded or abusive court proceedings against journalists and human rights defenders who engage in public participation (Strategic lawsuits against public participation).

Which are the expected results?

- **Increased awareness and knowledge** about EU law, the Charter, the existing remedies and redress mechanisms to enforce them at national and European level, including the preliminary ruling mechanism;
- **Strengthened abilities** of legal professionals and practitioners **to cooperate** and engage in litigation practices;
- **Increased awareness** on the use and of the safeguards and strategic protection against SLAPP.

SLAPPs are manifestly unfounded or abusive court proceedings. They are a particular form of harassment increasingly used against journalists, human rights defenders and others engaged in public participation in a matter of public interest and upholding democratic values and fundamental rights.

Combating hate speech and hate crime

Topic ID: CERV-2024-CHAR-LITI-SPEECH

Tommaso CHIAMPARINO – DG JUST

Combating hate speech and hate crime

- **2008 Framework Decision on combating racism and xenophobia** requires the criminalisation of public incitement to violence or hatred based on race, colour, religion, descent or national or ethnic origin --> (!) hate speech and hate crime are criminal offences in the EU
- Possible developments on the legal framework: in 2021 the Commission asked the Council to adopt a decision to extend the current list of 'EU crimes' in Article 83(1) TFEU → unanimity needed and not yet reached
- [6th December 2023 JOINT Communication on "No Place for Hate: a Europe united against hatred"](#) --> (!) most recent political priorities in the fight against hate speech
- **EU policy toolbox** to help national authorities to implement EU law on the ground and to effectively counter hate speech and hate crime:
 - the [High Level Group on combating hate speech and hate crime](#), with dedicated work on:
 - hate crime victims support
 - hate crime reporting, recording and data collection
 - hate crime training for law enforcement and justice professionals
 - the [Code of conduct on countering illegal hate speech online](#) agreed with major social media platforms

The priority on combating hate speech and hate crime

Rationale for a stand-alone priority:

- Combating hate speech and hate crime is a key part of the Commission's action to promote EU values and to ensure that the Charter is upheld.
- CSOs play a crucial role in combating hate speech and hate crime, thereby safeguarding and promoting fundamental rights. There is a need to enhance cooperation between CSOs and national authorities, as well as between CSOs and other players e.g. in the private sector (IT companies; think tanks) in the response to hate speech online.

Projects should be:

- **Impactful** → good projects deliver sustainable concrete results, which can or will continue to be implemented even after the funding. Wealth of research and mapping on legal frameworks on hate crime are already available, research activities in this field would not add particular value.
- **Pragmatic** → Extensive guidance available, so less toolkits, mapping and guidance, more action on the ground (action plans, training, campaigns).
- **Of the right size** → bigger projects and numerous countries involved do not necessarily mean impact, often the effect is the opposite as bigger projects fail to address national specificities.
- **Replicable** → Think of activities that can, if shared with other practitioners, easily be replicated in other contexts.
- **Built on existing good practice** → Think of past successful activities which can be promoted in other countries to continue previously successful projects

Supporting an enabling environment for the protection of whistleblowers

Topic ID: CERV-2024-CHAR-LITI-WHISTLE

Christel MERCADE PIQUERAS – DG JUST

How would the projects support the correct implementation of Whistleblowing Directive?

SUPPORTING civil society organisations in their key function implementing the Directive by contributing to:

- ✓ ensuring that potential whistleblowers can report without fear of retaliation,
- ✓ ensuring that persons in charge of handling whistleblowers' reports are trained adequately,
- ✓ raising awareness amongst the general public,
- ✓ providing advice and support to whistleblowers.

Which type of activities and tools?

- Activities **enhancing the effective implementation of the national law transposing the Directive**, including capacity-building by developing targeted guidance or training materials or train-the-trainer programs;
- Activities and tools to **promote awareness** raising and communication activities
- **Analytical activities**, such as data collection on whistleblower reports and cases of retaliation, development of indicators to effectively record cases, research and creation of tools and databases (on case-law, statistics etc.)
- **Mutual learning** activities and activities aimed at **exchange of good practices** on the effective implementation of the Directive,
- Activities **enhancing and facilitating cooperation** between public authorities and civil society organisations, including by elaborating national, regional or local protocols on whistleblower protection or contributing to reviews the existing systems of protection.

Which are the expected results?

- Increased **effective implementation of the national laws** and **awareness** by the general public and potential whistleblowers, of existing reporting channels and procedures, as well as of the rights provided under the Directive;
- Increased **capacity and knowledge** of civil society, relevant national authorities or practitioners, to correctly apply the Directive's rules
- Improved **effectiveness and coherence** of the Directive's application, including through improved cooperation between national, regional or local authorities and civil society.
- Enhanced **data collection** on reports and cases of retaliation and enhanced capacity of the national systems to record whistleblower reports and cases and to assess the effectiveness of the national laws transposing the Directive.

Thank you !