

Targeted European Commission consultation of National Human Rights Institutions, Equality Bodies and Ombudspeople for the 2025 Charter report

Summary of survey results

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Executive summary

The surveyed fundamental rights institutions use the Charter in at least several areas of their work. Still, dedicated training on the Charter is not widespread, with only a minority of respondents having participated in Charter-related training over the last five years (mainly due to a lack of knowledge about the existence of training opportunities). Usage of Charter-related tools is relatively widespread among respondents, with 65% using the thematic handbooks on the Charter and European Convention on Human Rights (ECHR) prepared by the European Union Agency for Fundamental Rights (FRA) and the Council of Europe. However, the tools on the European Commission's e-Justice portal are used by relatively small groups of respondents, the Charter tutorial being the most frequently used one at only 22%. Regarding action taken by their Member States aimed at promotion of a strong civic space and providing support for National Human Rights Institutions (NHRIs), results differed considerably, with some respondents reporting no such measures or even a challenging environment, and others pointing to concrete actions taken by their Member State.

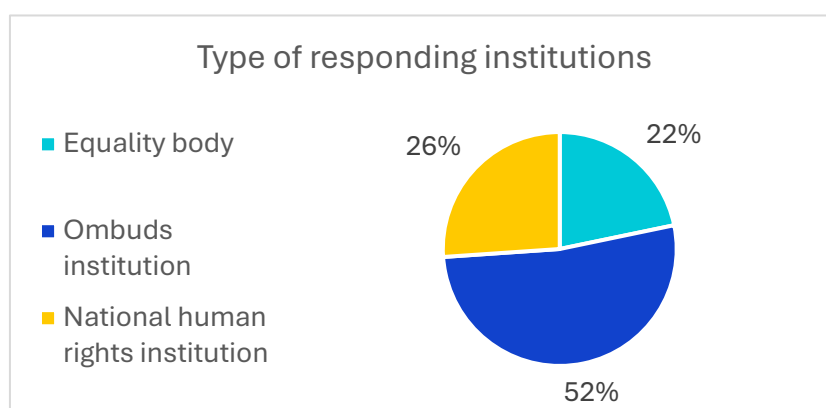
Key takeaways and learning points

- Most respondents use the Charter for raising awareness on fundamental rights (83%), in reporting (70%) and for training courses and handling complaints (61% each). Only a minority (26%) use it for campaigning, litigation or providing information on remedies in cases of rights violations (30%).
- Respondents aim to enhance awareness and understanding of the Charter through training programmes for civil servants and the public. The Charter is also used to bolster legal advocacy, particularly in discrimination cases, while also being applied to specific sectors like migration, and aligning the respondents' activities with EU policies for broader engagement.
- Even among these relatively involved actors, only 48% have followed a Charter-related training course over the last five years. Only 39% have themselves provided training on the Charter.
- The most frequently used training or information tools on the Charter were the FRA/Council of Europe thematic handbooks on the Charter and the ECHR (65%), while tools on the Commission's e-Justice portal were not commonly used (the Charter tutorial being the one most frequently used at 22%).
- Respondents do not find the existing training opportunities on the Charter at the national level sufficient (52% answered "no" and 48% "do not know"). Dedicated training opportunities at the EU/international level were considered sufficient by 30% (22% answered "no" and 48% "do not know").
- Of those respondents who did not participate in training on the Charter, 53% said this was because they were not aware of any relevant training opportunities.

- The level of cooperation with national and local authorities differs, with some respondents claiming to not cooperate with them at all, and others providing training and advice or participating in national committees addressing Charter-related issues.
- This corresponded with feedback regarding efforts to enhance cooperation between different fundamental rights actors in their Member States, with some participants saying there were no such efforts at all, and others pointing to dialogues or advisory bodies.
- As regards specific measures taken by Member States to promote and support a safe environment for CSOs, some participants pointed to initiatives by their Member States, while others did not report any specific actions or even reported a challenging environment.

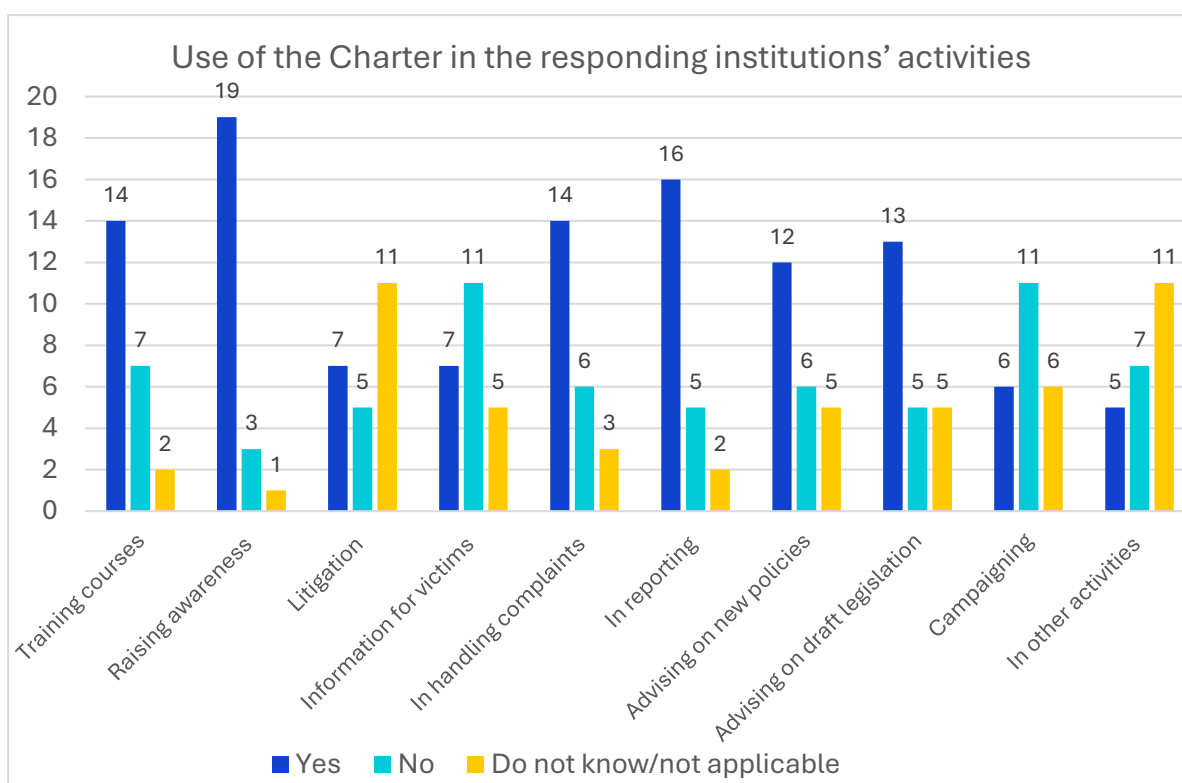
Summary of the responses provided

Types of respondents



There were 23 respondents to the consultation: 5 from equality bodies, 6 from NHRIs and 12 from Ombuds institutions. Respondents include reporting institutions from Austria (AT), Belgium (BE), Croatia (HR), Cyprus (CY), Czechia (CZ), Denmark (DK), Estonia (EE), France (FR), Germany (DE), Italy (IT), Luxembourg (LU), Malta (MT), Portugal (PT), Romania (RO), Slovakia (SK), Slovenia (SI), Spain (ES) and Sweden (SE). Fundamental rights bodies from 9 Member States did not respond (Bulgaria, Finland, Greece, Hungary, Ireland, Latvia, Lithuania, Netherlands, Poland).

Use of the Charter by fundamental rights bodies



The category of “other activities” included policy and legal engagement at the European and international level, such as providing inputs to the Special Rapporteur on contemporary forms of racism (Equality body from BE), peer exchange and learning activities on the Charter amongst NHRIs’ legal experts through the platforms of the European Network of National Human Rights Institutions (ENNHRI), participation in webinars or projects (NHRI from BE) as well as conferences (Ombuds institution from ES).

The added value of using the Charter in the activities of the responding fundamental rights bodies was found to be related to four main areas: training and awareness-raising, legal advocacy and argumentation, sector-specific activities and European and international engagement. Efforts to raise awareness and understanding of the Charter among civil servants and civil society were highlighted, with dedicated training programmes implemented in some countries (HR, SK). The Charter is also used to strengthen legal arguments and advocacy, particularly in areas like discrimination and administrative proceedings (CZ, PT, FR, DE). It is also applied more in specific sectors in some countries, such as migration and asylum (SI) and in addressing social rights gaps (AT). Some of the respondents use the Charter to align their activities with EU policies and legislation, ensuring a rights-based approach to regulation and implementation (BE, CY). Certain institutions reported limited or no use at all, citing no practical added value or lack of application in their work (LU, DK, BE, DE).

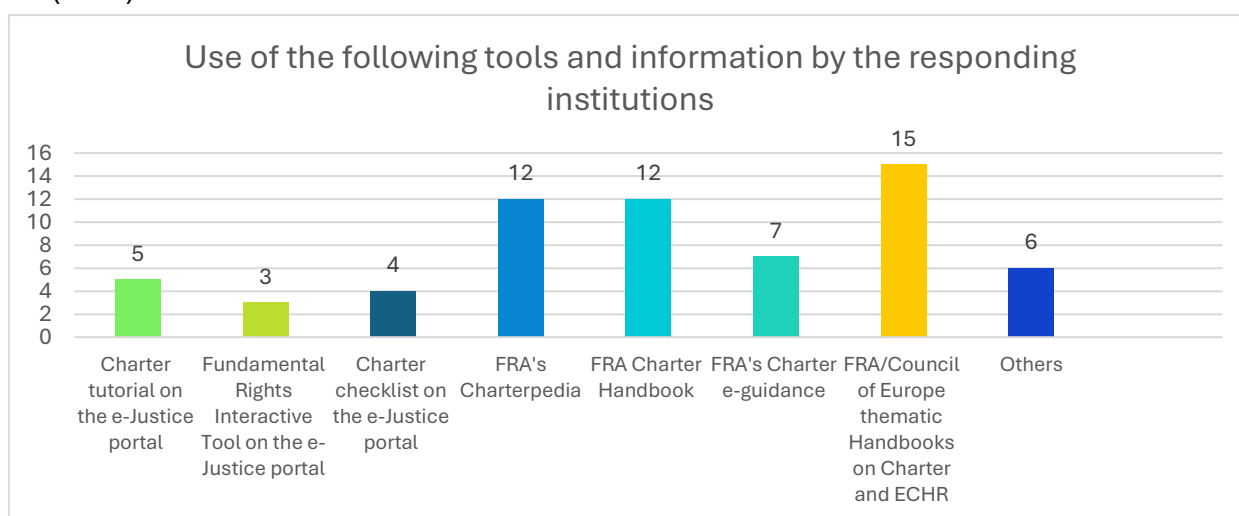
Lack of use of the Charter was reported due to limited applicability, preference for other legal instruments, lack of relevance and necessity, and the limited mandate of the responding institution. Many institutions noted that the Charter is only applicable when national authorities are implementing EU law, which limits its relevance in many cases (SI, CZ, SI). Institutions often rely more on national legislation or other international conventions, such as the ECHR and specific treaties like the Convention on the Rights of Persons with Disabilities, as they provide more detailed guidance (SI, FR, LU, DE, AT). Some institutions find that their mandate, which may involve administrative oversight, does not frequently intersect with the issues related to the fundamental rights outlined in the Charter (AT, DK). Some institutions recognise the Charter’s potential as a useful legal instrument, particularly for reasoning based on the hierarchy of norms (BE).

Knowledge of and training on the Charter

Approximately 61% of the responding fundamental rights bodies have knowledge of both the conditions for applying the Charter and on the substance of its individual provisions.

In the past 5 years, more than half of the responding staff members had not followed a training course on the Charter (52%). For the 11 respondents that had followed one, 5 reported to have followed a beginner’s level training and 6 an advanced level training. The two main reasons why staff members of fundamental rights bodies did not participate in trainings on the Charter are lack of awareness and lack of time. 53% of the respondents were not aware of any dedicated training and 30% did not have time to follow it.

The majority of the respondents (56%) did not provide training on the Charter. The ones that did provide such training mostly provided it in an in-person format (32%).

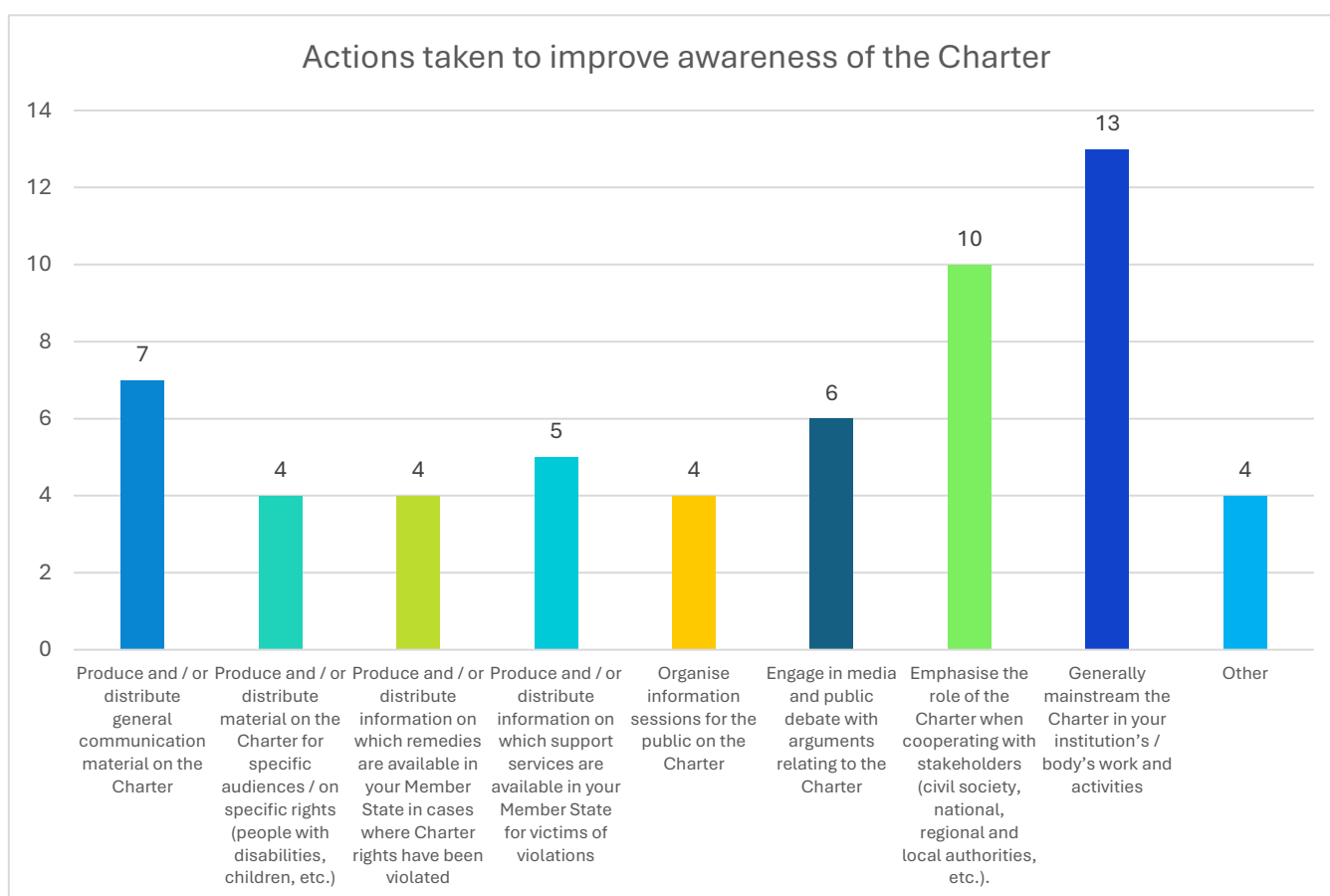


The responding institutions reported using some of the available training and information tools on the Charter, such as the FRA’s and the Council of Europe’s

thematic handbooks. They also referred to guidance on the Charter developed by ENNHRI, adapted to NHRIs' mandate and role.

In the responding institutions' opinion, the available training opportunities on the Charter are not sufficient at the national level (52%) as well as at the EU and international level (only 30% finding it sufficient) and online (35% finding it sufficient). Many of the respondents answered that they did not know if the training opportunities on the Charter were sufficient at the EU/international level and online (48% and 43 % respectively).

Actions to improve awareness on the Charter



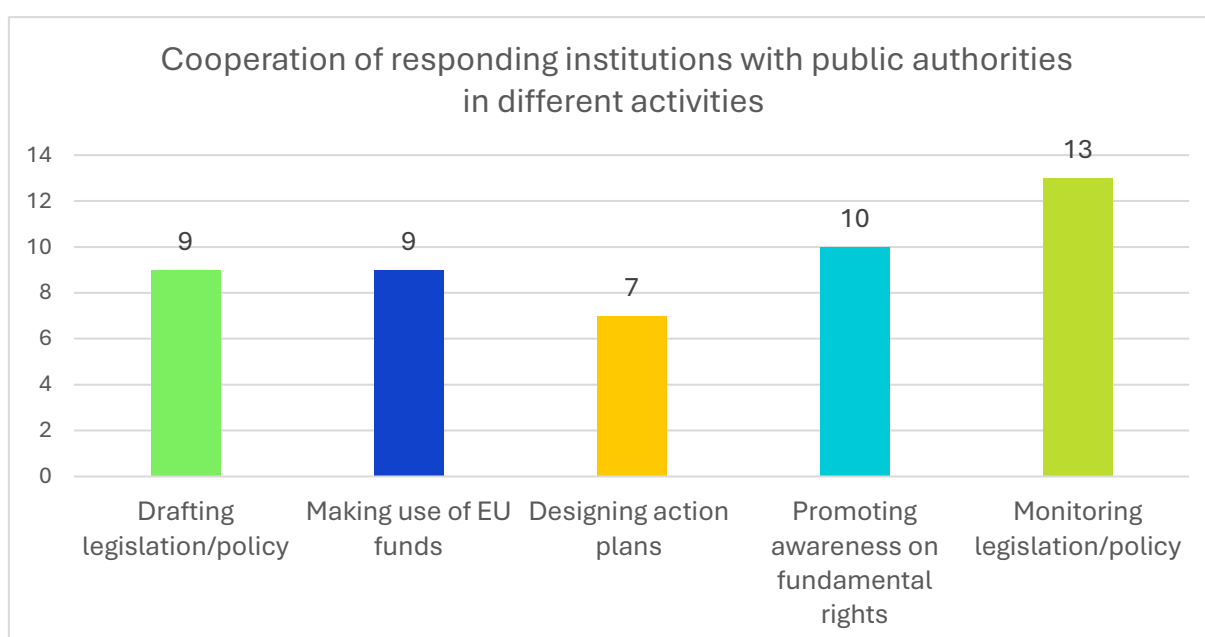
The two main actions taken to improve the awareness of the Charter is to generally mainstream the Charter in the respective body's activities and emphasise the role of the Charter when cooperating with stakeholders. Other actions that are common are producing/distributing communication material on the Charter (both general and specific for particular audiences, or on remedies and support services available), engaging in media with arguments relating to the Charter, and organising information sessions for the public on the Charter.

Among the four responding institutions that have responded 'other', two of them have specified that it is not in their mandate to raise awareness on the Charter, one produced material on the Charter targeting primarily NHRIs and one does

not see a need to specifically promote the Charter but rather their national legislation.

However, certain responding institutions do not undertake any of these activities to improve people’s awareness of their Charter rights and of where to turn if those rights are violated. For instance, an Ombuds institution in Denmark has mentioned that “it is not within [its] mandate to raise citizens’ awareness of their rights under the Charter”. An equality body in Sweden does not see the need to specifically promote the Charter, as it already provides information about national legislation (which implements the relevant rights in the Charter).

Cooperation with public authorities



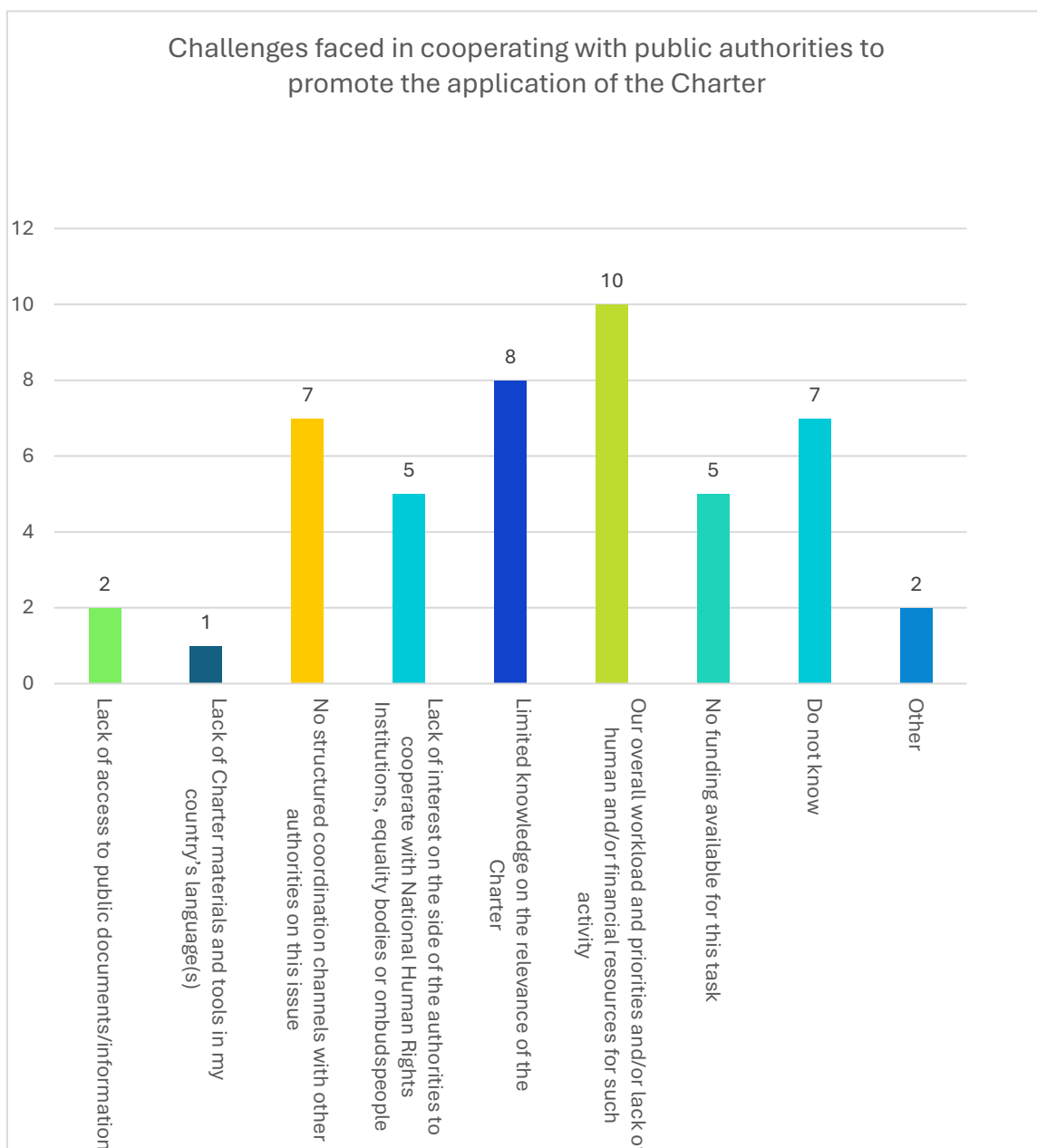
39% of the responding institutions cooperate with public authorities at the national and local levels to promote the application of the Charter when drafting legislation or policy initiatives, 39% when using EU funds under the Common Provisions Regulation, 30% when designing action plans in an area that impacts fundamental rights, 44% when developing measures to promote the awareness of fundamental rights and 57% when monitoring legislation and policies.

Respondents cooperating with national and local authorities do so through trainings and advisory roles or when participating in national committees and groups, such as Monitoring Committees for EU Funds and a Focal Group on the Charter (PT) or the National Committee for the Charter of Fundamental Rights (RO). Some fundamental rights bodies provide training and advice related to the Charter, often as part of their broader cooperation with national authorities, law enforcement officials, or the judiciary. This includes providing guidance on draft legislation to ensure alignment with fundamental rights standards (CY, SK, EE).

61% of the respondents do not cooperate with national and local authorities in relation to the Charter.

Some countries have engaged advisory bodies aimed at enhancing cooperation on human rights issues in the application of the Charter. In some cases, there are structured dialogues or other joint initiatives to improve cooperation (CY, DE). Equality bodies, NHRIs and Ombudspersons also participate in workshops and other collaborative activities (BE, SI, CY). Several fundamental rights bodies reported no specific measures taken to enhance cooperation regarding the Charter’s application between the public authorities, NHRIs, equality bodies and ombudspersons since 2020 (CZ, DK, IT, SK, AT, FR, SE, BE).

Challenges



Responding institutions had generally encountered three types of challenges with regards to their activities: resources and capacity constraints, government and legislative challenges and challenges in the civic space. Many institutions face limitations due to insufficient resources and staffing, which affect their ability to fulfil their mandates and respond effectively to increased workloads (PT, RO, FR). There are reports of limited follow-up on recommendations and inadequate time for legislative input due to external factors like the pandemic. Constraints from austerity measures and political challenges are also noted (CZ, SI, RO, DE). Some institutions reported issues related to government interference or insufficient cooperation, impacting the independence and effectiveness of their operations (CY, SI, EE). The shrinking civic space and challenges in engaging with civil society, such as limited access to decision-making processes, are highlighted as significant concerns. This can include abusive legal actions against human rights defenders (SI, ES).

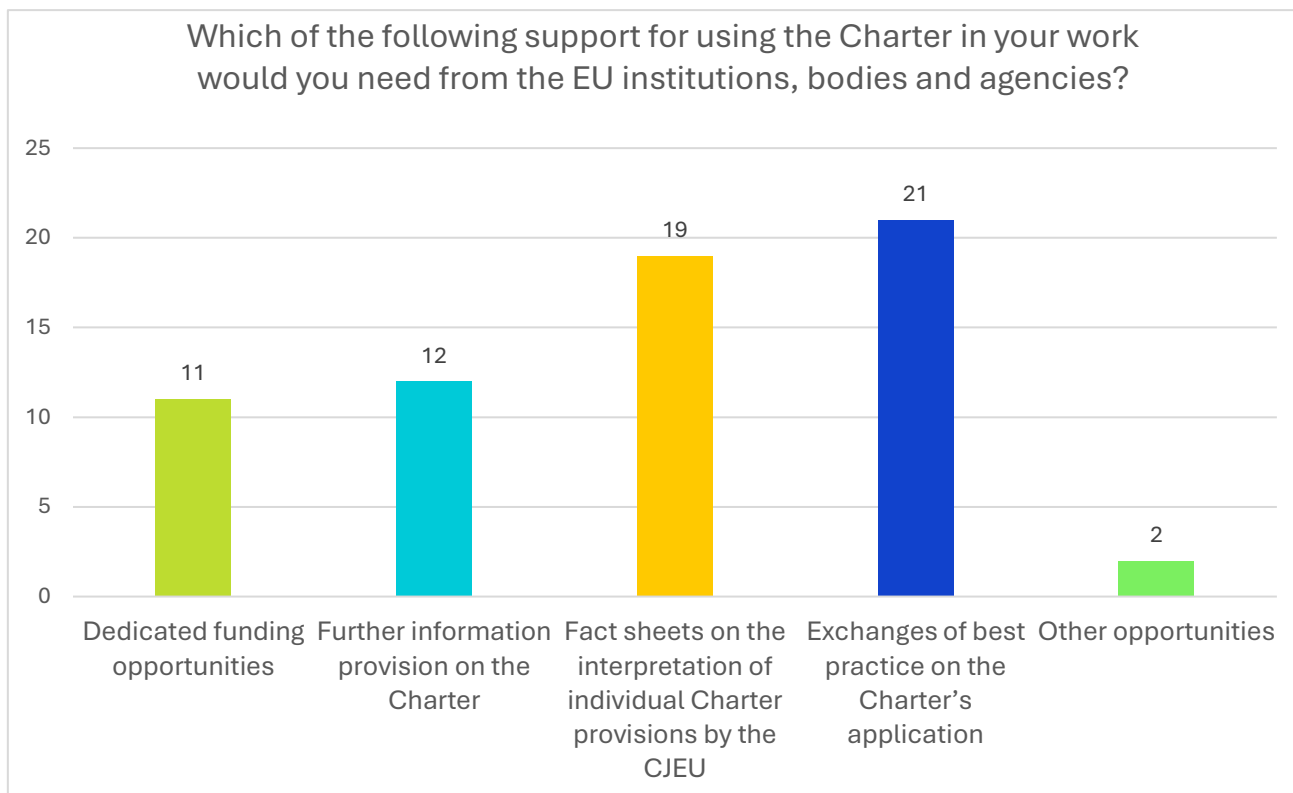
Since 2020, some countries have implemented or supported specific initiatives to foster a supportive and safe environment for CSOs and HRDs (HR, BE, MT, IT, CY, PT, DE, EE). Despite these measures, respondents also report of persisting challenges, with some countries facing a restricted civic space. Respondents highlighted issues such as administrative burden and insufficient legislative frameworks to support CSOs effectively (RO, SK). Several responses indicate a lack of specific measures or the unavailability of data regarding such efforts, as respondents are unaware of efforts taken by other actors (CZ, DK, AU, FR, ES, LU, SE, DE, BE).

Some fundamental rights bodies mention challenges in establishing or strengthening their NHRIs, with limited progress noted in specific cases where recommendations from the NHRIs have not led to substantial changes (CZ, IT, SK, RO, BE). There are also instances where governments have provided additional resources and support to empower NHRIs, ensuring they have the necessary budget and personnel to carry out their mandates effectively (AT, CY, PT, EE). Several respondents report efforts to achieve or maintain "A" status accreditation for their NHRIs, including legislative changes, structural reforms, or procedural updates (HR, SI, CY, PT, ES, EE). In some cases, where the Member State did not at the time of consultation have an accredited NHRI, some respondents took note of positive developments (CZ) and others noted little progress (MT, RO and IT).

Cooperation between European institutions and fundamental rights bodies

83% of the responding fundamental rights bodies reported that no exchanges had been organised to follow up on the Commission's Annual report on the application of the Charter in their Member State. The overwhelming majority of responding institutions (91%) considered that the exchange of best practice on

the Charter’s application would support them in effectively applying the Charter and as well as fact sheets on the interpretation of individual Charter provisions (83%).



Respondents also indicated that their Member States could take further action to assist fundamental rights bodies in effectively applying the Charter, for example through facilitating exchanges of best practices on the Charter’s application, ensuring adequate resources, providing systemic training on the Charter for public officials and legal professionals and capacity building around the Charter, and, where relevant, finalising the establishment of independent NHRIs. Many institutions emphasise the need for additional and adequate resources, dedicated state funding, and enhanced financial support to empower these bodies to effectively apply the Charter and carry out their roles (HR, CZ, SK, BE, RO). Systematic training for public officials, legal professionals, and other stakeholders is widely recommended to improve understanding and application of the Charter. This includes capacity-building initiatives and promoting public awareness of the Charter (MT, CY, BE, EE). Ensuring the effective implementation of Directives related to equality bodies and establishing NHRIs that comply with the Paris Principles are noted as key measures to strengthen human rights protection (BE, IT, DE).

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