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COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE  
COMMITTEE OF THE REGIONS**

**Funding to promote, protect and enforce fundamental rights  
2024 Annual report on the application of the EU Charter of Fundamental Rights**

# **Funding to promote, protect and enforce fundamental rights**

## **2024 Annual report on the application of the EU Charter of Fundamental Rights**

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## 1. Introduction

The Charter of Fundamental Rights of the European Union (the Charter) brings together the fundamental rights to which everyone in the European Union is entitled. With the 25<sup>th</sup> anniversary of its proclamation drawing closer in 2025, the rights, freedoms and principles of the Charter remain as important as ever.

### *When does the Charter apply?*

Since 2009, the Charter has the same legal value as the Treaties, the EU law on which EU legislation and policies are based<sup>1</sup>. EU institutions, bodies, offices and agencies must comply with it in all their activities, as must the Member States when they implement EU law<sup>2</sup>.

Member States implement EU law notably when they:

- give effect to EU legislation by adopting national implementing measures;
- adopt legislation where EU law imposes specific obligations, or allows for a derogation<sup>3</sup>;
- implement EU funding programmes in line with the EU funding rules.

In its 2020 Strategy to strengthen the application of the Charter of Fundamental Rights in the EU (the Charter strategy)<sup>4</sup>, the European Commission set out measures to enhance the use of the Charter<sup>5</sup> to support the application of fundamental rights across EU policies. One way for the Commission to showcase the Charter's application is by presenting thematic annual reports on the application of the Charter<sup>6</sup>. This year's Charter report is dedicated to **funding to promote, protect and enforce fundamental rights**.

*Applicability of fundamental rights in EU funding.* Over the years, the Court of Justice of the European Union (CJEU) has clarified the relationship between EU funding and the application of the Charter. According to the CJEU, Member States are considered to be 'implementing Union law' and obliged to respect the rights and promote the application of the Charter when EU law on funding is being implemented<sup>7</sup>. This includes, in particular, the drawing up of programming documents, the setting up of the management, monitoring and control systems, programme

<sup>1</sup> Article 6 Treaty on European Union (TEU).

<sup>2</sup> Article 51(1) of the Charter.

<sup>3</sup> When Member States adopt laws in an area where the EU has no competence and when no EU law exists, they are not implementing EU law and the Charter is not applicable. However, many fundamental rights enshrined in the Charter are also set out in national constitutions and case law, as well as in the European Convention on Human Rights, to which all Member States are signatories.

<sup>4</sup> COM(2020) 711.

<sup>5</sup> [Analysis of the targeted consultations for the Commission's new Charter strategy](#), p. 24.

<sup>6</sup> These Charter reports are intended to look more closely at the Charter's application in a given area of strategic relevance governed by EU law. Together with the annual Rule of Law reports, the Charter reports give an account regarding the implementation of some of the EU's founding values within the meaning of Article 2 TEU. The Charter reports contribute to upholding the fundamental values of the EU, of the rule of law, democracy and respect for fundamental rights. See previous reports: [Effective legal protection and access to justice](#) - 2023 Annual report on the application of the EU Charter of Fundamental Rights, COM(2023) 786; [A thriving civic space for upholding fundamental rights in the EU](#) - 2022 Annual report on the application of the EU Charter of Fundamental Rights, COM/2022/716; [Protecting fundamental rights in the digital age](#) - 2021 Annual report on the application of the EU Charter of Fundamental Rights, COM/2021/819.

<sup>7</sup> See, in this regard, CJEU judgment of 17 September 2014, *Liivimaa Lihaveis MTÜ*, C-562/12, EU:C:2014:2229.

implementation, and the carrying out of the concrete actions outlined in a project description<sup>8</sup>. In addition to national managing authorities and intermediate bodies, certain project beneficiaries may be considered to be implementing EU law and be bound by the Charter<sup>9</sup>.

Dedicated funding plays a central role in supporting the implementation of the EU's fundamental rights policies in the Member States<sup>10</sup>. The Commission has recognised in particular the need to support the civil society, human rights defenders, national, regional and local authorities, legislators, judges and other justice practitioners and others in applying fundamental rights. The Commission has recalled the difficulties reported by civil society organisations (CSOs) and human rights defenders<sup>11</sup> in accessing funding, and has taken steps to support an enabling environment for CSOs. In its Recommendation on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes<sup>12</sup>, the Commission encouraged the Member States to dedicate funding to CSO participation and to strengthen their resilience when facing threats and attacks<sup>13</sup>. The Commission also acknowledged the need for both the Member States and the Commission to ensure that EU-funded projects comply with EU values and EU law, including the Charter<sup>14</sup>.

*2023 European Commission seminar on supporting civil society through funding.* In June 2023, the Commission organised a seminar on supporting CSOs through funding. As part of the follow up on the 2022 Charter report on thriving civic space<sup>15</sup>, the seminar enabled an exchange between civil society, the Commission and other donors on best funding practices and synergies. Further action suggested by the participants included the continued provision of funding for capacity-building, resilience and protection through EU and national funds. The participants also encouraged a regular donor dialogue to ensure complementarity and diversification of funding, increase its accessibility and flexibility, and to enable mutual learning amongst donors<sup>16</sup>.

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<sup>8</sup> Commission Notice, Guidance on ensuring the respect for the Charter of Fundamental Rights of the European Union when implementing the European Structural and Investment Funds ('ESI Funds'), 2016/C 269/01, para 3 and Annex I.

<sup>9</sup> This is the case for instance when a Member State makes funding beneficiaries responsible for providing a public service under its control, which implies an exceptional role close to the State authority, see Commission Notice 2016/C 269/01, para 2.2.1. Member States are however not automatically implementing Union law when they manage and implement programmes supported by EU funds (see case C-198/13, *Hernández and others v Spain* (paras. 33-37)). Support by an EU funds is not sufficient, in itself, to lead to a conclusion that a measure involves the implementation of EU law within the meaning of Article 51(1) of the Charter. It will be necessary to examine whether in an individual case, the relevant national measures are intended to implement EU law. See case C-117/14, *Grima Janet Nisttahuz Poclava v Jose María Ariza Toledano* (para. 42) and Commission Notice 2016/C 269/01, Section 2.

<sup>10</sup> Charter strategy, p. 8-9.

<sup>11</sup> [Civil society | European Union Agency for Fundamental Rights \(europa.eu\)](#); COM(2022) 716, p. 16, referring to dissuasive measures such as audits, funding investigations and obstacles to accessing funding.

<sup>12</sup> C(2023) 8627. Also, COM(2023) 630 final, where the Commission made reference to the wide range of funding opportunities made available to boost citizen participation, civic engagement and trust in democracy, as well as underlined the need to not curtail the activities of civil society organisations and human rights defenders receiving funding from abroad.

<sup>13</sup> C(2023) 8627, recital 23, p. 10 and 19.

<sup>14</sup> Charter strategy, p. 8-9.

<sup>15</sup> COM(2022) 716.

<sup>16</sup> European Commission: [Final Report - A thriving civic space for upholding fundamental rights in the EU](#), 19 March 2024.

During this mandate (2019-2024), the Commission has strengthened its focus on funding to support the implementation of EU values and fundamental rights, including by managing the substantially increased budget of the Citizens, Equality, Rights and Values (CERV) programme. The Commission has also established fundamental rights conditionalities to ensure that EU funding is spent in a fundamental rights and EU values compliant manner. Since the adoption of the current Multiannual Financial Framework<sup>17</sup>, several global crises have highlighted the need to support the actors that contribute to the implementation and application of the Charter across the EU.

This Charter report provides an overview of the developments in the field of fundamental rights-relevant funding. As in previous years, it seeks to provide a snapshot of those elements the stakeholders have identified as relevant by presenting achievements and challenges. All examples are non-exhaustive and included for illustrative purposes only. The annex lists some of the projects reported by stakeholders as examples of promotion of the fundamental rights set out in the Charter.

*What material is this report based on?*

The Commission has worked with the EU Agency for Fundamental Rights (FRA) to gather data for the report. In addition to the material gathered by the Commission and the FRA, this report draws on a qualitative assessment of consultation feedback, including:

- targeted consultations with: (i) Member States and the Charter focal points<sup>18</sup>; (ii) international public and private donors; and (iii) the European Network of National Human Rights Institutions (ENNHRI) and the European Network of Equality Bodies (Equinet) and their members;
- an online consultation through the FRA’s civil society network, the Fundamental Rights platform<sup>19</sup>;
- stakeholder contributions received for other Commission activities, such as in the context of the assessment of the ‘Horizontal Enabling Condition on the effective application of the Charter (Charter HEC)<sup>20</sup>.

<sup>17</sup> Council Regulation No 2020/2093, OJ L 433I, 22.12.2020, p. 11-22. [The Multiannual Financial Framework](#) sets out provisions with which the annual budget of the EU must comply.

<sup>18</sup> Responses were received from Austria, Belgium, Bulgaria, Croatia, Germany, Denmark, Estonia, Finland, France, Hungary, Ireland, Italy, Luxembourg, Latvia, Malta, Romania, Spain, Sweden, Slovakia, and Slovenia, as well as the Charter focal points of Croatia and Romania.

<sup>19</sup> [Civil society and the Fundamental Rights Platform | European Union Agency for Fundamental Rights \(europa.eu\)](#). A total of 109 responses were received between 27 March and 13 May 2024 (103 complete and 6 partial submissions). The consultation was distributed through the FRA’s Fundamental Rights Platform to the CSOs participating in the Platform. To ensure maximum national-level outreach, the survey was also circulated within the national networks of the umbrella organisations participating in the Platform. The Platform is composed of over 1,000 civil society organisations, trade unions, faith-based organisations, experts representing academia and research institutions, and individual human rights defenders. It is the FRA’s main cooperation network with civil society in the EU27 and Albania, Serbia and North Macedonia.

<sup>20</sup> Article 15 and Annex III of Regulation (EU) 2021/1060 (CPR).

The Charter report is also an opportunity to take stock of the implementation of the Charter strategy. The following advancements can be reported from the past year:

*How has the Charter strategy been implemented over the past year?*

- In December 2023, the Commission adopted its 2023 Annual report on the application of the Charter, dedicated to **effective legal protection and access to justice**<sup>21</sup>.
- In March 2024, jointly with the European Economic and Social Committee, it organised a dedicated follow-up seminar to bring together interested stakeholders to share best practices and challenges related to effective legal protection and access to justice.
- 26 Member States have nominated a **Charter focal point** to promote the effective application of the Charter in their Member State<sup>22</sup>. The Commission has organised regular meetings with the Charter focal points and shares relevant information with them.
- The Commission has continued to develop **training for EU staff on applying the Charter** in impact assessments. It provides a continuous internal training course on the Charter in impact assessments. An update of the **Operational Guidance on taking account of Fundamental Rights in Commission Impact Assessments** is underway.<sup>23</sup>
- The Commission has also initiated the development of a manual to ensure a coherent and effective implementation of the horizontal enabling conditions (HEC) on the Charter<sup>24</sup>, as well as the development of publicly available online courses.
- Training provision for justice professionals on the application of the Charter has continued under the European judicial training strategy 2021-2024<sup>25</sup>, and information on fundamental rights is available through the European e-Justice Portal<sup>26</sup> and the Commission's website<sup>27</sup>.
- Jointly with the FRA, the Commission in December 2023 organised a first-ever **CharterXchange online event**, which brought together professionals and other participants to exchange on the application of the Charter<sup>28</sup>. The FRA is also making its **Charter tools available in national languages**<sup>29</sup>.

<sup>21</sup> COM(2022) 716 final; COM(2021) 819 final.

<sup>22</sup> Slovenia is the only Member State not to have done so. Estonia participates in the activities of the focal points, although it has not formally appointed one.

<sup>23</sup> [https://commission.europa.eu/system/files/2017-09/opperational-guidance-fundamental-rights-in-impact-assessments\\_en.pdf](https://commission.europa.eu/system/files/2017-09/opperational-guidance-fundamental-rights-in-impact-assessments_en.pdf).

<sup>24</sup> Article 15 and Annex III CPR.

<sup>25</sup> Ensuring justice in the EU — A European judicial training strategy for 2021-2024; COM(2020).

<sup>26</sup> [European e-Justice Portal - Your rights \(europa.eu\)](https://e-justice.europa.eu/).

<sup>27</sup> [EU Charter of Fundamental Rights - European Commission \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/charter-fundamental-rights).

<sup>28</sup> [1st Annual EU CharterXchange | European Union Agency for Fundamental Rights \(europa.eu\)](https://fra.europa.eu/en/charter-xchange).

<sup>29</sup> [FRA material and resources on the Charter | European Union Agency for Fundamental Rights \(europa.eu\)](https://fra.europa.eu/en/charter-material-resources); [Home | FRA LMS support \(europa.eu\)](https://fra.europa.eu/en/home). The Charter case studies - Trainers manual and the Charter e-courses have been made available in

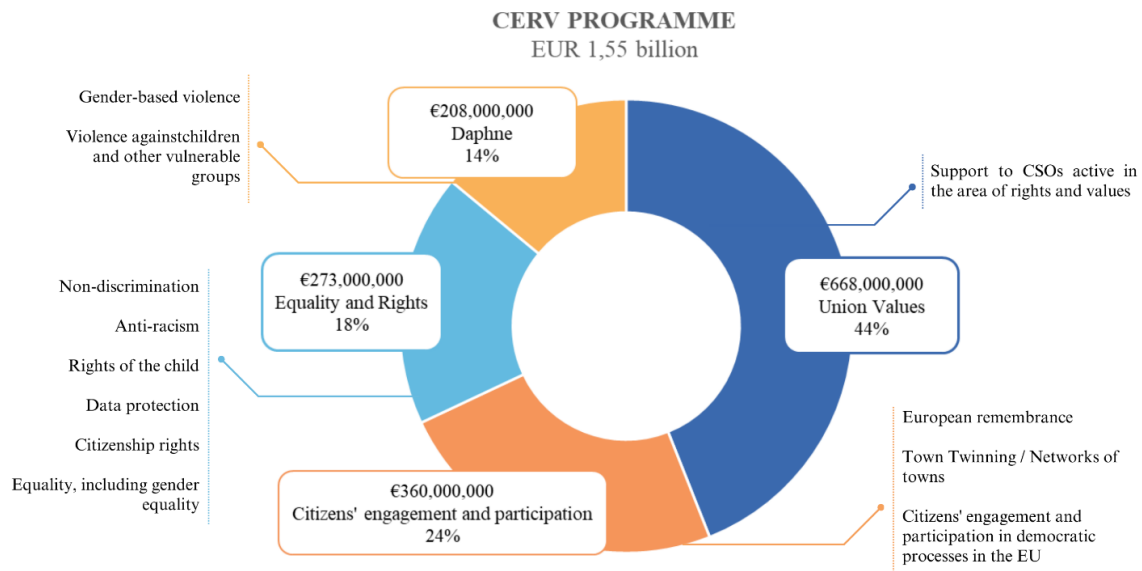
new language versions (Bulgarian, Croatian, Czech, Italian, Latvian, Polish, Romanian, Slovenian and Slovak). See [Home | FRA LMS support \(europa.eu\)](https://fra.europa.eu/en/home); [Charter case studies - Trainer's manual | European Union Agency for Fundamental Rights \(europa.eu\)](https://fra.europa.eu/en/charter-case-studies).

## 2. Promotion and protection of fundamental rights through the CERV programme

### 2.1. Funding to support the application of fundamental rights

The Citizens, Equality, Rights and Values programme is the only EU funding programme that specifically seeks to protect and promote the rights and values enshrined in the Treaties, and the Charter, to sustain open, rights-based, democratic, equal and inclusive societies based on the rule of law<sup>30</sup>. The programme funds activities encouraging democratic, civic and social participation, and the diversity of the European society based on common values, history and memory, as well as enhancing civil society's capacity and fostering cross-border cooperation and trust.

The budget of the CERV was substantially increased for the 2021–2027 period following a proposal by the European Parliament to more than double it to over EUR 1,5 billion. This transformed the programme into the largest EU fund dedicated to promoting the founding values and fundamental rights across Europe and to reinforce a Union of Equality, Justice, Rights and Values.



The CERV programme funds a broad range of actors in the Member States and third countries<sup>31</sup>. While the programme supports in particular CSOs, other beneficiaries include European networks, public authorities (including NHRIs, equality bodies, ombudspersons and other fundamental rights bodies and national data protection authorities), towns and municipalities, academia and research institutes, think tanks, international organisations and other actors active in promoting EU values and rights.

<sup>30</sup> Regulation 2021/692, OJ L 156, 5.5.2021, p. 1-20.

<sup>31</sup> Albania, Bosnia and Herzegovina, Kosovo\*, Serbia and Ukraine participate in the CERV programme through association agreements. As of July 2024, negotiations had been completed with Montenegro and Moldova in preparation for their participation, while negotiations were still in progress with North Macedonia for its participation. As stipulated by the European Parliament and the Council in Article 14 of Regulation (EU) 2021/692, third countries may not participate in the Union values strand.

The programme is primarily implemented through grants<sup>32</sup> but funds may also be allocated through procurement to monitor, control, audit and evaluate activities, information technology systems, studies, meetings of experts and communications<sup>33</sup>.

Various activities are moreover implemented with the contribution of international organisations, such as the OECD, OSCE, Council of Europe and UNESCO. For instance, the CERV programme supports the knowledge-sharing and standard-setting work of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) on hate crime<sup>34</sup>.

## **2.2. Programme innovations to better respond to needs on the ground**

Novelties and simplifications have been introduced in the CERV programme to strengthen its effectiveness and address challenges raised by stakeholders, and CSOs in particular<sup>35</sup>. These include the introduction of financial support to third parties, the development of multiannual work programmes, lump sum payments, as well as the establishment of a network of National CERV Contact Points .

The new **Union Values strand**, with its budget of EUR 668 million, has reinforced the role of the CERV as the EU's programme to fund CSOs, including those at grassroots level. During its first year of implementation, projects funded from the Union values call supported more than 800 grassroots CSOs.

The **financial support to third parties scheme** allows EU funds to be disbursed to strengthen the capacities of grassroots CSOs by re-granting through intermediaries, such as large CSOs, EU-wide umbrella organisations and other European networks. The scheme therefore facilitates for smaller organisations with limited experience and capacities to access EU funding. The scheme has thus far been instrumental in supporting organisations working to protect and promote Union values, including those combating violence<sup>36</sup>. The most recent call for proposals under the Union Values strand<sup>37</sup> aims to contribute to securing adequate funding and

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<sup>32</sup> Grants are financial contributions from the Commission to a beneficiary or beneficiaries to: finance an action to help achieve an EU policy objective (action grants – see Article 180(2)(a) of the Financial Regulation); finance the functioning of a body which supports the implementation of an EU policy (operating grants - Article 2(33) and 180(2)(b) of the Financial Regulation); or support to third parties for further granting to grassroots organisations (re-granting scheme - see Article 7(9) of the CERV Regulation).

<sup>33</sup> The programme also finances technical and organisational support to implement Regulation No 211/2011, OJ L 65, 11.3.2011, p. 1-22. The procurement activities have, for example, included the organisation of a workshop on combating hate speech and hate crime', mutual learning activities and exchanges of good practices on gender equality, an event on '30 years of citizenship rights', or Eurobarometer surveys.

<sup>34</sup> [Annex](#) to the Commission Implementing Decision on the financing of the Citizens, Equality, Rights and Values programme and the adoption of the 2023-2024 work programme. These activities include funding to improve the support available for victims of hate crime, and justice structures' responses to hate crime.

<sup>35</sup> See, for instance, COM(2022) 716 final, pp. 20-21, referring to FRA targeted consultation EU umbrella CSOs summary report, p. 22; and European Civic Forum, Towards vibrant European civic and democratic space (2022), p. 37, on the challenges faced by some CSOs in accessing European structural funding.

<sup>36</sup> 2022 Union Values call (CERV-2022-CITIZENS-VALUES), 2023 call for proposals to prevent and combat gender-based violence and violence against children: call to intermediaries (giving financial support to third-party civil society organisations) (CERV-2023-DAPHNE), calls for operating grants to framework partners active in the area of Union values.

<sup>37</sup> [Calls for proposals | EU Funding & Tenders Portal \(europa.eu\)](#).



empowering CSOs to strengthen their capacity and their resilience, including by monitoring and reacting to threats and attacks.

In addition to the re-granting scheme, the CERV programme focuses on increased accessibility and simplification through the use of **multiannual work programmes**, which enable potential beneficiaries to develop a longer-term perspective on the upcoming funding possibilities while maintaining flexibility. In addition, specific calls aimed at supporting CSOs allow for longer than average project duration. Along the same line, the introduction of **lump sums** for the majority of the CERV calls enables payments to be made according to pre-agreed performance.

The CERV programme continues to award also the traditional **action grants**, in particular to CSOs, as well as **operating grants** to so-called CERV Framework Partners, which are 73 European networks, CSOs and European think tanks active at EU level in the areas of Union values. Moreover, operating grants are awarded to 10 EU level Networks active in the area of rights of persons with disabilities.

The programme also relies on a network of Member State-designated **National Contact Points in 21 Member States**<sup>38</sup>. They provide guidance, information and assistance to potential applicants, beneficiaries and stakeholders and contribute to disseminating information and enhancing the visibility and accessibility of the programme. Events directly organised by National Contact Points reach more than 4000 people per year. The Commission is also preparing to launch a CERV **communication campaign** in the latter part of 2024 to raise public awareness about the programme and promote funding opportunities among potential applicants<sup>39</sup>.

### 2.3. Achievements and ongoing developments

The preliminary insights from ongoing analysis as well as feedback from beneficiaries point at the unique nature of CERV funding. The programme is perceived as a crucial funding stream for the survival of many beneficiary organisations, and one that contributes to the promotion of relevant EU policies. The programme is perceived unique in its priorities and types of activities funded, while synergies exist with other EU funding programmes; some innovations have led to greater predictability, flexibility and simplification in the programme implementation. Oftentimes, beneficiaries consider direct EU funding in the areas covered by the programme as the only way to ensure accessibility, increase transparency, and to reduce risks of maladministration. In addition, promotion and protection of values at European level requires transnational cooperation mechanisms, networking and mutual learning opportunities, which typically cannot be offered by individual Member States. The programme also supports projects and organisations working for the promotion and protection of rights and values irrespective of the beneficiaries' line of activities. The CERV programme is, therefore, essential for the EU in

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<sup>38</sup> [https://commission.europa.eu/about-european-commission/departments-and-executive-agencies/justice-and-consumers/justice-and-consumers-funding-tenders/funding-programmes/citizens-equality-rights-and-values-programme/cerv-national-contact-points\\_en](https://commission.europa.eu/about-european-commission/departments-and-executive-agencies/justice-and-consumers/justice-and-consumers-funding-tenders/funding-programmes/citizens-equality-rights-and-values-programme/cerv-national-contact-points_en).

<sup>39</sup> The campaign will rely on a number of communication tools, including a website, traditional and social media input, videos, articles about successful projects, press releases and a visual branding system. These tools will be available in all 24 official EU languages and accessible in all 27 Member States.

order to sustain and further develop open, rights-based, democratic, equal and inclusive societies which are based on the rule of law.

Overall, the CERV programme has attracted **significant interest**. For instance, 41% of the respondents to the FRA's online consultation carried out in support of this report had applied for and received CERV funding and another 20% had applied but did not receive funding<sup>40</sup>.

Although the CERV programme benefits from a higher budget than its predecessors, its magnitude is still not fully aligned with the demand on the ground. Some calls for proposals are particularly **oversubscribed**, so that only between 8% and 17% of the applications are funded. Many excellent applications cannot be funded due to budget limitations.

To date, CSOs represent more than 60% of the beneficiaries. Since 2021, almost 4000 CSOs from all Member States have received support from the programme. Under the calls for proposals to promote civil society organisations' awareness of, capacity building and implementation of the Charter<sup>41</sup>, over EUR 19 million have been awarded to projects on capacity building and awareness-raising on the Charter, empowering the civic space, supporting strategic litigation<sup>42</sup>, combating hate crime and hate speech, and protecting whistleblowers.

**Monitoring Action for Civic Space**<sup>43</sup>: the project aims at promoting democratic rights and values by empowering civil society. It will develop a system to monitor the environment in which CSOs work, building on FRA's indicators. It will develop a monitoring methodology and an early warning system to alert EU institutions on threats to civic space, as well as build the monitoring capacity of country partners.

**The European Observatory of Online Hate – Forensics**<sup>44</sup> fosters a safer digital space by identifying instances of hate speech online by utilising advanced technology. It collaborates with law enforcement and CSOs to work towards a digital space where freedom of expression thrives without fear of discrimination or abuse. The project aims to provide new data collection methodologies to detect hate crime and bring perpetrators to justice.

**Strengthening and Fostering Enabling environment for Whistleblowers in the EU**<sup>45</sup>, a project developed by eight regional organisations of Transparency International, aims to strengthen the implementation of the Whistleblowing Directive<sup>46</sup>. The ongoing project aims to increase the knowledge of the public, potential whistleblowers, CSOs, trade unions and journalists about whistleblowing, improve the implementation of whistleblowing laws, their enforcement, and the availability of data on whistleblower reports and caselaw. These activities are intended to contribute to the Directive's implementation.

Also other projects funded under the Union values strand have focused on supporting the implementation of the Charter, such as the project **Minorities, Accountability, Rights, Independence and Organizational**

<sup>40</sup> Online consultation through the Fundamental Rights Platform, Question 2: "Over the past five years, has your organisation applied for / received funding from EU programmes/funds?" CERV was the funding programme from which EU funding had most often been received (41% of the responding organisations reported having applied and received funding). It was followed by Erasmus+ (39%), the former REC and Europe for Citizens programmes (21%) and the Justice programme (11%).

<sup>41</sup> CERV-2022-CHAR-LITI; CERV-2023-CHAR-LITI; CERV-2024-CHAR-LITI.

<sup>42</sup> Projects are aimed at strengthening the ability of CSOs, human rights defenders, legal professionals, and independent human rights bodies to effectively engage in litigation practices at national and European level and to improve access to justice and enforcement of rights under EU law, including the Charter.

<sup>43</sup> [Launching MACS: Monitoring action for civic space | ECNL](#).

<sup>44</sup> [European Observatory of Online Hate \(eooh.eu\)](#).

<sup>45</sup> [EU Funding & Tenders Portal \(europa.eu\)](#). The participating organisations are from Germany, Czechia, France, Ireland, Lithuania, the Netherlands, Portugal, and Slovakia.

<sup>46</sup> Directive 2019/1937, OJ L 305, 26/11/2019, p. 17-56.

**Development (MARIO)**<sup>47</sup>. It advances fundamental rights by providing financial support and building the capacity of grassroots CSOs from eleven Member States. It engages 30.000 people from minority communities (such as Roma, displaced Ukrainians, and Jews) in training and advocacy, produces training materials, and provides pro-bono legal aid.

A key objective of the CERV programme is to provide effective and **evidence-based responses to emerging challenges that undermine fundamental rights, civic participation and EU values**. The programme has been able to react to challenges posed by, for instance, the digital transition and AI with dedicated call priorities. An example is financial support to national data protection authorities' activities to raise public awareness and facilitate SMEs' compliance with the right to data protection in the digital age.

The COVID-19 pandemic posed significant challenges for CERV projects, some of which were extended or postponed or activities replaced. In addition, certain ongoing projects address the effects of the pandemic, for instance by exploring how it impacted the democratic debate and the enjoyment of fundamental rights. Similarly, some CERV calls have paid attention to addressing the consequences of the Russia's war of aggression against Ukraine – a targeted call for proposal<sup>48</sup> addressed children's needs and challenges in the EU and paid attention to the rights of children with specific vulnerabilities, including those having fled from Ukraine.

Several CERV projects focus on the protection of democratic freedoms and the enjoyment of fundamental rights by all, in particular people in the most vulnerable situations.

**Empowering Children's Participation in Malta**<sup>49</sup> aims to empower children to participate in democratic life, freely express views and influence decisions affecting them. The project aims to develop an online child participation platform, build the capacity of policymakers to improve child participation in decision-making, and raise awareness about children's right to be heard.

**Gender and Media - Rewriting the story: tackling media gender stereotypes in political and public life**<sup>50</sup>: working with journalists, media managers, journalists' associations, gender experts, self-regulatory media bodies, women in political life, academics and the next generation of media professionals, the project seeks to initiate reforms in European media with regard to newsroom culture and policies to improve practices on the portrayal of women and men in public life, allowing users to make more informed decisions on political participation.

The consultations conducted in support of this report show that the Commission needs to continue fostering the accessibility of the programme for potential applicants and the continuity of funding for the beneficiaries. Funding should remain aligned with the policy needs on the ground, with the possibility to cover new and emerging needs. In view of this, developing synergies between national funding and EU level funding from other EU funding programmes, remains a key objective for optimising the achievement of fundamental rights policy priorities.

<sup>47</sup> [Minorities, Accountability, Rights, Independence and Organizational Development \(MARIO\) - Minority Rights Group](#). The participating Member States are Bulgaria, Croatia, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia.

<sup>48</sup> Rights of the Child and Children's Participation; CERV-2024-CHILD.

<sup>49</sup> [Empowering Children's Participation in Malta – Project co-funded by the EU Program for Citizens, Equality, Rights and Values \(CERV\) \(gov.mt\)](#).

<sup>50</sup> [Rewriting the story: Gender, media and politics - IFJ](#).

### 3. Promotion and protection of fundamental rights through other EU funding programmes

EU funding contributes to the promotion and protection of fundamental rights across different policy areas. This chapter describes the relevant funding made available under the Justice programme, Horizon Europe, Erasmus+, Digital Europe and other programmes. It also looks at new funding mechanisms that make EU funding conditional on national reforms and examines the Charter HEC in promoting the respect for fundamental rights in the implementation of the EU funds covered by the Common Provisions Regulation<sup>51</sup>.

#### 3.1. The Justice programme

National judges and other justice practitioners play an important role in developing a European area of justice based on the rule of law, mutual recognition, mutual trust and judicial cooperation. As acknowledged in the 2023 Charter report on effective legal protection and access to justice<sup>52</sup>, they have a central role in ensuring that individuals are able to effectively assert their rights, including fundamental rights, in line with Article 47 to 50 of the Charter.

The Justice programme<sup>53</sup>, with a total budget of EUR 296.8 million for 2021-2027, funds the training of justice practitioners, supports judicial cooperation in civil and criminal matters<sup>54</sup> and effective access to justice for citizens and businesses.

The largest share of the budget is dedicated to **judicial training**, implemented in line with the Judicial Training Strategy 2021-2024<sup>55</sup>. The call for proposals for action grants to support transnational projects on judicial training covering civil law, criminal law or fundamental rights<sup>56</sup> aims to contribute to the effective and coherent application of EU civil and criminal law and fundamental rights by addressing the training needs of justice professionals. Fundamental rights are also incorporated into training on other areas of EU law. Attention is paid to the rights of people in vulnerable situations (such as people with disabilities, victims of gender-based and domestic violence, racism and discrimination on other grounds, and children). The largest share of the training budget is issued to the European Judicial Training Network<sup>57</sup>. The Human Rights Education for Legal professionals (HELP) programme is also co-financed from the Justice programme.

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<sup>51</sup> Regulation 2021/1060, OJ L 231, 30.6.2021, p. 159-706.

<sup>52</sup> COM(2023) 786 final.

<sup>53</sup> [Justice Programme - European Commission \(europa.eu\)](https://european-commission.europa.eu).

<sup>54</sup> JUST-2021-JCOO; JUST-2022-JCOO; JUST-2023-JCOO; JUST-2024-JCOO.

<sup>55</sup> COM(2020) 713 final.

<sup>56</sup> JUST-2021-JTRA; JUST-2022-JTRA; JUST-2023-JTRA; JUST-2024-JTRA.

<sup>57</sup> The EJTN's members represent the Member States' judicial training institutions and international organisations. EJTN promotes training programmes with a European dimension for members of the judiciary in Europe. Its training catalogue covers topics such as 'Human Rights and Access to Justice', 'Fundamental Rights of minors in the Criminal Justice System', 'Applicability and Effect of the EU Charter on Fundamental Rights in National Proceedings' and digitalisation ('Freedom of Speech in the Digital Era', 'AI and Data Protection', 'Cross Border Exchange of Electronic Evidence'); [European Judicial Training Network \(EJTN\)](https://european-judicial-training-network.eu).

Developed in cooperation between the Council of Europe, the FRA and the Commission, **HELP** is a free e-learning course on the interplay between the Charter and the European Convention on Human Rights<sup>58</sup>. It is intended for judges, prosecutors and other lawyers to learn on European fundamental rights standards and their application.

**Justice, fundamental rights and artificial intelligence**<sup>59</sup>: in light of the recent developments in the EU's legal framework on artificial intelligence, this project analyses how semi-automated decision making is used by courts, public administrations, and businesses, healthcare professionals and other private actors. Through mutual learning, guidance and best practice dissemination, the project aims to build judges' understanding of algorithmic decision making and its implications for the right to a fair trial, non-discrimination and other fundamental rights.

In addition, the call for proposals for action grants to support transnational projects in the fields of e-justice, victims' rights and procedural rights<sup>60</sup>, aims to ensure the effective implementation of the EU law on **procedural rights and victims' rights** and the related fundamental rights (Articles 47 and 48 of the Charter). Under the call, the Commission funds projects which facilitate the non-discriminatory access to justice for all and effective judicial protection, including by electronic means (**e-justice**). The focus is on the promotion of efficient and fair criminal proceedings, and, with regard to victims of crime, related civil proceedings. The call covers monitoring and capacity building activities for ensuring the effective implementation of the rights of all victims of crime and the procedural rights of suspects and accused persons in criminal proceedings<sup>61</sup>.

**DigiRIGHTS – DIGItalisation of defence RIGHTS**<sup>62</sup>: the ongoing project brings together research staff from six universities to map and assess the practices of digitalisation of criminal procedural rights. Focussing on the rights to interpretation, translation, access to the case file, legal assistance and legal aid, and the right to be present at trial, the project will develop guidelines to assure equivalence between offline and online procedural rights.

**Infovictims III**<sup>63</sup>: the project focused on strengthening victims' rights to information by ensuring the availability of simple and accessible information on the rights provided under the Victims' Rights Directive in the victims' mother tongue, and through user-friendly websites and informative apps.

The Justice programme also provides funding for studies, expert groups and events, as well as the **European e-Justice Portal**<sup>64</sup>, a one-stop-shop for information related to justice in the EU. The Portal hosts extensive information on fundamental rights<sup>65</sup>, the tool "Does the Charter Apply to my Case?" and a tutorial on the Charter as well as the **European Training Platform**<sup>66</sup>.

<sup>58</sup> [Home | Council of Europe HELP \(coe.int\)](https://coe.int).

<sup>59</sup> [JuLIA Project | JuLIA \(julia-project.eu\)](https://julia-project.eu).

<sup>60</sup> JUST-2021-JACC; JUST-2021-EJUSTICE; JUST-2022-EJUSTICE; JUST-2023-JACC-EJUSTICE. Action grants and operating grants are provided under this call. Since 2023, action grants have been awarded biannually.

<sup>61</sup> One of the specific objectives of the Victims' Rights priority is to contribute to the effective and coherent application of EU acquis in the area of the rights of victims of crime in line with the priorities set up in the EU Strategy on victims' rights (2020-2025).

<sup>62</sup> [Home | The DigiRIGHTS Project](#). The project is ongoing from December 2022 to February 2025 and the participating universities are KU Leuven, Tartu University, University of Göttingen, University of Genoa, University of Zagreb and University of Luxembourg.

<sup>63</sup> [Infovictims III – Victim Support Europe \(victim-support.eu\)](#). The project was ongoing from 1 November 2020 to 31 December 2022.

<sup>64</sup> [European e-Justice Portal \(europa.eu\)](https://europa.eu).

<sup>65</sup> [European e-Justice Portal - Fundamental rights \(europa.eu\)](#).

<sup>66</sup> [About the Platform | European Training Platform \(europa.eu\)](#).

In addition to action grants for individual projects, the Commission grants operating grants to select stakeholders to support their smooth functioning from the Justice programme.

The **Association of the European Network on Victims' Rights** has successfully developed effective means of cooperation and coordination between Member State professionals in the field of victims' rights with a focus on cross-border cases. This has contributed significantly to the improvement of methods for implementation of the EU law and has enhanced victims' access to their rights on a non-discriminatory basis.

### 3.2. Digital Europe Programme

Initiatives regarding the digitalisation of justice<sup>67</sup> are partially funded from the Digital Europe Programme (DEP)<sup>68</sup>, which focuses on the maintenance and development of the EU's digital capacities in key areas, including artificial intelligence (AI), cybersecurity, and technologies for sectors like energy, climate change and environment, manufacturing, agriculture and healthcare. The DEP has for instance been used to fund initiatives to support the preparation and the implementation of the **Artificial Intelligence Act**<sup>69</sup>.

Funding from the DEP has also been issued to support the implementation of the **Better internet for kids strategy (BIK+)**<sup>70</sup>, contributing to the application of the rights of the child enshrined in Article 24 of the Charter. Funding from the DEP is used to fund the network of Safer Internet Centres in Member States and the BIK platform, which raise awareness on the digital rights of children and young people. The Centres allows the public to anonymously report child sexual abuse material and advice children on how to deal with harmful online content. The DEP has also been used to support the implementation of the **Web Accessibility Directive**<sup>71</sup> and the development of standards on digital accessibility, contributing to the application of Article 25 of the Charter on the rights of the elderly and 26 on integration of persons with disabilities.

Disinformation and misinformation threaten to undermine the right of everyone to receive and impart information and ideas without interference by public authority, enshrined in Article 11(1) of the Charter. Through the DEP, the Commission supports the work of the **European Digital Media Observatory**<sup>72</sup> and its network of 14 national or multinational hubs, which are active across 28 EU and EEA countries. The network strengthens – at European and local levels – the collaboration within a community of stakeholders tackling online disinformation.

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<sup>67</sup> The e-CODEX (Regulation 2022/850) is a tool to ensure that justice systems can efficiently cooperate in a digital way. It was developed by a consortium of Member States and organisations with funding from DEP. The DEP has also been used to fund IT development work related to other recent legislative initiatives, namely Regulation 2023/2844, the Digitalisation of Service of Documents Regulation and the Taking of Evidence Regulation, and the Joint Investigation Teams collaboration platform.

<sup>68</sup> [The Digital Europe Programme | Shaping Europe's digital future \(europa.eu\)](#).

<sup>69</sup> Funded actions include actions to help companies, in particular SMEs, to facilitate compliance with the Act, the development of an EU database for the registration of high-risk AI systems, and a pilot action for the establishment of Union Testing Facilities in AI. See Regulation 2024/1689, OJ L, 2024/1689, 12.7.2024. The Act will ensure a high level of protection of fundamental rights, including by addressing the risk of erroneous or biased AI-assisted decisions.

<sup>70</sup> COM(2022) 212 final, [Home - BIK Portal \(betterinternetforkids.eu\)](#).

<sup>71</sup> Directive 2016/2102, OJ L 327, 2.12.2016, p. 1-15.

<sup>72</sup> [EDMO – United against disinformation](#).

### 3.3. Creative Europe

The Creative Europe programme (CE) provides funding to foster cultural and linguistic diversity, promote artistic expression, and boost the economic potential of the creative industries<sup>73</sup>. Its objectives contribute to the promotion of non-discrimination, equality between women and men and cultural and linguistic diversity<sup>74</sup> enshrined in Article 21, 22 and 23 of the Charter. The Commission has supported projects within the media sectors, contributing to the promotion of the freedom and pluralism of the media (Article 11(2) of the Charter).

Under the ‘**News initiative**’<sup>75</sup>, media freedom and pluralism have been supported through the distribution of grants to media outlets contributing to the good functioning of democracy (for instance local, community and investigative outlets). Funding has also been issued to projects like the “**Europe-wide rapid response mechanism for violations of press and media freedom**”, an action to track and report on violations of press and media freedom and provide practical support to journalists in the form of advice and legal support as well as offering shelter and logistical assistance.

Another focus of the CE programme is monitoring media pluralism and ownership through studies to support proposals for legislation, such as the **European Media Freedom Act**<sup>76</sup>. Support has also been made available to strengthen the economic resilience of the media through innovations to help it grow revenues. Media organisations can receive training, develop business models together, or pay for editorial work<sup>77</sup>.

Decisions at EU level impact people’s life but are often underreported in the media. Under the “**Multimedia Actions**”<sup>78</sup> budget line, funding has been made available to media organisations and national press agencies to provide independent information. The funding can for example help target areas where media pluralism is low, contributing to the promotion of everyone’s right to receive and impart information in a context where 64% of citizens consider themselves insufficiently informed on European matters. The availability and pluralism of the media has also been supported through projects to **fight the emergence of news deserts and to help independent media professionals** from Russia and Belarus exiled into the EU after the start of the Russian war of aggression against Ukraine.

**Europe Beyond Access**<sup>79</sup> is a large cooperation project of ten partners who support artists with disabilities. The project supports transnational creation and circulation, capacity building and institutional learning, with the objective to eliminate ableism in Europe’s cultural arena.

### 3.4. Erasmus+

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<sup>73</sup> [Creative Europe - Culture and Creativity \(europa.eu\)](#).

<sup>74</sup> Regulation 2021/818, OJ L 189, 28.5.2021, p. 34-60, Preamble (2) and (61).

<sup>75</sup> [The 'News Initiative' | Shaping Europe’s digital future \(europa.eu\)](#).

<sup>76</sup> The European Media Freedom Act aims to make it easier for media services to operate across the EU’s internal borders and to allow journalists and media to exercise their tasks in full independence; Regulation 2024/1083, OJ L, 2024/1083, 17.4.2024.

<sup>77</sup> [Third generation of EU-supported Journalism Partnerships ready to help the news sector | Shaping Europe’s digital future \(europa.eu\)](#).

<sup>78</sup> [Multimedia Actions | Shaping Europe’s digital future \(europa.eu\)](#).

<sup>79</sup> [Europe Beyond Access - Disability Arts International](#). The ongoing project builds on the first generation of Europe Beyond Access, which ran from 2018 to 2023.

The Erasmus+ programme encourages young people's participation in democratic life, including by supporting activities that contribute to citizenship education and projects to engage in civil society activities<sup>80</sup>. In these areas, the programme is a valuable funding source for CSOs<sup>81</sup>.

According to the Erasmus+ Regulation<sup>82</sup>, the programme contributes in particular to the respect for academic freedom, enshrined in Article 13 of the Charter. To a lesser extent, the programme seeks to ensure respect for other fundamental rights, including the right to equality and non-discrimination with a focus on fundamental rights in some actions<sup>83</sup>. These include **Erasmus+ youth participation activities**, which support projects outside the formal education and training and encourage participation in democratic life<sup>84</sup>. **Erasmus+ cooperation projects among organisations and institutions** are further expected to reinforce education and training systems' and youth policies' responses to today's challenges, including in the area of fundamental rights<sup>85</sup>.

The **Erasmus+ European Universities initiative** funds alliances of higher education institutions. They enable students and university staff to study across countries, languages, sectors, and disciplines, benefiting from diverse knowledge. Establishing long-term strategic alliances between European universities aims to promote European values and identity as well as excellence of science and inclusion<sup>86</sup>.

**Erasmus+ Teacher Academies** fund projects to develop teacher education and training and encourage the development of courses, modules and other learning opportunities on common values, civic engagement and participation.

**Erasmus+ Jean Monnet actions** have been particularly instrumental in promoting fundamental rights through teaching, learning and research.

Numerous **Jean Monnet projects** bring fundamental rights education to classrooms by providing a general introduction to the Charter and fundamental rights<sup>87</sup>, and focusing on specific fundamental rights aspects, such as the right to conduct a business, non-discrimination and equality between women and men, cultural and linguistic diversity, environmental protection and fundamental rights in the digital world<sup>88</sup>. In addition, some projects prepare

<sup>80</sup> Regulation 2021/817, OJ L 189, 28.5.2021, Recital 28.

<sup>81</sup> In the FRA online consultation conducted through the Fundamental Rights Platform, under Question 2 ("Over the past five years, has your organisation applied for / received funding from EU programmes/funds?"), 39% of the responding CSOs indicated having applied for and received Erasmus+ funding.

<sup>82</sup> Regulation 2021/817, OJ L 189, 28.5.2021, Recital 64.

<sup>83</sup> The Erasmus+ projects results platform identifies 605 projects with a focus on the broad area of fundamental rights and the rule of law since the start of the current Erasmus+ programme in 2021.

<sup>84</sup> Erasmus+ Programme Guide 2024, p. 180.

<sup>85</sup> Erasmus+ Programme Guide 2024, p. 226.

<sup>86</sup> [European universities initiative](#).

<sup>87</sup> These include a Jean Monnet Chair at Spain's National University of Distance Education on 'Integration through EU Fundamental Rights' (2022-2025), and several Jean Monnet Modules at institutions such as the University of Ljubljana on the 'Charter of Fundamental Rights of the European Union: An Anthropological Perspective' (2024-2027), eCampus University in Italy on 'History of EU Values and the Charter of Fundamental Rights of the European Union' (2022-2025), the University of Lisbon on 'Fundamental Rights and Rule of Law as European Values in a Global World after the Conference on the Future of Europe' (2022-2025), the National and Kapodistrian University of Athens on 'Rule of Law and Fundamental Rights Protection in the EU' (2023-2026) and the University of Salerno on 'Activating EU Rights: Past and Present of Fundamental Human Rights' (2022-2025).

<sup>88</sup> Jean Monnet Modules at the University of Maribor on 'Fundamental Rights in EU Business Law and Policy' (2022-2025), the University of Turin on 'Fundamental Rights in Europe: Enhancing cultural sensitivity for



countries for the EU accession<sup>89</sup>, or draw inspiration from the EU's fundamental rights framework for elsewhere in the world.

The Erasmus+ programme's opportunities can also be taken up by projects operating in third countries in partnership with EU institutions.

**ACT - Virtual exchanges for Active Citizenship**<sup>90</sup> aims to develop active citizenship, freedom, tolerance, and non-discrimination by connecting students and university staff of European and Southern Neighbourhood region countries through formal and informal online activities. The project engages young Europeans and their peers from Palestine, Lebanon, Libya, Morocco, and Tunisia.

To promote equal opportunities and diversity, a Framework on inclusion measures, as well as a specific 'Inclusion and diversity strategy', have been developed to support an easier access to funding for a wider range of organisations and applicants.<sup>91</sup> National agencies are furthermore required to draw up inclusion and diversity plans and dedicated support is made available for organisations and participants with fewer opportunities.

### 3.5. Horizon Europe

Horizon Europe (HE), the Framework Programme for Research and Innovation has a total budget of EUR 95.5 billion<sup>92</sup> and is aimed at strengthening the EU's scientific and technological basis. It guarantees scientific excellence and promotes the respect of academic freedom, enshrined in Article 13 of the Charter, in all EU and non-EU countries benefiting from its funds<sup>93</sup>. The research topics should promote a human-centred approach based on the respect for fundamental rights and in line with ethical and societal values. These underlie each of the three pillars of the programme: excellent science; global challenges and European industrial competitiveness; and innovative Europe.

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Inclusiveness' (2023-2026), the Catholic University of Louvain on 'Clinics on EU Digital Rights, Law, and Design' (on fundamental rights in the online environment) (2022-2025), and the University of Osijek on 'European Union and Gender Equality' (2023-2026), and the Jean Monnet Chair on 'European Green Rights: Reshaping Fundamental Rights for Next Generations at the University Suor Orsola Benincasa in Naples (2022-2025).

<sup>89</sup> Such as the Jean Monnet Chair on 'EU Standards on Freedom of Expression and Information' at Sumy State University in Ukraine (2023-2026).

<sup>90</sup> [ACT Project \(project-act.eu\)](https://project-act.eu).

<sup>91</sup> Implementation guidelines - Erasmus+ and European Solidarity Corps Inclusion and Diversity Strategy 2021, [Implementation guidelines - Erasmus+ and European Solidarity Corps Inclusion and Diversity Strategy - Erasmus+ \(europa.eu\)](https://europa.eu). The Erasmus+ Programme Guide 2024 also highlights that it 'is at the heart of the Programme to come closer to those with fewer opportunities', referring to "people who, for economic, social, cultural, geographical or health reasons, due to their migrant background, or for reasons such as disability or educational difficulties or for any other reason, including a reason that could give rise to discrimination under Article 21 of the Charter of Fundamental Rights of the European Union, face obstacles that prevent them from having effective access to opportunities under the Programme". Erasmus+ Programme Guide 2024, p. 4.

<sup>92</sup> A budget cut in 2023 of EUR 2.1 billion was made in the context of the MFF midterm review. The budget includes EUR 5.4 billion from the Next Generation Europe instrument to support the green and digital recovery from the COVID crisis.

<sup>93</sup> The programme also contributes to the application of the right to respect for private life, the protection of personal data, the physical and mental integrity of a person, non-discrimination and to the need to ensure protection of the environment and high levels of human health protection as enshrined in the Charter, see Article 19(1) Regulation 2021/695, OJ L 170, 12.5.2021, p. 1-68.

In particular, under pillar II<sup>94</sup> on global challenges and European industrial competitiveness the research and innovation activities on ‘**Health**’ aim at developing solutions for the more effective promotion of health, within the meaning of Article 35 of the Charter, while paying attention to ethics, protection of human dignity, gender equality and ethnical aspects, as well as the needs of disadvantaged and vulnerable people.

The **Flexible Approaches to Support Health through financing**<sup>95</sup> project analyses the healthcare financing mechanisms in Europe and assesses whether they can cope with emerging situations. Challenges include those posed by ageing populations and the increasing pressure on healthcare budgets due to technological innovation. The project will assess the equity and efficiency of alternative solutions.

Several research lines on ‘**Culture, creativity and inclusive society**’ aim to enhance the transparency, accessibility, effectiveness and legitimacy of **democratic governance**, as well as increase the **efficiency of justice systems** based on judicial independence and fair, efficient and transparent procedures in civil and criminal matters.

Research activities on ‘**Civil security for society**’ have focused on improving **cybersecurity, digital privacy, personal data protection**, creating a safer space for children online by developing innovative tools to help prevent child sexual abuse and exploitation and combating the spread of false and harmful information to safeguard democratic, social and economic stability<sup>96</sup>. They contain projects on limiting the effects of disasters, whether natural or human-made, which can risk societal functions and critical infrastructures in the fields of health, food, drinking water, security or government.

The **VANGUARD (Advanced technological solutions coupled with societal-oriented understanding and awareness for disrupting trafficking in human beings)**<sup>97</sup> project aims fight trafficking in human beings by developing technological solutions, awareness raising and training to disrupt trafficking chains at an early stage and address the culture of impunity. The project aims to provide an improved intelligence picture of trafficking, with a focus on trafficking for purposes of sexual exploitation, labour exploitation, and forced criminality.

Furthermore, research activities on ‘**Digital, Industry and Space**’ require for AI and robotics to ensure the **safety and societal and environmental soundness of AI-based applications** and mitigate its potential for malicious use and unintended discrimination, such as **gender, racial or disability bias**. Research is also conducted on how to maintain a trustworthy information environment where people are empowered to recognise attempts to manipulate the civic discourse.

Lastly, research on ‘**Food, bioeconomy, natural resources, agriculture and environment**’ harnesses the potential of research and innovation for guaranteeing the production of **safe and healthy food**, promoting **sustainable practices** in agriculture, aquaculture, fisheries and

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<sup>94</sup> See Annex I of the Council Decision 2021/764, OJ L 167I, 12.5.2021, p. 1-80.

<sup>95</sup> [Flexible Approaches to Support Health through financing | FLASH | Project | Fact sheet | HORIZON | CORDIS | European Commission \(europa.eu\)](#).

<sup>96</sup> [Creating a safer space for children online - European Commission \(europa.eu\)](#).

<sup>97</sup> [adVaNced technoloGical solutions coupled with societal-oriented Understanding and AwaReness for Disrupting trafficking in human beings | VANGUARD | Project | Fact sheet | HORIZON | CORDIS | European Commission \(europa.eu\)](#).

forestry, ensuring access to **clean water, soil and air** for all, cleaning up oceans and inland waters, and preserving and restoring the environment.

The **European Biodiversity Partnership**<sup>98</sup> project supports the successful implementation of the EU Biodiversity Strategy 2030. Bringing together 75 organisations from 37 countries, including environmental authorities, ministries, funding organisations, and environmental protection agencies, it aims to improve monitoring, expand the evidence base, and make the business case for conservation.

### 3.6. Common Agricultural Policy

The Common Agricultural Policy (CAP) is supported by two funds, **the European agricultural guarantee fund** and **the European agricultural fund for rural development**<sup>99</sup>. For the first time, the CAP has a specific objective on gender equality and the participation of women in farming, whereby it contributes to the application of equality between women and men as enshrined in Article 23 of the Charter<sup>100</sup>. Most Member States include women's rights organisations in the Monitoring Committees of their CAP Strategic Plans. For instance, **Spain** has included a top-up to the complementary income support for young farmers for young female farmers while **Ireland** has provided a higher support for women under its on-farm capital investment scheme.

The CAP contributes to the application of the rights of workers to fair and just working conditions, provided for in Article 31 of the Charter. This takes place through a social conditionality mechanism, which results in the reduction of CAP payments, if farmers breach EU legislation in this field<sup>101</sup>. In certain sectors, financial support is available for improving farmers' conditions.

The project **EmpowerUs (Green transition through coastal communities)**<sup>102</sup> aims to empower coastal communities to transition towards a more resilient, inclusive and sustainable coastal development by addressing challenges related to climate change and traditional and cultural practices. A network of six labs across EU coastal regions will promote a greener future.

### 3.7. The Recovery and Resilience Facility, the Technical Support Instrument, and the InvestEU Programme

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<sup>98</sup> [The European Biodiversity Partnership | Biodiversa-plus | Project | Fact sheet | HORIZON | CORDIS | European Commission \(europa.eu\)](#).

<sup>99</sup> [CAP funds - European Commission \(europa.eu\)](#).

<sup>100</sup> The implementation of CAP 2023-2027 has started only recently and first results can be expected early 2026.

<sup>101</sup> Social conditionality relates to the Transparent and Predictable Working Conditions Directive (EU) 2019/1152, and two occupational safety and health Directives (Framework Directive 89/391/EEC and Directive 2009/104/EC). The mechanism will rely on systems in place under the EU's social legislation. National authorities need to report to the national Agricultural Paying Agencies on the results and possible sanctions for any follow-up for CAP payments. Member States need to ensure that the mechanism is in place from 2025 at the latest. Six Member States already implement the mechanism (France, Austria, Luxembourg, Italy, Spain and Portugal).

<sup>102</sup> [The European Biodiversity Partnership | Biodiversa-plus | Project | Fact sheet | HORIZON | CORDIS | European Commission \(europa.eu\)](#).

With the Recovery and Resilience Facility (RRF)<sup>103</sup>, the EU has created a new generation of funds, whose disbursement is linked to the achievement of specific objectives and targets. The RRF makes funds available for the Member States to make their economies more sustainable, resilient and prepared for the green and digital transitions. The measures address the challenges identified under the European Semester framework of economic and social policy coordination. The RRF also implements the **REPowerEU Plan** – the response to the socio-economic hardships and energy market disruption caused by Russia's invasion of Ukraine.

The RRF is structured around six pillars: green transition; digital transformation; smart, sustainable and inclusive growth; social and territorial cohesion; health, and economic, social and institutional resilience; and policies for the next generation<sup>104</sup>. Through this wide range of fields, it contributes to promoting, protecting, and enforcing various fundamental rights.

**Article 37 of the Charter on environmental protection:** The RRF contributes to integrating a high level of environmental protection and the improvement of the quality of the environment into the policies of the Union. The RRF Regulation requires each Member State to allocate at least 37% of its RRF funding to measures contributing to climate objectives. All measures must respect the principle of 'do no significant harm'. The reforms have included the installation of additional capacity for renewable energy and protection measures against floods, wildfires, and other natural disasters.

**Article 47 of the Charter on the right to an effective remedy and to a fair trial:** The RRF supports measures to increase the efficiency, quality and independence of judicial systems. The relevant investments have included the digitalisation of the justice systems, improved judicial infrastructure and judicial training. **Malta** has developed secure digital solutions to simplify court processes and improve access to justice. **Croatia** has taken measures to reduce backlogs, shorten civil and commercial proceedings, and strengthen the transparent and efficient administration of cases.

The **Technical Support Instrument (TSI)** complements the above measures to address the economic consequences of the pandemic by improving the capacity of national institutions to implement reforms and facilitating the exchange of best practices<sup>105</sup>. In the area of judicial reforms, 27 projects have been supported in 15 Member States on the **accessibility and digitalisation of justice** (online tools, legal aid, collection of data), **alternative dispute resolutions** (mediation) and **victim support**. Projects relate to cybersecurity, data collection, digital handling of case workflows and evidence, as well as increasing the transparency of judicial decisions.

**Enhancing the national strategies and frameworks to support victims of crimes in Estonia, Portugal and Malta:** this project coordinated by Victim Support Europe supports three Member States in the establishment, implementation and strengthening of strategies and frameworks for victim support. The project aims to implement a unified strategy for the benefit of victims of all crimes, thus increasing reporting rates and reducing the detrimental impacts of crime in victims' lives and the overall costs for the society at large.

<sup>103</sup> The RRF is a temporary funding instrument set up in 2021 to mitigate the economic and social impact of the pandemic by financing reforms and investments; Regulation 2021/241, OJ L 57, 18.2.2021, p. 17-7.

<sup>104</sup> [Recovery and Resilience Scoreboard \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/infographic_recovery_and_resilience_scoreboard_en.pdf).

<sup>105</sup> The European Commission provides technical expertise to Member States to design and implement reforms. See [Technical Support Instrument \(TSI\) \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/infographic_technical_support_instrument_en.pdf).

In addition, the **InvestEU programme** mobilises public and private investment for the EU's top policy priorities. In particular, its **Social Investment and Skills window**<sup>106</sup> contributes to the application of fundamental rights, such as health care, social security, the right to education, equality between women and men, and the integration of persons with disabilities. Investments are made on social infrastructure (including affordable social housing, health and education infrastructure) and financing is directed to measures to promote gender equality, the integration of vulnerable people and the inclusion of and accessibility for persons with disabilities. Microfinance, ethical and social finance moreover promote entrepreneurship and the social economy with a focus on most vulnerable groups. In the field of environmental protection, InvestEU supports **sustainable investment and the green transition** with a dedicated Sustainable Infrastructure Window<sup>107</sup>.

### 3.8. EU funds covered by the Common Provisions Regulation

Between 2021 and 2027, fundamental rights are protected and promoted through support from the EU funds covered by the Common Provisions Regulation (CPR funds), each of which covers a specific field of EU policy. Member States need to ensure that the design and implementation of the programmes supported from these funds are in line with the Charter throughout the programming period<sup>108</sup>.

**The CPR covers eight EU funds**, namely the European Regional Development Fund (ERDF); European Social Fund Plus (ESF+); Cohesion Fund (CF); Just Transition Fund (JTF); the European Maritime, Fisheries and Aquaculture Fund (EMFAF); Asylum and Migration Fund (AMIF); Internal Security Fund (ISF); and the Border Management and Visa Instrument (BMVI) (CPR Funds).

Several CPR funds support the implementation of the **migration and home affairs policies**. Initiatives financed from the AMIF<sup>109</sup>, ISF<sup>110</sup> and BMVI<sup>111</sup> promote the application of several

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<sup>106</sup> Commission Delegated Regulation 2021/1078 of 14 April 2021 supplementing Regulation (EU) 2021/523 of the European Parliament and of the Council by setting out the investment guidelines for the InvestEU Fund.

<sup>107</sup> At programme level, at least 30% of the aggregate volume of financing and investment operations should contribute to climate objectives and at least 60% of the aggregate volume of financing and investment operations on climate and environmental objectives under the Sustainable Infrastructure window, as set out in Article 8(8) of the InvestEU Regulation for the EU compartment.

<sup>108</sup> In accordance with Article 9 CPR, Member States and the Commission shall ensure respect for fundamental rights and compliance with the Charter in the implementation of the funds.

<sup>109</sup> AMIF aims to contribute to the efficient management of migration flows, to strengthen and develop the common policy on asylum and the common immigration policy. [More details on AMIF – European Commission \(Europa.eu\)](#).

<sup>110</sup> ISF aims to contribute to a high level of security in the Union, in particular by preventing and combating terrorism and radicalisation, serious and organised crime, and cybercrime. More details at [Internal security funds - European Commission \(europa.eu\)](#).

<sup>111</sup> BMVI aims to ensure effective border management at the Union's external borders, a high level of internal security within the Union and the free movement of persons. More details at [Internal security funds Border Management and Visa Instrument - European Commission \(europa.eu\)](#).

fundamental rights, such as the right to asylum<sup>112</sup> and the rights of the child<sup>113</sup>. Funded initiatives also support the provision of protection against trafficking in human beings, including for the purposes of labour or sexual exploitation<sup>114</sup>.

The **IMPROV-EU-project** aims to develop a protocol to streamline the implementation of provisions related to the respect of fundamental rights of persons in vulnerable situations who cross the EU's external borders. The **Rightlines project** works to strengthen fundamental rights protection at the Greek and Cypriot borders<sup>115</sup>. The **CSAPE-project** focuses on empowering children with information and helping young at-risk individuals<sup>116</sup>.

The **European Maritime, Fisheries and Aquaculture Fund (EMFAF)** supports projects on ensuring the sustainable use of aquatic and maritime resources. There have been two calls for proposals for 'Women in the Blue Economy' to increase the participation and empowerment of women in fisheries, aquaculture, shipbuilding, and maritime transport.

The **cohesion policy funds**, through the European Social Fund Plus (ESF+)<sup>117</sup> and European Regional Development Fund (ERDF)<sup>118</sup>, promote for instance the application of the right to education and to health, the rights of the elderly, equality between women and men, and integration of persons with disabilities.

The **e-Schools-project**<sup>119</sup> increased digital competences and the use of ICT in teaching and learning in 147 schools by providing ICT equipment and digital education tools for primary and secondary schools in Croatia.

The **Proximity Mobile Healthcare Units-project**<sup>120</sup> promoted social inclusion and reduced inequalities by deploying mobile healthcare units to increase the accessibility of preventative care, disease diagnosis and monitoring in the Algarve region.

The Commission has launched the **Subgroup for the use of EU funds for Roma inclusion** to follow up on expert hearings on meeting the challenges in accessing EU funds and improving the lives of marginalised Roma communities<sup>121</sup>. The Subgroup has prepared a compilation of promising practices, which has been shared with

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<sup>112</sup> Under the AMIF, the Commission has supported projects involving about 1,800,000 third country nationals for the 2019-2023 programming period in the framework of the Common European Asylum System, of which almost 200,000 vulnerable persons. Under the BMVI, the Commission supports cooperation for enhancing the European Border and Coast Guard, including the implementation of their Fundamental Rights Strategy ([Fundamental Rights Strategy \(latest version\) \(europa.eu\)](#)).

<sup>113</sup> Funding from the ISF has contributed to safeguarding children's rights in the context of child sexual abuse, as well as rights of online users, including privacy.

<sup>114</sup> More details at [EU Funding & Tenders Portal \(europa.eu\)](#). See also the 2024 Call for proposals in the field of trafficking in human beings following the EU Strategy on Combatting Trafficking in Human Beings 2021-2025, COM/2021/171.

<sup>115</sup> See [IMPROV-EU-project](#) and [Rightlines project](#).

<sup>116</sup> [Child Sexual Abuse Prevention and Education, CSAPE 2022-2024 project - Pelastakaa Lapset](#).

<sup>117</sup> ESF+ supports the implementation of the European Pillar of Social Rights by contributing to the EU's employment, social, education and skills policies. The ESF+ supports economic, territorial and social cohesion in the EU –by reducing disparities between Member States and regions.

<sup>118</sup> ERDF aims to strengthen economic, social and territorial cohesion by correcting imbalances between regions and enabling investments in a smarter, greener, more connected and social Europe.

<sup>119</sup> [Inforegio - The e-Schools project moves Croatian children and teachers towards digital education \(europa.eu\)](#).

<sup>120</sup> [ARS | Algarve \(min-saude.pt\)](#).

<sup>121</sup> The hearings with Roma and pro-Roma CSOs were organised in February 2023 and included CSOs from Bulgaria, Czechia, Hungary, Romania and Slovakia.

National Roma Contact Points, relevant managing authorities and CSOs. The process feeds into the preparations of the next MFF, the upcoming cohesion policy programming and similar developments in other relevant funds.

### *The horizontal enabling condition on the Charter*

The CPR contributes to the protection and promotion of fundamental rights through the introduction of ‘enabling conditions’ for all CPR funds, a novelty compared to the *ex ante* conditionalities in the 2014-2020 CPR<sup>122</sup>. The enabling conditions must be fulfilled by each Member State to ensure the effective and efficient implementation of these funds throughout the programming period. There are two types of enabling conditions, *i.e.* the **Horizontal Enabling Conditions (HECs)** applicable to all CPR funds<sup>123</sup>, and the thematic enabling conditions (TECs) exclusively applicable to ERDF, CF and ESF+<sup>124</sup>.

**The Charter HEC** requires Member States to set up effective mechanisms to ensure effective application and implementation of the Charter. These include arrangements to ensure that the programmes supported by the CPR funds and their implementation comply with the relevant provisions of the Charter, and reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by these funds with the Charter and complaints regarding the Charter.

If effective mechanisms are not in place, the Charter HEC is not considered fulfilled. As a consequence, the Commission informs the Member State that the expenditure linked to the specific objectives will not be reimbursed until the Member State provides sufficient guarantees that effective mechanisms are in place<sup>125</sup>. In particular, the Member States are required to set out the roles and responsibilities of different authorities and bodies. This must cover all stages of the programming and implementation, and the bodies or persons which provide assistance on fundamental rights must be identified. Member States are also required to provide information about the procedures for cases of non-compliance and complaints and about the composition and rules of procedures of the monitoring committees. These should include relevant bodies representing civil society, such as bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination<sup>126</sup>.

In the online consultation conducted in support of the report<sup>127</sup>, 62% of the responding CSOs were aware of the obligations following from the Charter HEC. **One in two of the responding organisations indicated that they worked on ensuring fundamental rights compliance in the use of EU funds**, *i.e.* as member or observers

<sup>122</sup> Regulation No 1303/2013, OJ L 347, 20.12.2013, 320-469. See in particular Article 19 2014-2020 CPR.

<sup>123</sup> See Annex III CPR for an overview of the HECs.

<sup>124</sup> See Annex IV CPR for an overview of the TECs.

<sup>125</sup> Article 15(4) and (5) CPR.

<sup>126</sup> Article 8 CPR.

<sup>127</sup> Online consultation through the Fundamental Rights Platform, Questions 8 and 9: “Are you aware of the fundamental rights obligations in EU funding?” and “Does your organisation work on ensuring the fundamental rights compliance of the use of EU funds?”.

in monitoring committees<sup>128</sup>, or by delivering training, capacity building or evaluations of fundamental rights compliance of projects funded by the EU<sup>129</sup>.

Member States are also required to provide information about the procedures for examination of complaints in cases of non-compliance with the Charter and about the composition and rules of procedure of the monitoring committees, guaranteeing the balanced representation of relevant partners with the necessary independence to ensure compliance with the Charter. To ensure the fulfilment of the Charter HEC, in line with the principle of shared management<sup>130</sup>, the Commission maintains a dialogue with the Member States in the monitoring committees or bilaterally.

**The Charter HEC has contributed to the protection and promotion of Article 21 of the Charter** in a case where an anti-discrimination clause was included in the partnership agreement and the cohesion programmes to ensure that no discriminatory action (for instance on grounds of sexual orientation) was contained in project applications submitted by local or regional authorities.

**It has contributed to the application of Article 47 of the Charter** in some Member States, which adopted measures to strengthen the independence and impartiality of the courts and tribunals.

Challenges relating to the implementation of the Charter HEC however remain<sup>131</sup>, with the most relevant being the **lack of financial and human resources**<sup>132</sup> for the organisations that participate in the implementation of the Charter HEC. This results from the increase in demand

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<sup>128</sup> In **Belgium, Germany, Malta and the Netherlands**, the equality body is invited to observe various monitoring committees; in **Cyprus**, the Ombudsperson is included in the monitoring committee in an advisory and independent role without voting rights; in **Greece**, the Greek National Commission for Human Rights participates with voting rights in the monitoring committees; in **Croatia and Portugal**, the Ombudsperson is involved in various monitoring committees; in **Ireland**, the Irish Human Rights and Equality Commission is invited in the Ireland's Partnership Agreement monitoring committee and is the monitoring committees to monitor the adherence to the Charter.

<sup>129</sup> In **Bulgaria**, the Commission for Protection against Discrimination is represented in all the bodies of the EU funds that advise and take decisions on the preparation and implementation of all operational programmes; in **Czechia**, the Ombudsperson is invited to the Council for European Union Funds, which is a permanent super-ministerial expert and advisory body of the government providing substantial coordination of all EU funds; in **Greece**, the Greek National Commission for Human Rights is selected as the competent body to ensure the fulfilment of the Charter HEC, provides assistance to the involved authorities, and monitors and assures the compatibilities of the procedures and individual actions with the Charter; in **Croatia**, the Ombudsperson, amongst other things, organised a national diagnostic workshop, gathering representatives of the managing authorities, coordinating authority, CSOs, ombuds institutions in Croatia as well as other governmental bodies with human rights remit, including a national Charter focal point to discuss challenges and way forward in relation to the EU funds and the Charter; in **Ireland**, the Irish Human Rights and Equality Commission worked closely with the managing authorities to develop a 'guidance tool', an 'EU funds checklist', a 'reporting template', and a 'reporting checklist' and delivers trainings.

<sup>130</sup> The Commission and the Member State jointly manage the funding, [EU funding by management mode \(europa.eu\)](#).

<sup>131</sup> Online consultation through the Fundamental Rights Platform, Questions 11: "What are your challenges in working on the issue of fundamental rights compliance of EU funds?". See also FRA Report, [EU funds: Ensuring compliance with fundamental rights | European Union Agency for Fundamental Rights \(europa.eu\)](#), 19 December 2023.

<sup>132</sup> Belgian equality body, Cypriot ombudsperson, Croat ombudsperson, German NHRI, Maltese equality body, Portuguese NHRI, Slovak NHRI.



for support from fundamental rights bodies<sup>133</sup>. Referring to the requirement under the UN Paris Principles for countries to ensure that NHRIs enjoy adequate resources and financial autonomy, ENNHRI advocates for sufficient resources for its members. It notes that ensuring fundamental rights compliance requires substantial resources in a context where the resources for NHRIs to carry out their core mandate are limited<sup>134</sup>. While some NHRIs have remedied the lack of human resources by recruiting additional staff<sup>135</sup>, others must limit the role of bodies or persons providing assistance on fundamental rights based on the limited resources, calling for the further allocation of funds for this issue<sup>136</sup>.

It should be noted that the CPR<sup>137</sup> explicitly enables Member States to allocate a percentage of the resources from the funds for the capacity-building of social partners and CSOs involved in the preparation, implementation and evaluation of the programmes, but this is not sufficiently well known or applied<sup>138</sup>. In addition, ESF+ has a thematic concentration requirement on the capacity-building of social partners and CSOs to ensure their meaningful participation in the delivery of employment, education and social inclusion policies supported by the ESF+<sup>139</sup>. Member States have allocated 400 million EUR to support civil society and 362 million EUR to support social partners.

The consultations also included a clear call for **more information and guidance** to support national authorities in the implementation of the Charter HEC, in particular as regards the need for clarity regarding its practical implications<sup>140</sup> and for increased technical expertise on EU funds<sup>141</sup>. In line with the commitments of the Charter strategy, the Commission has initiated the **preparation of a manual** that will guide national authorities and bodies in the effective implementation of the Charter HEC.

In 2023, the **Slovak National Centre for Human Rights** published a report on the role of national fundamental rights bodies in ensuring fundamental rights compliance of EU funds<sup>142</sup>. According to it, several factors affect the likelihood of reaching the full potential of the Charter HEC. These include the availability of information, capacity-building, cooperation among authorities and the need to simplify management documentation.

The **Polish NHRI** has developed a checklist of Charter compliance for the implementation of EU funds, and a guidance on the application of the Charter when spending EU funds<sup>143</sup>.

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<sup>133</sup> See FRA Report, [EU funds: Ensuring compliance with fundamental rights | European Union Agency for Fundamental Rights \(europa.eu\)](#), 19 December 2023.

<sup>134</sup> Contributions by ENNHRI.

<sup>135</sup> For instance, Cypriot ombudsperson.

<sup>136</sup> For instance, Maltese equality body.

<sup>137</sup> Article 8(2), second subparagraph CPR.

<sup>138</sup> Examples of the actions are networking, strengthening the social dialogue and activities undertaken by social partners.

<sup>139</sup> Article 9 Regulation 2021/1057, OJ L 231, 30.6.2021, p. 21-59.

<sup>140</sup> Portuguese NHRI, Czech Ombudsperson.

<sup>141</sup> Belgian equality body, Croat ombudsperson, Portuguese NHRI, Slovak NHRI, ENNHRI.

<sup>142</sup> Slovak National Centre for Human Rights: [The role of national bodies with a human rights remit in ensuring fundamental rights compliance of EU funds – Slovakia](#).

<sup>143</sup> [Application of the Charter of Fundamental Rights in the course of implementation of projects financed by EU funds \(brpo.gov.pl\)](#).

The CERV-funded project **ECHOFunds – Enhancing Charter Compliance of EU Funds** works to provide an overview of the stakeholders involved in the implementation of EU funds, as well as develop online materials based on identified good practice from this field<sup>144</sup>.

As a result of the intensive dialogue between the Commission and the Member States during the approval phase of the programmes and after the approval, 26 Member States currently fulfill the Charter HEC<sup>145</sup>. One Member State does not yet fulfil it under several programmes, as serious concerns related to several fundamental rights remain<sup>146</sup>.

The Commission continuously monitors whether the Charter HEC remains fulfilled or whether developments in the Member States have an impact on the fulfilment of enabling conditions. In addition to the regular channels of information used by the Commission, the CPR provides a framework for monitoring, among others, through Annual Performance Review meetings<sup>147</sup> and monitoring committee meetings<sup>148</sup>. These underline the legal obligation for Member States to discuss with the partners in monitoring committees or the Commission any issues impacting the fulfilment of the Charter HEC.

### 3.9. Measures to prevent and mitigate the abuse of EU funds

Member States have a general responsibility to respect the common values enshrined in Article 2 TEU and the Charter, when implementing the EU budget. The Financial Regulation<sup>149</sup> requires the Commission to ensure at all stages of the funding cycle (pre-signature, implementation, ex-post checks) that EU funding is not issued to organisations and projects that carry out activities that are incompatible with EU values<sup>150</sup>.

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<sup>144</sup> [ECHOFunds – Enhancing Charter Compliance of EU Funds – LBI für Grund- und Menschenrechte \(lbg.ac.at\)](https://lbg.ac.at).

<sup>145</sup> When submitting the programmes to the Commission for approval, **Poland** and **Cyprus** indicated that they did not comply with the Charter HEC and the programmes were adopted with the Charter HEC marked as unfulfilled. Poland and Cyprus respectively submitted on 17 and 25 January 2024 an official request to consider the Charter HEC as fulfilled, including a revised self-assessment and a justification for its fulfilment. The Commission confirmed that the Charter HEC was fulfilled on 29 February 2024 for Poland and on 19 April 2024 for Cyprus (AMIF and BMVI), enabling the reimbursement of related expenditure from that moment on.

<sup>146</sup> In particular, regarding the implementation in **Hungary** of certain specific objectives of three Cohesion programmes and of the Asylum Migration and Integration Fund respectively. While progress was made in the area of judicial independence and other institutional and procedural arrangements, serious risks with a concrete and direct impact on the compliance with the Charter in the implementation of certain specific objectives remain unresolved in particular, regarding the inviolability of human dignity (Article 1), the right to private and family life (Article 7), the right to freedom of expression and information (Article 11), the right to non-discrimination (Article 21), as well as academic freedom (Article 13) and to the right to asylum (Article 18) (state of play August 2024).

<sup>147</sup> In accordance with Article 41 CPR.

<sup>148</sup> In accordance with Article 38 CPR.

<sup>149</sup> Regulation 2018/1046, OJ L 193, 30.7.2018, p. 1-222.

<sup>150</sup> Authorising officers can take measures when a breach of EU values is identified which can be qualified as grave professional misconduct or a breach of the beneficiary's contractual obligations. The Financial Regulation has been amended with further provisions, see Regulation (EU, Euratom) 2024/2509 of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast). The recast includes a general reference to the obligation for the Commission and Member States to respect EU values and the Charter when implementing the EU budget, and a ground of exclusion referring to incitement to discrimination, hatred or violence against a group of persons or a member of a group or similar activities that are contrary to the values enshrined in Article 2 TEU.

Before the signing of a grant agreement, the Commission evaluates the submitted proposals to select those to be funded. At this stage, checks are carried out to verify whether the projects respect EU values. The **Early Detection and Exclusion System (EDES)**, a mechanism to protect the EU's financial interests against unreliable persons and entities, enables the early detection of entities who represent risks, and provides for their exclusion. It also enables the imposition of a financial penalty following Article 138 of the Financial Regulation<sup>151</sup>. In addition, grant signatories sign a declaration of honour to certify that they do not take part in activities against EU values. **Detailed eligibility criteria concerning the respect of EU values** may also be included in specific calls for proposals.

During the implementation stage, **corporate model grant agreements**<sup>152</sup> provide for the obligation for the selected beneficiaries to respect EU values. This obligation is extended to associated partners, subcontractors, and recipients of financial support to third parties. If a breach of EU values is identified **during the implementation of the action**, the authorising officer can take measures, such as the suspension of payment, grant reduction or cost rejection, termination of the agreement or of the participation of the concerned beneficiary.

**After the activity's finalisation**, the grant remains subject to checks, audits or investigation by the granting authority, European Anti-Fraud Office (OLAF), or the Court of Auditors.<sup>153</sup> OLAF moreover manages the **Union Anti-Fraud Programme**<sup>154</sup>, which supports Member States in their fight against fraud against the financial interests of the EU. Support is provided as technical assistance, training, and research. Some of the funded projects have focused on ensuring that the investigations comply with fundamental rights and procedural guarantees.

The **Non-Incrimination principle In Administrative and OLAF investigations (NonIncrimInA)**<sup>155</sup> project aims to reinforce the protection of the EU's financial interests and fair trial guarantees. It conducts legal research and provides training on the application of the right to remain silent and not to incriminate oneself in administrative proceedings, in particular in OLAF investigations, in light of the CJEU's case law.

Sectoral funding legislation may set further requirements regarding EU values. For instance, the **CERV Regulation**<sup>156</sup> refers to the **need to actively cultivate, protect and promote the founding values and fundamental rights** at a time where European societies are confronted with extremism, radicalism and divisions, and where the space for independent civil society is shrinking. Potential applicants are required to outline the measures they plan to take to guarantee full compliance with the EU values and Article 21 of the Charter<sup>157</sup>.

As of 2024, the national agencies implementing the **Erasmus+** programme through indirect management are also explicitly required to ensure the respect of EU values<sup>158</sup>. In addition, the

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<sup>151</sup> [EDES - European Commission \(europa.eu\)](#).

<sup>152</sup> See, for instance, the [Horizon Europe model grant agreement](#).

<sup>153</sup> The authorising officer can reduce the final grant if irregularities, fraud or breach of an obligation are identified. See Article 131 of the Financial Regulation.

<sup>154</sup> The budget of the programme for the current MFF is EUR 181 million; [Union Anti-Fraud Programme \(UAFP\) - European Commission \(europa.eu\)](#).

<sup>155</sup> [Home | Nonincrimina](#).

<sup>156</sup> Regulation 2021/692, OJ L 156, 5.5.2021, p. 1-20.

<sup>157</sup> CERV Application Form, 2022, ethics and values.

<sup>158</sup> Specific rules are set out in the Guide for National Agencies (Annex VI to the Contribution Agreement).

grant award criteria include “the extent to which the proposal is relevant for the respect and promotion”. A grant may be terminated or reduced if these provisions are not respected<sup>159</sup>.

Similarly, in the **Horizon Europe** programme<sup>160</sup>, all research and innovation activities carried out must comply with national, EU and international law, including the Charter and the European Convention on Human Rights. These provisions are translated into contractual obligations in the model grant agreement<sup>161</sup>.

**Ethical compliance is seen as pivotal for achieving research excellence.** Before projects are granted, Horizon Europe proposals undergo an ethics evaluation<sup>162</sup> to verify compliance with ethical rules and standards, including the Charter<sup>163</sup>. These aspects are monitored during the project and analysed in cooperation with independent experts. Controls and audits ensure that the management and control systems of the programmes implemented in shared management for the 2021-2027 programming period comply with the Charter.

Member States and national stakeholders, such as NHRIs, equality bodies and ombudspersons, also implement measures to mitigate risks in the granting and disbursement of funding. These are usually included in the grant agreements. These stakeholders also refer to national anti-corruption policies, whistleblower rules and codes of conduct.

In the grant scheme of the **Irish Human Rights and Equality Commission (IHREC)**<sup>164</sup>, an award is granted after a financial risk assessment of each shortlisted applicant. Payments are made in instalments, and applicants provide quarterly reports on the progress of their projects and the spending. If challenges are identified, the IHREC assesses the situation and offers support. These projects are monitored more closely. In the rare cases where projects are unable to progress, the IHREC requests the return of funds. Once a project is completed, the grantee must submit a final project and financial report together with outstanding receipts and copies of tangible outputs. A final payment is released after the satisfactory completion of the project. The grants scheme is reviewed annually by the State’s controller and auditor general. It is also subject to internal audit.

#### 4. Funding for fundamental rights in the Member States

Based on the mutually complementary role of EU funding and national funding, this chapter describes how Member States provide funding to promote the application of fundamental rights. Drawing in particular on the targeted consultations with Member States and other stakeholders, it describes and gives examples on how national funding opportunities have been used to promote the application of the Charter.

In the survey conducted to prepare this report, **one in three (34%) of the responding CSOs indicated that EU funds represented the most important funding source** for their fundamental rights work in 2019-2024, whereas

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<sup>159</sup> Erasmus+ Programme Guide 2024, p. 11.

<sup>160</sup> Regulation 2021/695, OJ L 170, 12.5.2021, p. 1-68.

<sup>161</sup> [Horizon Europe General Model Grant Agreement](#).

<sup>162</sup> It includes the ethics review procedure, conducted before the start of the project, as well as ethics checks, reviews and audits during the project. Proposals are required to conduct ethics self-assessments starting with the completion of an ethics issues table.

<sup>163</sup> See the online document: “[How to complete your ethics self-assessment](#)”. Also: “[Identifying serious and complex ethics issues in EU-funded research](#)”; “[Ethics and data protection](#)” and “[Ethics in Social Sciences and Humanities](#)”.

<sup>164</sup> Grant applications are assessed by a panel composed of staff members and external independent experts. Shortlisted applicants must submit financial documents and complete a financial declaration detailing how the funds will be spent.

**funding from the national government was the primary source for 17%**<sup>165</sup>. At the same time, in the FRA's annual civic space consultation covering experience in 2023<sup>166</sup>, **CSOs refer to national governments as their main funding source (22%)**, followed by funding from the EU and private foundations (17% each).

The respondents of the civil society survey also considered that **the main added value of EU funding** was in that it supported their organisation's work on the EU's founding values (61%), enabled cooperation, partnerships, or networking across several Member States (60%), and supported the development of European networks and civil society (56%). According to some respondents, more attention to national-level regranting mechanisms and core funding would help to further increase the added value<sup>167</sup>. In line with this, results from FRA's annual civic space consultation<sup>168</sup> show that 58% of the CSOs consider the further availability of unrestricted, core or infrastructure funding as the most relevant change to funding frameworks.

The chapter also looks into the role of NHRIs, equality bodies and ombudspersons in raising awareness of funding opportunities and creating links between the various levels of government and civil society to facilitate the development and implementation of projects in their Member States.

#### 4.1. Member State funding for fundamental rights

Activities to promote, protect and enforce fundamental rights are generally funded from the statutory budgets of Member States. Given the horizontal scope of application of fundamental rights, nearly all policy areas, including health, education and justice or home affairs, contain activities relevant for the promotion of fundamental rights. Many Member States also support the application of fundamental rights by issuing project grants and complement the EU's funding efforts by providing the necessary co-financing for EU-funded initiatives. Furthermore, as discussed in chapter 5, several other donors than the EU provide fundamental rights relevant funding in the Member States.

As regards project funding, **Member States provide project funding opportunities** in several policy areas related to the application of fundamental rights.

In the area of equality between women and men, **Austria** funds projects against gender-based violence and to empower women and girls in science, engineering and mathematics and in the digital world, as well as to develop their financial literacy. Funding has also been made available to empower women over 60, with a focus on women from rural areas<sup>169</sup>. In the justice field, **Finland** has granted funding to improve the situation of young crime recidivists at risk of social exclusion, the prevention of radicalization, and local crime prevention<sup>170</sup>.

Specific project examples include a project in **Ireland**, the "Ireland Against Racism Fund", which supports the implementation of the National Action Plan Against Racism by funding work with minority ethnic communities.

<sup>165</sup> Online consultation through the Fundamental Rights Platform, Question 1 "What were the three most important funding sources for your organisation's fundamental rights work in 2019-2024?" Other sources were funding from private foundations (13%) and membership fees (11%). 25% of respondents provided no answer.

<sup>166</sup> Report on key findings from FRA's civic space consultation covering 2023, figure 18, p. 17, see [report-key-findings-fra-civic-space-consultation-covering-2023.pdf \(europa.eu\)](#).

<sup>167</sup> Online consultation through the Fundamental Rights Platform, Question 3: "What do you consider the main added value of the European Union's funding for fundamental rights?"

<sup>168</sup> Report on key findings from FRA's civic space consultation covering 2023, figure 24, pp. 21-22, [report-key-findings-fra-civic-space-consultation-covering-2023.pdf \(europa.eu\)](#).

<sup>169</sup> See [Frauenprojektförderungen - Bundeskanzleramt Österreich](#).

<sup>170</sup> Funding is also made available for projects on environmental protection, including on environmental damage prevention and national and regional environmental education projects promoting sustainable development. Projects on the promotion of health and social welfare can benefit from the Funding Centre for Social Welfare and Health Organisations (STEA) grants.

Funding is provided to local, regional and national projects on fostering racial equality<sup>171</sup>. In **Austria**, a project initiated by the Jewish Community of Vienna, “LIK RAT - Let's Talk”<sup>172</sup>, brings together youths and young adults aged 10 to 35 to create a space for an open dialogue, aiming to break down prejudices against Judaism and foster connections between participants from different religious and ethnic backgrounds with the objective is to dismantle stereotypes and foster interreligious understanding and fundamental rights.

Several Member States report of initiatives to ensure that funding to promote and protect fundamental rights **reaches stakeholders at regional and local levels**.

The **Swedish** government provides supplementary project funding to regions and municipalities for the provision of health care services in areas where actions need to be taken in addition to those covered from the state budget<sup>173</sup>. In **Spain**, 20 % of project funding on social affairs goes to activities at state level, and 80 % to the regional level<sup>174</sup>.

In line with the importance of funding **civil society and human rights defenders** and the maintenance of an open civic space, CSOs are the main recipients of funding in the field of protecting and promoting fundamental rights in several Member States. Many of them<sup>175</sup> fund civil society from their regular state budgets, and some have established additional, targeted project grant schemes.

**Luxembourg** enabled the Ministry of Justice to finance projects by organisations working in the field of fundamental rights. Selected projects have established workshops for children to learn about their rights, provided legal advice for vulnerable migrants, and provided training for legal aid providers<sup>176</sup>. **Estonia** supports organisations working on fundamental rights, equality and women’s rights, through a three-year grant intended to enhance funding sustainability and reduce reliance on short-term, project-based activities.<sup>177</sup> In 2023, **France** granted subsidies to almost 1500 associations in charge of the reception, accommodation and integration measures

<sup>171</sup> [gov - Minister Joe O’Brien announces Ireland Against Racism funding call \(www.gov.ie\)](http://www.gov.ie). Similarly, in **Spain**, fundamental rights relevant subsidies are granted by the Ministry of Equality, which supports initiatives linked to the rights of LGBTIQ+ people and tackling gender-based violence and human trafficking. Each ministry is required to approve a plan detailing the subsidies to be granted by the ministry (<https://transparencia.gob.es/transparencia/transparencia/Home/index/PublicidadActiva/Contratos/PlanesSubvenciones.html?imprimir=1>). In **Bulgaria**, the Agency for Persons with Disabilities issues funding carried out on the basis of a special methodology for projects to rehabilitate and integrate people with disabilities (<https://ahu.mlsp.government.bg/portal/page/86>).

<sup>172</sup> [Likrat: Israelitische Kultusgemeinde Wien \(ikg-wien.at\)](http://www.likrat.at); [Home - Simon Wiesenthal Prize \(wiesenthalpreis.at\)](http://www.wiesenthalpreis.at).

<sup>173</sup> **Sweden** also supports the work of anti-discrimination agencies at the local level. The services’ geographical spread across the country needs to be taken into account as a granting criteria. Government ordinances mandate the funding of projects on promoting and protecting fundamental rights. See e.g. Ordinance (2002:989) ([Regeringskansliets rättsdatabaser \(gov.se\)](http://www.regeringskansliet.se/rattsdata)).

<sup>174</sup> Grants awarded at regional and local level are also included in the National Subsidies Database containing all calls for proposals ([SNPSAP \(hacienda.gob.es\)](http://www.snpsap.gob.es)).

<sup>175</sup> As reported by **Denmark, Croatia and France**.

<sup>176</sup> A new article was introduced through the law of 23 December 2022 concerning the State revenue and expenditure budget for the financial year 2023 to facilitate funding for projects in the field of human rights in Luxembourg. Seven projects were selected for the call for projects 2023 ([Appel à projets 2023 - Promouvoir les droits humains - Projets sélectionnés - Ministère de la Justice // Le gouvernement luxembourgeois](http://www.gouvernement.lu/le_gouvernement_luxembourgeois)).

<sup>177</sup> Similarly, in **Austria**, projects on facilitating access to the labour market by the Roma are implemented by Roma NGOs. **Denmark** funds CSOs to implement action plans, strategies and policy initiatives at national, regional and local levels. In **Croatia**, funding is provided to associations of persons with disabilities and cultural institutions for making cultural content more accessible. In **Sweden**, the government provides grants explicitly aimed at supporting civil society (see Ordinance (2021:227)), and grants funding to pensioners’ organisations, who support their members in several areas (Ordinance (2003:752)).

for asylum-seekers and migrants. The beneficiaries are selected through annual calls for projects at national, regional and local levels.

In 2022, a coalition of **German** CSOs launched the Hannah-Arendt-Initiative<sup>178</sup>, a protection programme for journalists, media professionals and free speech defenders. Support has been provided to almost 5000 people from Ukraine, Russia, Belarus, Myanmar, Sudan, Afghanistan and elsewhere. The programme provides emergency scholarships, training and capacity building, fellowship programs and exile journalism hubs. The work consists of a fund for exiled media, research and study grants, scholarships, legal and psychosocial support and residential programmes.

The majority of the contributing Member States<sup>179</sup> publish **information on the available funding opportunities** on the government's or an agency's web page or on social media. In some cases, the information however only covers one funding source or sources from a certain policy area, and no centralised information source on all funding information is available.

**Spain** operates a National Subsidies Database with all calls for proposals published in the official gazette and registered in the National System for the Publicity of Public Subsidies and Grants<sup>180</sup>. Also **Romania** has developed an online platform with information on available EU level and national funding opportunities. This single access point also functions as a tool for identifying funding partners and sharing good practices<sup>181</sup>. In **Finland**, the CERV National Contact Point cooperates with civil society by organising training and information sessions on funding opportunities, participating in events, and working with existing structures, such as the Advisory Board on Civil Society, other government advisory boards and agencies, and networks of umbrella organisations.

Simultaneously with the above efforts, CSOs report having suffered from politically motivated **funding cuts**<sup>182</sup>, which negatively affect their operating capabilities and possibilities to contribute to open, democratic discourse. As each year, the Charter report gathers together examples provided by Member States, Charter focal points, civil society and other stakeholders. This means that no comparable information is collected on all instances where funding to CSOs has been cut, the conditions for funding disproportionately tightened, or the circumstances of fundamental rights actors otherwise weakened over the past year. In light of recent data however, such developments continue to take place across the EU<sup>183</sup>.

<sup>178</sup> [Hannah Arendt Initiative \(hannah-arendt-initiative.de\)](https://www.hannah-arendt-initiative.de/). The initiative is funded by the German Foreign Office and the German Federal Commissioner for Culture and the Media and implemented in cooperation with Deutsche Welle Academy, the European Fund for Journalism in Exile, MICT – Media in Cooperation and Transition and the European Center for Press and Media Freedom and others.

<sup>179</sup> Austria, Finland, Germany, Denmark, Estonia, Ireland, Italy, Luxembourg, Latvia, Poland, Romania, Sweden, Slovenia, Slovakia.

<sup>180</sup> The State Council of Social Action NGOs is furthermore mandated to ensure the exchange of information with the state administration on NGO funding in the social sector ([Plataforma de ONG de Acción Social | Convenios y Alianzas. Alianzas estatales \(plataformaong.org\)](https://www.plataformaong.org/)).

<sup>181</sup> Based on the provisions of the Government Emergency Ordinance No. 122/2022, art. 5, the Ministry of Investments and European Projects coordinates the communication and dissemination of public information related to accessing the external funding ([Oportunități de finanțare UE \(gov.ro\)](https://www.gov.ro/)).

<sup>182</sup> In total, more than 30% of the organisations responding to the FRA's civic space consultation reported having suffered from politically motivated funding cuts in 2023 (See [Report on key findings from FRA's civic space consultation covering 2023](#), figure 11, p. 9) and in 2022 (See [FRA 2023, Protecting civil society - update 2023](#), figure 5, p. 28).

<sup>183</sup> [Report on key findings from FRA's civic space consultation covering 2023](#), figure 13 and figure 15, pp. 12 and 14.

In addition, in the civil society survey conducted to prepare this report, **two main challenges were identified as regards national funding to civil society**: the lack of available funding due to the thematic focus of the respondents' activities (35%) and the lack of core or infrastructure funding (30%). Other issues perceived as challenges by the civil society include insufficient or difficultly findable information (22%), the lack of funding for projects of smaller organisations or for smaller projects (22%), and the limited impact of projects due to short funding cycles or lack of follow-up funding (21%)<sup>184</sup>.

Member States furthermore report on **cooperation with international donors** in the field of fundamental rights funding. This is in particular the case in the field of external action, where Member States contribute to the funding of international and regional human rights bodies, as well as of international CSOs. Some Member States additionally provide bilateral grants to human rights actors under their foreign policies<sup>185</sup>, or have in place bilateral co-operation programmes<sup>186</sup>.

Regarding the use of third-party funding opportunities in the Member States, **Bulgaria** has combined funding from the state budget, the Justice programme and the EEA/Norway grants to build the capacity of the judiciary in the field of fundamental rights, including on judicial training, child-friendly justice and combatting violence against women and domestic violence. **Poland** reports on several initiatives from the field of justice administration having been funded from the Justice programme and the EEA/ Norway Grants. In **Romania**, 12 projects funded from the EEA/ Norway Grants were finalised on improving access to health services for vulnerable groups, including the Roma<sup>187</sup>. **Slovenia** refers to projects co-financed by the Council of Europe and the EU's Structural Reform Support<sup>188</sup>.

#### 4.2. Role of NHRIs, equality bodies and ombudspersons in fundamental rights funding

The consultations conducted in support of this report were marked by high interest from NHRIs, equality bodies and ombudspersons. In total, 20 of them, and their EU-level networks, participated in the targeted consultation<sup>189</sup>.

##### *NHRIs under the Charter strategy – central for the Charter's implementation*

In the Charter strategy, the Commission took note of the critical role of NHRIs in linking the government and the civil society. NHRIs promote the protection of all fundamental rights by monitoring the application of the Charter, providing information and support to victims of rights violations and cooperating with other national institutions to improve the use and awareness of the Charter. Given their independent status and expertise in monitoring and advising authorities, NHRIs could play a role in ensuring that EU funded programmes are designed and implemented in compliance with the Charter<sup>190</sup>.

As regards funding for the promotion and protection of fundamental rights, the contributing NHRIs, equality bodies and ombudspersons underlined the **limitations posed by their**

<sup>184</sup>Online consultation through the Fundamental Rights Platform, Question 7: "What are your main challenges with national funding for fundamental rights issued by your Member State?".

<sup>185</sup> As reported for instance by **Croatia, Italy, Sweden**.

<sup>186</sup> E.g. the Swiss-Croatian Cooperation Programme.

<sup>187</sup> [776-lista-proiecte-apel-1-ro-sanatate.pdf \(eeagrants.ro\)](#).

<sup>188</sup> [Barnahus v Sloveniji \(skupni projekt Evropske unije in Sveta Evrope\)](#); Improving the juvenile justice systems and strengthening the education and training of penitentiary staff in Slovenia.

<sup>189</sup> Contributions were received from ENNHRI and Equinet.

<sup>190</sup> Charter strategy, pp. 9, 11.



**mandates.** As also noted by ENNHRI in its dedicated statement from 2022<sup>191</sup>, following the UN Paris Principles<sup>192</sup>, it is not appropriate for NHRIs to take up a decision-making or voting position in the monitoring committees related to the implementation of the Charter HEC, or issue certificates on the fundamental rights compliance of the funded projects.

The activities of NHRIs, equality bodies and ombudspeople are generally funded from the state budget, which may occasionally be supplemented by external funding (such as from the Norway/EEA Grants). The majority of the responding NHRIs, equality bodies and ombudspersons do not themselves issue funding for fundamental rights projects. Their mandates do not task these bodies with funding-related activities.

Exceptions exist. The German General Equal Treatment Act enables the national equality body<sup>193</sup> to fund projects in the federal interest, when these cannot be effectively funded by a federal state. It accordingly issues calls for funding in line with its funding guidelines and annual budget<sup>194</sup>.

In **Germany**, funding has been allocated for the **Respekt\*land funding programme**, the first federal programme to fund advice and support structures for victims of discrimination. With a budget of EUR 4.8 million in 2023 and 5.75 million in 2024, the FADA chose 35 pilot projects out of 103 applications in coordination with the federal states. Most of the projects have a regional focus (only nine take a national approach). The projects for instance pilot legal advice and counselling in underserved regions or expand advice and counselling services for discrimination victims into rural areas. One project establishes standards for local and municipal equality and antidiscrimination bodies.

Similarly, in **Ireland**, the Irish Human Rights and Equality Commission Act 2014 mandates the NHRI to provide grants for activities to promote human rights and equality. Funding is issued in accordance with the priorities set out in a strategy statement<sup>195</sup> and is made available under a small grants scheme (consisting of grants of up to EUR 6,000) and as general grants (of up to EUR 20,000). The NHRI has funded over 200 projects to support small rights-holder and community-led groups. The scheme also welcomes partnerships between several organisations.

**None of the responding NHRIs, equality bodies or ombudspeople inform potential applicants of available funding opportunities.** The **Greek Ombusman** however noted that it could make recommendations to the public administration on the promotion and protection of fundamental rights, including through funding.

Some ombudspeople and NHRIs are otherwise involved in funding activities. The **Croat Ombudsperson** supports funding applications from familiar CSOs. The **Ombudspeople of Croatia, Cyprus and Greece**, and the **Bulgarian, Spanish and Slovenian NHRIs**, participate in events organised by CSOs as part of funded projects, or participate into project activities as part of a coalition.

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<sup>191</sup> [ENNHRI-Statement-on-NHRIs-Monitoring-Fundamental-Rights-Compliance-Of-EU-Funds.pdf](#).

<sup>192</sup> Principles relating to the Status of National Institutions (The Paris Principles), General Assembly resolution 48/134 of 20 December 1993.

<sup>193</sup> The Federal Anti-Discrimination Agency (Antidiskriminierungsstelle des Bundes (**FADA**)).

<sup>194</sup> [Antidiskriminierungsstelle - Homepage - Der Link war falsch, die Adresse ist die richtige!](#); [General Act on Equal Treatment \(Allgemeines Gleichbehandlungsgesetz – AGG\) \(gesetze-im-internet.de\)](#).

<sup>195</sup> [Strategy Statement 2022-2024 - IHREC - Irish Human Rights and Equality Commission](#).

The project **Rooting for Rights (R4R)**<sup>196</sup> promotes the use of the Charter in the protection of the rights of international protection applicants in **Cyprus, Greece, Malta and Portugal**. Building on the Charter strategy, the project focuses on awareness-raising and advocacy with national authorities (reaching in total 25 national institutions, human rights bodies, state actors and ombudspople). It builds the capacities of legal practitioners, CSOs and frontliners to effectively invoke the Charter when supporting international protection applicants and develops materials to inform them of their rights. The Greek National Commission of Human Rights participates pursuant to its mandate to monitor human rights violations and advice on human rights policies.

Several NHRIs, equality bodies and ombudspople cooperate with other donors. This includes cooperation with the EEA/Norway Grants (**Ombudspople of Cyprus, Czechia and Greece, Slovenian NHRI**). Contributors also refer to bilateral projects funded by **the Netherlands** and **US AID**, as well as project cooperation with the Council of Europe and the FRA.

Funded by the EEA Norway Grants, the FRA implemented a regional project on “supporting national human rights institutions in monitoring fundamental rights and the fundamental rights aspects of the rule of law” in **Bulgaria, Croatia, Cyprus, Latvia, Poland, Slovakia, and Slovenia**<sup>197</sup>. The beneficiaries were the NHRIs, who have all undertaken activities to ensure fundamental rights compliance in the implementation of EU funds. ENNHRI participated as an expert partner. The project aimed at enhancing the use of the Charter by the NHRIs and strengthening their role in its enforcement at the national level, strengthening their capacity in fundamental rights and rule of law monitoring, and building further capacity to monitor fundamental rights compliance in the implementation of EU funds.

NHRIs, equality bodies and ombudspople also refer to funding made available by Equinet and ENNHRI. One of the activities implemented by ENNHRI under its CERV operating grant is financial support to third parties. This regranting possibility has allowed ENNHRI to provide funds to its member NHRIs following a dedicated call and in 2023, nine projects on strategic advancements in the promotion and protection of fundamental rights at the national level were implemented.

In addition to the challenges identified in the monitoring of the implementation of the Charter in the disbursement of EU funds<sup>198</sup>, the **Croatian ombudsperson** draws attention to certain funding-related issues, such as delays in the publishing of funding calls, lack of multiannual calls, and excessive administrative burden for organisations working on fundamental rights monitoring, watchdog activities, advocacy and non-discrimination<sup>199</sup>. The **Slovakian NHRI** points to the lack of sustainable funding that is not project-based for CSOs<sup>200</sup>.

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<sup>196</sup> Funded from the CERV call CERV-2022-CHAR-LITI. The project was implemented from January 2023 to June 2024; [Rooting for Rights - aditus foundation](#).

<sup>197</sup> [Supporting National Human Rights Institutions in monitoring fundamental rights and the fundamental rights aspects of the rule of law | European Union Agency for Fundamental Rights \(europa.eu\)](#); [Strengthening NHRIs to advance EU common values and the EU Charter of Fundamental Rights: outcomes of FRA Conference on NHRIs - ENNHRI](#).

<sup>198</sup> See 3.8.2. above.

<sup>199</sup> Contribution of the Ombudswoman of the Republic of Croatia to the targeted consultations conducted in support of this report, p. 5. The 2024 Rule of Law Report, Country chapter on the rule of law situation in Croatia, p. 31, notes that according to the government, in 2023, funding trends shifted from short-term support towards multiannual systematic and continuous financing. Some CSOs nevertheless referred to the increasing administrative burden in applying for funds, as well as challenges in the prioritisation of funding.

<sup>200</sup> Contribution of the Slovak National Centre for Human Rights to the targeted consultations conducted in support of this report, p. 4. The 2024 Rule of Law Report, Country chapter on the rule of law situation in Slovakia, p. 35, notes that the environment for CSOs has deteriorated, particularly for CSOs overseeing state activities or working in the area of human rights. Measures have been adopted to discontinue public financing to certain CSOs, notably

## 5. Cooperation between the EU and other public and private donors

The EU's funding efforts in the field of fundamental rights complement efforts made by other international donors, public and private. The EU and other international actors provide fundamental rights relevant funding both in the EU and in the neighbourhood countries and candidates, as well as globally. In third countries, the EU supports the promotion of human rights and democracy through its external policies and the advancement of universal values for all. Philanthropy organisations, as part of civil society, also support other CSOs by complementing government and private sector initiatives<sup>201</sup>.

Building on contributions from the targeted consultations<sup>202</sup>, this chapter shows how several actors make funding available for fundamental rights projects, and make efforts to ensure their topics and methodologies correspond to the needs of the beneficiaries on the ground. While the consultations point at general compatibility of these efforts, they also show that further measures could be taken to create explicit synergies.

### 5.1. Funding for fundamental rights in the EU from other public and private donors

Several international public and private donors provide funding to promote and protect fundamental rights in the EU through project funding and direct bilateral funding. In the FRA's annual civic space consultation covering experience in 2023<sup>203</sup>, CSOs report that 15% of their funding came from international or foreign public donors, 8% from the EEA and Norway Grants and 7% from other international sources.

**The EEA and Norway Grants**<sup>204</sup> provide financial support to 15 EU Member States<sup>205</sup> to reduce economic and social disparities in the European Economic Area and strengthen collaboration. Activities must be based on the respect for human dignity, freedom, democracy, equality, the rule of law and human rights<sup>206</sup>. Funding is issued, for instance, for the strengthening of the civil society and the empowerment of groups in vulnerable situations, improving the capacity of public administrations to uphold fundamental rights, empowering ombudspersons, NHRIs and equality bodies, and for combating discrimination, including hate

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LGBTIQ organisations, and activities such as the fight against disinformation, or for the protection of human rights.

<sup>201</sup> According to Philea, there are over 186.000 philanthropic organisations in Europe. While no accurate data is available on the funding they provide in the area of fundamental rights, the total annual funding provision is estimated to be at EUR 54.5 billion.

<sup>202</sup> Council of Europe, the Council of Europe Development Bank, EEA and Norway Grants Financial Mechanism Office, European Investment Bank, United Nations Human Rights Office, US AID, Philanthropy Europe Association (Philea) and Stiftung Mercator participated in the consultations.

<sup>203</sup> Report on key findings from [FRA's civic space consultation covering 2023](#), figure 18, p. 17.

<sup>204</sup> [Home | EEA Grants](#).

<sup>205</sup> Bulgaria, Croatia, Czechia, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and Slovenia.

<sup>206</sup> [Protocol 38C on the EEA Financial Mechanism \(2014-2021\)](#), Article 1(2). Also [Council greenlights agreements on the EEA and Norwegian Financial Mechanisms for 2021-2028 - Consilium \(europa.eu\)](#).

crime and hate speech<sup>207</sup>. The grants also support Roma inclusion and empowerment with a special focus on countries with large Roma populations (**Bulgaria, Czechia, Greece, Romania and Slovakia**)<sup>208</sup>.

In **Romania**, a project provided social, medical and educational services to address poverty and social exclusion. Implemented in cooperation with members of the affected community, mostly Roma, it included the development of a sustainable resettlement methodology and the purchase of 63 social housing units for families<sup>209</sup>. In **Bulgaria**, the programme has supported youth centres and early childcare in remote, rural and/or poor settlements, as well as improved access to education, employment, social and health services.

The EEA and Norway Grants also funds bilateral initiatives in the beneficiary states, as well as **project partnerships with the EU’s neighbouring countries**. It cooperates with the Council of Europe, the FRA and the OECD. These international partner organisations advise it on programmes and projects and implement their own projects.

The project “**Comprehensive Aid for Victims of Sexual Violence from Ukraine**” provides support to Ukrainian refugees who are sexual violence victims through a 24/7 helpline and as social and psychological counselling and in legal, medical and material support. Funded with a bilateral fund from **Lithuania**, the project also shares knowledge from other organisations that organize trauma training.

Also **USAID**<sup>210</sup> aims to sustain and further develop open, rights-based, democratic, equal and inclusive societies based on the rule of law. It supports initiatives from CSOs, human rights defenders, and watchdog groups, as well as duty-bearer institutions, such as NHRIs, ombudspersons, as well as prosecutors and judges in **Bulgaria, Hungary and Poland**. It has launched the provision of support to human rights activists in exile by providing grants in **Poland and Germany** and outside the EU to programmes supporting Russian and Belarusian activists<sup>211</sup>.

**The United Nation’s Office of the High Commissioner for Human Rights (OHCHR)** provides funding through the UN Voluntary Fund for Victims of Torture and the UN Voluntary Trust Fund on Contemporary Forms of Slavery. Funding to organisations providing direct support to torture and slavery survivors has been provided to organisations from **Belgium**,

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<sup>207</sup> The EEA / Norway Grants contribution, referring to funding issued from the “*Culture, Civil Society, Good Governance and Fundamental Rights and Freedoms*” priority.

<sup>208</sup> The EEA / Norway Grants contribution, referring to funding issued from the “*Social Inclusion, Youth Employment and Poverty Reduction*” priority, which also provides funding to promote the fulfilment of the highest attainable standard of health, including for children and for people in vulnerable situations, as well as for those from deprived areas. Under the “*Justice and Home Affairs*” priority, the EEA and Norway Grants has supported projects on enabling asylum seekers to claim international protection, the improvement of correctional services in line with international and European standards, international police cooperation, as well as projects to increase the efficiency and effectiveness of the judiciary and to act against domestic and gender-based violence.

<sup>209</sup> [The projects helping Roma Communities get out of slums | EEA Grants](#).

<sup>210</sup> [U.S. Agency for International Development \(usaid.gov\)](#).

<sup>211</sup> The USAID contribution. Support includes technical and financial assistance to build organisational capacities and support financial diversification, engagement and public communications, coalition building, advocacy on democratic reforms as well as reforms to improve the overall operating environment for civil society. USAID also increasingly supports informal initiatives and civic movements in countries such as Armenia, Ukraine and Moldova. It has provided advocacy training to groups in vulnerable situations in Serbia, Kosovo and North Macedonia, and supported LGBTI+ communities.

**Croatia, Czechia, France, Germany, Greece, Hungary, Ireland, Italy, the Netherlands, Romania, and Spain**<sup>212</sup>.

Long-term **loans for infrastructure** in several sectors covered by the Charter are provided by the **European Investment Bank (EIB)** and the **Council of Europe Development Bank (CEB)**. The EIB invests in projects in the fields of social infrastructure, renewable energy, inclusive finance and urban development, as well as blends loans with grants and supports investment projects. The CEB mostly funds infrastructure for housing, education, and health care<sup>213</sup>. Loans and grants are likewise offered to the CEB members from outside the EU, mostly in the Western Balkans and the Eastern Neighbourhood.

**All contributing donors seek stakeholder feedback on programme development and implementation**<sup>214</sup>. International donors organise consultations and information sessions in the beneficiary states<sup>215</sup>, and involve partners in deciding how project funds are used, adjusting to political changes, and setting timelines<sup>216</sup>. According to the FRA, consultations with CSOs for the development of new funding programmes more often happen with bigger organisations<sup>217</sup>. Donors also offer other forms of support, namely capacity building, technical expertise and mentorship<sup>218</sup>. Fund operators are recruited from the beneficiary states based on their knowledge on the countries' civil society to ensure that beneficiaries' needs are met<sup>219</sup>.

**The contributing donors also see potential for further simplification** to reduce the administrative burden and to provide for additional flexibility. They also refer to **ongoing reflection on how to ensure alignment between the funded activities and the grants' values**<sup>220</sup>. There is also a need for assistance to improve participants' capacities regarding fundamental rights in general<sup>221</sup>, as well as for **pre-application training and mentoring** to assist in particular smaller organisations in applying for funding<sup>222</sup>.

The OHCHR refers to a **funding gap** for its two funds, where the high numbers of applications, for which it has been unable to grant funding, reveals how thousands of victims are being left

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<sup>212</sup> Contribution by the OHCHR.

<sup>213</sup> The CEB aims to target groups in vulnerable situations, children, older people, and people with disabilities. It provides project grants in all Member States except Austria, which is not a member. The CEB screens its proposals, seeking to identify vulnerable beneficiaries for future monitoring.

<sup>214</sup> Contribution by the EEA/Norway Grants; contribution by the OHCHR, both referring to the application of a participatory methodology to the development of project management and design of projects, and support to potential grantees in the development of projects.

<sup>215</sup> Contribution by EEA/Norway Grants, who report having organised sessions on how to apply, increased outreach to underserved geographies by providing grants with no co-financing requirement, organising sessions on how to apply, and having organised dedicated calls on specific topics, such as Roma inclusion and empowerment.

<sup>216</sup> Contribution by USAid; contribution by Philea, p. 6. Philea notes that philanthropic organisations offer other support than grants, such as support for organisational development and networking, as well as prizes and awards.

<sup>217</sup> Report on key findings from FRA's civic space consultation covering 2023, figure 25, p. 23, [report-key-findings-fra-civic-space-consultation-covering-2023.pdf \(europa.eu\)](#). Types of funding considered relevant by CSOs include funding for advocacy with policy makers, organisational development, as well as for organisational development, public advocacy and campaigning, capacity development of their own staff and volunteers, and watchdog activities.

<sup>218</sup> Contribution by USAid.

<sup>219</sup> Contribution by EEA/Norway Grants, referring to the Active Citizens Fund.

<sup>220</sup> Contribution by EEA/Norway Grants.

<sup>221</sup> Contribution by the EIB.

<sup>222</sup> Contribution by USAid.

unattended despite their need for support. This demonstrates a **need to diversify funding sources**, including with private donors.

The CEB highlights the crucial **role of grants for developing social infrastructure** and care projects, since projects in these areas do not normally generate revenue. They are often implemented at regional and local levels, where the need for technical expertise might be greater. Rights compliant granting may also have the beneficial effect of incentivizing projects to construct their activities in a manner that promotes fundamental rights.

**Philanthropic foundations** respond to funding needs by issuing a mix of project and capacity-building grants, funding organisations' core activities, and supporting grass-roots organisations through re-granting and micro-granting<sup>223</sup>.

**Philanthropy organisations are active in bringing fundamental rights funders together.** This allows them to share best funding practices so that these can be scaled up and replicated, pool funds for specific causes or joint initiatives. They also engage in research and information dissemination on funding opportunities and gaps and assess the impact of funding. Several of them also cooperate with other donors, including the EU.

As one of its activities, **Philea** connects its members through thematic networks. These include for instance:

- **The Philea Democracy Network**, which facilitates collaborative actions on defending and developing democracy. It brings together foundations for discussion and knowledge exchange.

- **The Philea Journalism Funders Forum** allows funders to engage in an interactive and proactive manner on the issue of independent, quality journalism, and its role in supporting democracy<sup>224</sup>.

As regards joint funding, the OHCHR operates "**multi-donor actions**", where a financial contribution from the EU is merged with other donors' funding for the same purpose<sup>225</sup>. USAID reports having partnered with the EU, Oak Foundation, Civitates, and other donors in the provision of funding<sup>226</sup>, and the Council of Europe increasingly supports reforms in the EU Member States by providing expertise in projects funded from the TSI mechanism<sup>227</sup>.

This report shows the mutually strengthening nature of the EU's and other donors' funding efforts in the field of fundamental rights. In follow-up to the 2023 seminar on supporting civil society through funding<sup>228</sup>, **informal exchange meetings on fundamental rights funding**

<sup>223</sup> Contribution by Philea, p. 6.

<sup>224</sup> Contribution by Philea, pp. 6-10. According to Philea, more dialogue is needed between public and philanthropic funders in various policy fields including climate, democracy, equality and development partnerships. Philea nurtures a diverse and inclusive ecosystem of foundations, philanthropic organisations and networks working for the common good.

<sup>225</sup> Contribution by OHCHR. EU-OHCHR contribution agreements concluded in support of the promotion and protection of human rights in Azerbaijan, Burkina Faso, Chad, Cambodia, Colombia, Georgia, Guatemala, Mauritania, Mexico, Moldova, Niger, the occupied Palestinian territory, Peru, the Philippines, Sudan, Syria, Thailand, Ukraine, Venezuela, and Yemen. The OHCHR It also cooperates with the EU by co-organising public events and providing donor recognition on social media.

<sup>226</sup> Together with CERV, US AID funds **the Engaging Central Europe project**, which aims to empower civil society to protect, revitalize, and renew democracy in the heart of Europe; [Engaging Central Europe | German Marshall Fund of the United States \(gmfus.org\)](#).

<sup>227</sup> In addition, the EIB cooperates with National Promotional Banks of EU Member States to support projects in the field of fundamental rights, such as on social housing in France and, together with the CEB, on vulnerable groups in the Western Balkans. Similarly, the CEB participates to EU funding platforms to promote combinations of different funding sources to raise the financial sustainability of the projects. It also partners with other international financial institutions for co-financing and the sharing of best practices.

<sup>228</sup> [Supporting civil society organisations and human rights defenders through funding](#). See chapter 1.

have been set up between public and private donors, including the Commission<sup>229</sup>. Continued exchanges remain necessary to ensure the compatibility of efforts and the exchange of information and best funding practice in line with beneficiaries' needs.

## 5.2. Funding for human rights in external policies

In its external action, the EU uses a range of tools to uphold human rights, democracy and the rule of law both in its bilateral relations and in multilateral fora, primarily from the **Neighbourhood, Development and International Cooperation instrument (NDICI) – Global Europe**. The NDICI includes a “**Human Rights and Democracy Thematic Programme**”, totalling EUR 1,5 billion for the 2021-2027 period. It contributes to implementing the priorities of the EU Action Plan on Human Rights and Democracy 2020-2027<sup>230</sup>, the UN Sustainable Development Goals<sup>231</sup> and the objectives of the Green Deal as regards the impact of environmental degradation and climate change on human rights, as well as supports electoral observation missions.

Approximately half of this funding is managed by EU delegations. Projects promote civil and political and social, economic and cultural rights in partner countries and support human rights bodies<sup>232</sup> and democracy worldwide. Further thematic programmes under NDICI fund actions in support of children's rights, gender equality, social rights, rights of migrants and forcibly displaced persons, health and education<sup>233</sup>, and a programme supports the maintenance of an enabling environment for civil society<sup>234</sup>.

**The management of the funds follows a human rights-based approach** with a human rights risk analysis and measures to ensure the participation of rights-holders, as well as mitigating measures to address risks where needed<sup>235</sup>.

### Global project examples funded from the NDICI:

- **ProtectDefenders.eu and the Emergency Fund for Human Rights Defenders**: a EUR 30 million grant to 12 specialised CSOs to provide support to human rights defenders (HRDs) at risk worldwide. This programme is the most important of its kind globally and is complemented by a facility for small grants, channelled through EU delegations for a more thorough coverage of priority cases.

- **The Spotlight Initiative**, a multi-year partnership between the EU and United Nations to eliminate all forms of gender-based violence against women and girls<sup>236</sup>. Launched with an initial EU investment of EUR 500 million, the initiative represents an unprecedented global investment in gender equality.

<sup>229</sup> First meeting took place in June 2024 following an initiative from Philea.

<sup>230</sup> [https://www.eeas.europa.eu/sites/default/files/documents/2024/Action-Plan-EN\\_2020-2027.pdf](https://www.eeas.europa.eu/sites/default/files/documents/2024/Action-Plan-EN_2020-2027.pdf) (extended to 2027 with Council Conclusions of 27.05.2024 (ST 9508 2024 INIT)).

<sup>231</sup> [THE 17 GOALS | Sustainable Development \(un.org\)](https://www.un.org/sustainabledevelopment/).

<sup>232</sup> Such as the International Criminal Court and the OHCHR.

<sup>233</sup> Relevant actions are funded from the “Global Challenges Thematic Programme”.

<sup>234</sup> Relevant actions are funded from the “Civil Society Organisations Programme”. Human rights relevant actions are also supported from NDICI's rapid response pillar.

<sup>235</sup> Where serious fundamental rights concerns are identified, funding can be suspended or terminated. Delegations currently meet a target of 15% of geographic programmes reporting a contribution on human rights.

<sup>236</sup> The initiative responds to all forms of violence against women and girls, with a focus on domestic violence, gender-based violence and harmful practices, femicide, trafficking in human beings and sexual and economic exploitation.

- **National Human Rights Institutions**: an ongoing EUR 5 million grant to the secretariat of the GANHRI, the global association of NHRIs in the OHCHR, bringing together regional NHRI networks. The grant covers accreditation and capacity building activities for NHRIs.

The EU also funds actions which contribute to the promotion and protection of fundamental rights in **countries under the Enlargement and European Neighbourhood policies**<sup>237</sup>. Relevant projects are being funded for instance in Bosnia and Herzegovina, Kosovo, Montenegro, Serbia, Türkiye and Moldova, as well as in the southern Mediterranean region.

The EU moreover funds **EU-Council of Europe joint programmes**<sup>238</sup>. For instance, under the Horizontal Facility for the Western Balkans and Türkiye, support is provided to candidate countries and potential candidates for EU accession in meeting their reform agendas and complying with European standards, including in the field of fundamental rights.

## 6. Conclusion

This report has highlighted the relevance of EU funding for the protection, promotion and enforcement of fundamental rights in its internal and external policies. It shows how the EU contributes to the promotion of the rights, freedoms and principles of the Charter through its dedicated funding programmes and sectoral programmes.

As highlighted in the Charter strategy, there is a need to build the capacity of those who have a role in applying the Charter in their daily lives. Funding is one of the primary means for this important work. Funded projects – whether by the EU or Member States – render fundamental right provisions into practical solutions that benefit citizens, including persons in vulnerable situations<sup>239</sup>.

CSOs and human rights defenders are indispensable constituents of open, democratic societies that adhere to the founding values of the Union. The funding efforts of the EU and other donors have therefore reflected concerns regarding the narrowing of the civic space in the EU and globally. As acknowledged in the 2022 Charter report on thriving civic space<sup>240</sup>, CSOs must be able to function in an environment where their fundamental rights, and those of their members, are not under threat. The need to support and empower an active civil society sector across the Union remains an important priority of the Commission.

Despite considerable funding made available by the EU and international public and private donors, not enough funding reaches fundamental rights actors. Challenges highlighted in this report include difficulties in finding information on available funding, lack of capacity to apply for funding and complicated application and reporting processes, limited possibilities to get long-term funding and funding for core activities or for activities in certain sectors<sup>241</sup>.

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<sup>237</sup> Funding is issued from the NDICI-GE thematic programmes, the Instrument for Pre-Accession Assistance and the NDICI-Global Europe's regional and bilateral envelopes.

<sup>238</sup> [EU Projects with the Council of Europe | EEAS \(europa.eu\)](#).

<sup>239</sup> For project examples, see Annex accompanying this report.

<sup>240</sup> COM(2022) 716.

<sup>241</sup> FRA survey, Q4.



At the same time, the report demonstrates how the EU and international donors have recently taken measures to address these shortcomings within the limits posed by sound financial management and risk mitigation requirements. Information provision on funding opportunities has been stepped up and different funding methodologies have been developed to better address the needs on the ground.

For a significant segment of fundamental rights actors, national, regional or local funding continues to be the primary funding source. Member States therefore have an important role in both complementing EU-funding and supporting the provision of EU funding by providing information on funding opportunities and participating in EU projects as co-funders. The cooperation with Member States will remain a central element in the implementation of EU funding. At the same time, there is a need to ensure that information on available funding opportunities reaches regional and local authorities.

The Commission welcomes the extensive engagement of stakeholders in preparing this report. Stakeholders, such as national authorities, Charter focal points, CSOs, NHRIs and other human rights defenders, legal practitioners and others, are encouraged to further distribute this report and use it to inform their constituents on the available EU funding on the field of fundamental rights. The Commission also invites the European Parliament and the Council to organise dedicated discussions on the report and is available to support these exchanges.