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Member States' best practices on the Charter

This section describes initiatives taken by Member States to promote in their country the use and awareness of the Charter of Fundamental Rights of the EU.

The aim of this section is to provide the following information:

examples of government initiatives for each Member State actively promoting the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

examples how Member States inform citizens about their Charter rights and how they cooperate with different actors such as civil society organisations, National Human Rights Institutions, Equality Bodies or academia to make sure that the Charter is applied proficiently.

examples of non-governmental initiatives that promote the use and awareness of the Charter.

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Member States' best practices on the Charter - Germany

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

At national level:

The **Manual for Drafting Legislation** (Handbuch der Rechtsförmlichkeit) published by the Federal Ministry of Justice and Consumer Protection (Bundesministerium der Justiz und für Verbraucherschutz), which contains recommendations on the form and drafting of laws and statutory instruments proposed by the federal ministries, states that bills intended to bring federal law into line with European Union law must be compatible with the Charter. This must be explained in the explanatory memorandum where such links exist.

http://www.bmjv.de/DE/Themen/Rechtssetzung/Buerokratieabbau/HDR/HDR_node.html

The '**National Action Plan Against Racism – Positions and Measures to Address Ideologies of Inequality and Related Discrimination**' (2017) explicitly mentions the EU Charter of Fundamental Rights within the context of the legal basis and framework (p. 12 of the English translation). The National Action Plan should continue to be regarded as a framework established by the Federal Government that will remain the subject of exchanges with civil society in the future.

<http://www.bundesregierung.de/breg-de/suche/nationaler-aktionsplan-gegen-rassismus-1145356>

The [German Judicial Academy](#) (Deutsche Richterakademie) offers seminars and conferences on the application of the Charter.

For example, the German Judicial Academy's event 'Introduction to European Law', which is intended for judges and public prosecutors, deals with the basic principles of EU law, including the Charter, and the influences of EU law on the national legal systems.

The conference 'Administrative jurisdiction – effective judicial protection in daily practice' offered by the German Judicial Academy is intended for administrative judges and deals with topics including human rights in everyday judicial practice.

At the [Federal University of Applied Administrative Sciences](#) (Hochschule des Bundes für öffentliche Verwaltung) the Charter is taken into account in various study programmes.

The Departmental Branch of General Internal Administration incorporates the Charter into the 'administrative management' diploma course. Generally speaking, fundamental and/or human rights are no longer dealt with on a national basis only, but rather in a holistic way, taking into account all codifications of fundamental and/or human rights applicable to the Federal Republic of Germany, i.e. the Basic Law (Grundgesetz), the Charter and the European Convention on Human Rights.

The Departmental Branch of the Federal Police deals with the Charter during its main study programme as part of the 'Human Rights and Democracy in the EU' module, under the heading 'European protection of fundamental rights'.

At the Departmental Branch of the Federal Criminal Police the Charter is covered during the bachelor's programme, where it is discussed both in relation to the police's obligation to respect fundamental and human rights in their actions and in relation to the implementation of Directive (EU) 2016/680.

At the Departmental Branch of the Intelligence Services the Charter is covered as part of the subjects 'European and international law', 'intelligence service law' and 'constitutional law'.

The [Federal Academy of Public Administration](#) (Bundesakademie für die öffentliche Verwaltung – BAKöV) deals with the Charter during its basic seminars on the EU. In the past the BAKöV has also offered seminars on the 'EU Charter of Fundamental Rights' as part of the 'EU Special' series.

At federal state level (selection):

Knowledge and an understanding of the Charter are promoted at federal state level, in particular within the context of legal training.

Under Section 5a(2), third sentence, of the German Law on Judges (Deutsches Richtergesetz – DRiG), compulsory subjects to be covered during legal studies are the core areas of civil law, criminal law, public law and procedural law, including links to European law. The Charter, to which reference is made in Article 6(1) TEU, therefore also forms part of the education and examination syllabus.

Example of Lower Saxony:

Through the broad range of topics it selects for proctored written examinations, in particular for compulsory subjects, the Lower Saxony State Judicial Examination Office (Landesjustizprüfungsamt) ensures that students deal with European law and, consequently, the Charter of Fundamental Rights during their training. The same applies to oral examinations for compulsory subjects, which cover topics such as the protection of personal data under Article 8 of the Charter and environmental protection under Article 37 of the Charter.

In **Baden-Württemberg** the rights relating to solidarity guaranteed by Article 27 et seq. of the Charter (including health care, family and professional life, and fair and just working conditions) are the subject of various events in the fields of management training, staff council training and health management.

Specialist conferences dealing with substantive law also touch upon areas covered by the Charter. Examples include conferences on care rights (Articles 25 and 26), family rights (Articles 9 and 24) and the right to asylum (Article 18).

The rights of equality guaranteed by the Charter (non-discrimination, cultural diversity, rights of the child, rights of the elderly and integration of persons with disabilities) are addressed during a number of training events. At federal state level, for example, information is provided on the rights of severely disabled people as part of the supra-regional management training course. A training event for the representatives of severely disabled members of the judiciary will also be organised in 2021.

On 25 May 2016 the **Bremen Parliament** passed a resolution entitled 'Protecting fundamental rights across Europe' (Parliamentary paper 19/370). In this it stresses the importance of the Charter and calls on the Senate to address the importance of protecting fundamental rights at national and European level, as well as vis-à-vis European partners (particularly within the context of town twinning), and to take steps to ensure the protection of such rights is respected and implemented.

<http://www.bremische-buergerschaft.de/dokumente/wp19/land/protokoll/b19I0021.pdf>

<http://www.bremische-buergerschaft.de/dokumente/wp19/land/drucksache/D19L0370.pdf>

The **Free and Hanseatic City of Hamburg** has long been committed to creating a society free from discrimination and to ensuring equal participation for all, regardless of gender, sexual orientation, origin, age, disability, religion or belief. It undertakes a wide range of tasks within this context, as reflected in particular in the following Senate framework programmes and plans:

Hamburg federal state programme – City with Courage: 'Preventing and Combating Right-wing Extremism'

Continuation of the gender equality framework programme

Hamburg federal state action plan implementing the UN Convention on the Rights of Persons with Disabilities

Action plan to promote acceptance of gender and sexual diversity

Hamburg integration plan

Demographic plan – Hamburg 2030: Bigger. Older. More diverse

Detecting and combating anti-Semitism. Development of a federal state strategy to combat and prevent anti-Semitism

Continuation of effective action against violent Salafism and religious extremism in the future

Continuation of the Senate's anti-discrimination strategy

The **Free State of Bavaria** is implementing the right to non-discrimination set out in Article 21 of the Charter in the field of criminal prosecution by consistently prosecuting racist, xenophobic and otherwise degrading offences. On 1 January 2017 the Bavarian judiciary established the Central Unit for Combating Extremism and Terrorism (Zentralstelle zur Bekämpfung von Extremismus und Terrorismus) at the Munich General Prosecutor's Office. This is an investigative authority that acts both as a coordinating body and as an internal and external contact point. To step up the fight against online hate crimes, on 1 January 2020 special departments for hate speech were set up at all public prosecutors' offices and a hate-speech commissioner was appointed for the Bavarian judiciary. The Bavarian judiciary has also developed, in particular, action plans to address specific issues, such as the fight against crimes with anti-Semitic and right-wing-extremist motivations.

Furthermore, the Bavarian judiciary is actively involved in the project 'Working with the European Public Prosecutor's Office at decentralised level – training materials and legal seminars for prosecutors, investigating judges and defence lawyers'. This **Academy of European Law** project aims to develop, together with national and European experts, a set of training materials on cooperation with the EPPO and to organise national training events.

With a view to training teachers in state schools in **Rhineland-Palatinate**, student teachers following, in particular, the human rights training certification programme at the University of Koblenz-Landau also deal with issues of European law and, consequently, the Charter of Fundamental Rights.

<https://www.uni-koblenz-landau.de/de/landau/fb6/mrb/zertifikat/Moduluebersicht>

Tools that help better understand the Charter and when it applies

for practitioners (legislator, administration, law enforcement, judiciary, legal practitioners)

for citizens

In 2019 the **Federal Anti-Discrimination Agency** (Antidiskriminierungsstelle des Bundes) published a legal report to clarify and broaden the characteristics referred to in the General Equal Treatment Act (Gleichbehandlungsgesetz), taking into account the rights conferred by the Charter of Fundamental Rights of the European Union:

http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Expertisen/rechtsexpertise_merkmalserweiterung_im_agg.html

At federal state level (selection):

Baden-Württemberg

In July 2020 an event on 'the rule of law in the European Union' was organised in Karlsruhe by the federal state's Ministry of Justice and Europe (Ministerium der Justiz und für Europa) to mark the start of the German Presidency of the Council of the EU. The event was intended not only for the fifty or so invited guests from the fields of justice, politics and law, but was also open to a wider audience by means of a live stream.

In the summer of 2017 the Ministry of Justice and Europe developed a programme that provides refugees with information on the rule of law. It aims to equip them, in an accessible way, with basic knowledge of the liberal-democratic constitutional structure of the Federal Republic of Germany. Fundamental values communicated during the lessons, such as democracy, the rule of law, freedom of religion and gender equality, are also guaranteed by the Charter.

With its 'Rule of law in the classroom' project the federal state's Ministry of Justice, in cooperation with its Ministry of the Interior (Innenministerium), is offering a simulation game to all secondary schools in the federal state. The aim is to familiarise pupils with the roles and functions of the judiciary and the fundamental principles of the rule of law, including the guarantee of fundamental rights.

http://www.justiz-bw.de/Lde/Startseite/Service/Projekt_+Rechtsstaat+macht+Schule

Free State of Bavaria

At the beginning of 2016 the Bavarian judiciary launched 'legal tuition for refugees and asylum seekers', which is provided by judges and public prosecutors, as well as judicial officers and probation officers. The aim is to communicate the fundamental rules and common values of community life and the legal order in Germany and Europe to people with good prospects of remaining in Germany. These values include, in particular, those laid down in the Charter, as well as those enshrined in the Basic Law, the rule of law, etc. This legal tuition is also available to all vocational integration classes (classes offered to refugees and asylum seekers who do not speak German to a sufficient level) at Bavarian vocational schools. To complement the teaching sessions, the Bavarian State Ministry of Justice (Staatsministerium der Justiz) publishes educational materials that also convey the values set out in the Charter.

<http://www.km.bayern.de/ministerium/meldung/6078/rechtsbildungsunterricht-vermittelt-rechtsordnung-in-deutschland.html>

Free Hanseatic City of Bremen

In recent years [Europapunkt Bremen](#) (EPB), the city's EU information point, has organised several events relating to the EU Charter of Fundamental Rights. The Charter and the associated topics form an integral part of the EPB's group-based outreach work with various target groups (schoolchildren, students and adults).

In 2017 and 2019, two major youth events were organised by Bremen's Europe Department, in cooperation with the European Commission, in the form of 'BarCamps' entitled 'Your question to Europe'. EU fundamental rights were covered intensively during these full-day events.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

At European level the [Academy of European Law](#) offers training for judges and other members of the judiciary.

The Academy of European Law's regular event 'Applying the Charter of Fundamental Rights of the European Union' provides participants with knowledge of the scope and interpretation of the Charter of Fundamental Rights of the European Union and of its practical implementation in national legal orders, in particular with regard to the right to a fair trial.

Many members of the national and federal state judiciaries participate in the training and exchange programmes offered by the [European Judicial Training Network](#).

The [German NGO Network against Trafficking in Human Beings](#) (Bundesweite Koordinierungskreis gegen Menschenhandel e.V.– KOK) presents and analyses developments in national, European and international legislation and case-law on an ongoing basis on its website, in various newsletters and in a case-law database. In these analyses the Charter and the ECJ case-law relating to the Charter are regularly taken into account and applied. The information provided by the KOK is intended for lawyers and advisers who come into contact with victims of human trafficking and for interested members of the public.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

The [German Institute for Human Rights](#) (Deutsches Institut für Menschenrechte) advises political actors and institutions in the field of human rights education and is committed to further embedding human rights education into school legislation, curricula and education and training plans. This also includes the Charter.

The ['Fair Mobility' project](#) of the [German Trade Union Confederation](#) (Deutscher Gewerkschaftsbund), funded by the **Federal Ministry of Labour and Social Affairs** (Bundesministerium für Arbeit und Soziales), informs and advises seasonal workers and other mobile workers from other EU Member States on labour and social law issues. Advisers, who speak at least one Eastern European language alongside German, now work at eleven advisory centres. The continuation of this project was incorporated into the law implementing the Posting of Workers Directive, which entered into force on 30 July 2020. Since 1 January 2021 'Fair Mobility' has been carried out on the basis of a statutory entitlement and has been expanded significantly. This will also support the practical application of fundamental rights under Chapter IV 'Solidarity' of the Charter.

The [Baden-Württemberg Ministry of Justice and Europe](#) organises regular events with EU actors such as the [Europa Union](#), the [European Movement](#), [Europe Direct](#) and the [IB \(Internationaler Bund\)](#).

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

During its Presidency of the Council of the EU in the second half of 2020 Germany championed the protection of freedom of science and research in international cooperation. The ongoing commitment to the fundamental right of scientific freedom (Article 13 of the Charter) was enshrined in the Ministerial Communiqué adopted at the Conference of the European Higher Education Area on 19 November 2020 and in the Bonn Declaration on Freedom of Scientific Research of 20 October 2020. The [Bonn Declaration](#) has been signed by almost all EU Member States, the European Commission and other partner countries outside the Union.

The declaration reinforces the shared values of the European Research Area. The signatory governments welcome the establishment of continuous monitoring of the state of research freedom in their countries and 'strongly condemn all violations of the freedom of scientific research and will strenuously oppose them'.

The [Alliance for Scientific Freedom](#) (Allianz der Wissenschaftsfreiheit), which brings together the most important scientific and research organisations in Germany, is committed to the freedom of research worldwide and supports the Bonn Declaration.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

The [German Institute for Human Rights](#) (Deutsches Institut für Menschenrechte) has links to national and international associations and cooperation forums in the field of human rights education. These include the Human Rights Forum (Forum Menschenrechte), individual non-governmental organisations, universities and other national human rights institutions.

As part of the [art project 'Galley Proof'](#) ('Korrekturfahren'), two artists, Sylvia Winkler and Stephan Köperl, invited the population to discuss the different articles of the Charter and 'improve' them with their own wording. To this end, the Preamble and the 54 articles were printed onto a number of large banners and put on display in Stuttgart and Stendal over several days. The results of the art campaign were presented at a conference held in Brussels in November 2019 on the 10th anniversary of the Charter's entry into force.

In addition, a number of recognised educational institutions in the field of civic education are addressing the content of the Charter in their work, including the [Federal Agency for Civic Education](#) (Bundeszentrale für politische Bildung).

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Member States' best practices on the Charter - Greece

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

The Charter of Fundamental Rights forms an integral part of the Greek legal order, which Greek judges also consider of their own motion, and an issue of violation thereof may be raised before the Council of State (*Symvoulio tis Epikrateias*) and the Supreme Court of Greece (*Áρειος Πάγος*). All public officials, and in particular the representatives of the Police as the law enforcement agents, are also under the obligation to apply faithfully the constitutional, criminal and procedural provisions which safeguard human rights.

Greece cooperates closely with the control bodies of international organisations and does everything in its power to guarantee human rights. In this context, it undertakes on a regular basis institutional initiatives in order to make clear that the criteria and commitments arising from international conventions on the protection of these rights, such as the Charter of Fundamental Rights, are respected. A typical example is Law 4443/2016 on ensuring equal treatment of individuals irrespective of racial or ethnic origin, which refers directly to the requirements of the EU Charter of Fundamental Rights and in particular to Article 21 thereof.

Tools that help better understand the Charter and when it applies

The Office of the Public Prosecutor at the Supreme Court (*Eisangelia Areiou Páγou*) sends, in the context of its cooperation with the European Union Agency for Fundamental Rights (FRA), to all offices of the public prosecutor at a court of appeal (*Eisangelies Efetón*) and the offices of a public prosecutor at a court of first instance (*Eisangelies Protodikón*) in Greece written manuals, where available, of the Agency and provides by email, following relevant notification of the Agency by a Greek expert, the Agency's links which give access to its recently published manuals relating to penal confinement and

alternative measures, victims of violent crimes, minors, the protection of vulnerable groups and minorities, etc. Moreover, the annual report of the Agency is sent by email to all of Greece's offices of the public prosecutor at a court of appeal and offices of a public prosecutor at a court of first instance.

Furthermore, in continuation of the cooperation between the office of the public prosecutor at the Supreme Court (as a Partner) and the European Judicial Training Network (EJTN), Greece's public prosecutors may take part in study visits to EU institutions such as the Court of Justice of the European Union (CJEU), the European Court of Human Rights (ECtHR), the European Union Agency for Fundamental Rights (FRA), etc.

Finally, circular orders from the Office of the Public Prosecutor at the Supreme Court which are issued with regard to the decisions of the European Court of Human Rights (ECtHR) and addressed to Greece's offices of the public prosecutor at a court of appeal and the offices of a public prosecutor at a court of first instance, are posted on the website of the [Office of the Public Prosecutor at the Supreme Court](#) for the purpose of providing general guidelines to prevent related infringements of the articles of the European Convention on Human Rights (ECHR).

The Hellenic Police issues, from time to time, more specific orders, manuals and guidelines for its staff, concerning the protection of and respect for human rights.

In particular, under Circular order No 7100/25/14-δ of 8 November 2014 issued by the chief of the Hellenic Police, entitled 'Addressing racism, xenophobia and discrimination during police work', the State and specifically its various bodies are under the obligation not to offend, in the exercise of State authority, human dignity in general, irrespective of any distinguishing feature that a person may have, and to take active measures in order to prevent such offence.

At the same time, Presidential Decree 254/2004 on the code of conduct of law enforcement officers lays down not only the general obligation to respect human dignity and protect human rights but also more specific provisions on law enforcement officers' conduct during police work, always from a human rights perspective.

Hellenic Police staff have been provided, from time to time, with manuals such as: 'Guide of good conduct of the Hellenic Police towards religious and vulnerable social groups', 'Hate speech: routes of racism in public speech', sponsored by the Ministry of Justice (*Ypourgeo Dikaioσύnis*) with the support of the Council of Europe, 'Policing of Hate Crimes against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons' of the Council of Europe, 'Public Administration's approach in the face of racist crime' of the National Council against Racism and Intolerance, and the 'Handbook of Intercultural Training' of the Centre for Security Studies.

In this respect, please note that departments and offices are engaging in the fight against racist violence with the aim to effectively combat violence which seems to have a racist motivation or background and targets specific individuals or groups of individuals. Furthermore, services addressing domestic violence have been established throughout Greece with a view to responding effectively to incidents of domestic violence and to protecting victims.

As regards the training of police staff in matters relating to the protection of human rights, please note that the curriculum of the Schools for Officers and Policemen of the Hellenic Police includes, at the basic level, the module 'human rights' as an independent subject (indicatively, the curriculum includes the following: international protection of fundamental rights; protection of rights in the EU; fundamental rights bodies and recipients; racism – xenophobia; personal freedom and security; protection of children, of women and of employment relationships; prohibition of torture; minorities, etc.).

As regards vocational retraining, the Hellenic Police staff regularly participate, both in Greece and abroad, in special training and seminars on the legislative framework provided for the protection of human rights (e.g. identification of motives for racist violence; human rights and police ethics; fundamental rights and police ethos; approach and management of vulnerable social groups; addressing domestic violence and protecting victims, etc.).

In addition to the above, the Hellenic Police cooperates with other bodies and authorities which aim at ensuring respect for and protection of human rights during police work [such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe, the United Nations' Working Group on Arbitrary Detention, the Agency for Fundamental Rights (FRA), the National Mechanism for the Investigation of Arbitrary Incidents of the Greek Ombudsman (*Synigoros tou Politis*), the General Secretariat for Family Policy and Gender Equality, the Greek National Commission for Human Rights (*Ethnikí Epitropí gia ta Dikaiómata tou Anthrópou*), as well as NGOs – The Smile of the Child, the European Anti-Violence Network, all operating in the context of managing incidents of domestic violence, etc.].

As part of the new Charter strategy, the Commission has called on Member States, *inter alia*, to designate a focal point for the Charter in order to facilitate coordination and cooperation. Accepting the Commission's call, the Ministry of Justice designated, within the Ministry, a focal point for reinforcing the Ministry's involvement and contribution to the Charter's implementation by domestic bodies. The Directorate for Human Rights and Granting of Clemency of the Ministry of Justice is designated as the focal point. The initiative is based on cooperation between the Ministry of Justice and the Ministry of Foreign Affairs (European Union Law Section of the Ministry of Foreign Affairs), whereas the focal point aims, on the one hand, to facilitate the flow of information and best practices concerning the Charter and, on the other hand, to coordinate efforts at developing initiatives for the Charter's effective implementation in Greece. Greece received praise for this initiative during a video conference of the Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP) and the other Member States were also encouraged to adopt this practice.

Moreover, a letter was sent to the General Director of the National School of Judges, requesting that a course on the EU Charter of Fundamental Rights, as well as seminars on its practical implementation, be included in the curriculum of the academic year 2021/2022. The Director acknowledged in his reply that the effective implementation of the EU Charter of Fundamental Rights with a view to enhancing Greece's credibility and international role is an excellent initiative of the Ministry of Justice and emphasised the assistance of the National School of Judges in said initiative. According to information received, a course on the European Convention on Human Rights and on the Charter has already been included in the pre-entry curricula of all departments of the School. In addition, seminars on bolstering implementation of the EU Charter of Fundamental Rights which are addressed to judges and public prosecutors in office have been scheduled, in cooperation with the European Commission, for the year 2021/2022.

Finally, a working group on the EU Charter of Fundamental Rights was established with representatives of the Ministry of Justice, the Office of the Deputy Minister G. Kotsiras, the Office of the Secretary-General of the Ministry of Justice, the Secretariat-General for Legal and Parliamentary Affairs and the European Union Law Section of the Special Legal Department of the Ministry of Foreign Affairs.

Since the effective implementation of the EU Charter of fundamental rights on the basis of the Commission's recommendations as reflected in its new strategy is a top priority for Greece, further initiatives for meeting this objective are under consideration. For example: establishment of a mechanism supporting the focal point with the involvement of representatives from several ministries; raising awareness and knowledge among members of legal professions concerning issues of implementation of the Charter, by means of seminars and lectures given by specialised Greek and foreign legal practitioners as well as judges of the Court of Justice of the European Union (CJEU); constant monitoring of the case-law of the CJEU and of the European Court of Human Rights (ECtHR) with regard to developments in case-law the domestic reach thereof; continuous cooperation with other domestic human rights bodies; further emphasis on supplementing the Regulatory Impact Analysis when it comes to provisions relating to the Charter of fundamental rights, following consultation with the ministry seeking enforcement.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

[Ministry of Justice](#)

[Secretariat-General for Family Policy and Gender Equality](#) – [Counselling centres for women suffering from violence](#)

[The Greek Ombudsman](#)

[Research Centre for Gender Equality \(Kéntro Erewnón gia Thémata Isótitas – KETHI\)](#)

[National Centre for Social Solidarity \(Ethnikó Kéntro Koinonikís Allilengýis – EKKA\)](#)

[Greek Council for Refugees \(Ellinikó Symvoúlio gia tous Prósfyges\)](#)

[Greek Helsinki Monitor \(Ellinikó Paratitirío ton Symfonión tou Elsínki\)](#)

[Amnesty International – Greek Section \(Diethnis Amnistía – Ellinikó Tmíma\)](#)

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

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Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

The [Hellenic Data Protection Authority \(Archí Prostaías Dedoménon Prosopikoú Charaktíra\)](#) acts within the specific legislative data protection framework. In this context, and in particular when issuing opinions and examining cases, the Authority mainly invokes and makes reference to the right of Article 8 on the protection of personal data of the EU Charter of Fundamental Rights as well as the related right of Article 7 thereof on respect for private and family life.

Furthermore, the Authority maintains a longstanding cooperation with the EU Agency for Fundamental Rights, namely the EU body which is primarily responsible for protecting fundamental rights. This cooperation consists in assistance through the provision of comments on and translation of a relevant manual, issued by the Agency, on personal data protection and, also, in periodical contributions to the content of the quarterly/monthly reports drafted by the Agency through Greece's National Link (Directorate for Legislative Work, International Legal Relations and International Judicial Cooperation of the Ministry of Justice), as well as in the monitoring of these reports.

Finally, the Authority routinely exploits tools that have been developed by the above-mentioned Agency, such as an information factsheet (the product of cooperation between the Agency and the Eurodac Supervision Coordination Group – with the involvement of the Hellenic Data Protection Authority) for the national authorities responsible for matters related to asylum, which is currently being translated by the Greek authority in order to be posted on its website and sent to the above-mentioned authorities.

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Member States' best practices on the Charter - Spain

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

Within the executive and the administration, awareness and use of the Charter are very uneven.

Whenever the government affirms its commitment to human rights, it mentions the importance of the Charter. Such as on [Human Rights Day](#), 10 December.

The use of the Charter by the Ministry of Foreign Affairs, European Union and Cooperation stands out for obvious reasons.

The Ministry's [website](#) affirms Spain's commitment to the promotion and protection of human rights, pointing out that the Charter of Fundamental Rights forms part of the domestic legal system of Spain and complements 'the list of rights and freedoms of the Spanish Constitution'.

The Ministry of the Interior is very familiar with the Charter as regards hate crime (Action Plan to combat hate crime [*Plan de Acción para combatir los delitos motivados por el odio*] (2019)), asylum (Asylum and Refugee Office [*Oficina de Asilo y Refugio*] and the Subdirectorate-General for International Protection [*Subdirección General de Protección Internacional*]) and data protection (Intelligence Centre to combat Terrorism and Organised Crime [*Centro de Inteligencia contra el Terrorismo y la Delincuencia Organizada*]).

In 2014, Instruction No 16/2014 of the Secretariat for Security was adopted, approving the '[Action Protocol for the Security Forces on hate crimes and behaviours breaching legal regulations on discrimination](#)' ('*Protocolo de actuación de las fuerzas y cuerpos de seguridad en materia de "delitos motivados por el odio" y conductas que vulneren las normas jurídicas sobre discriminación*'). This Instruction was amended the following year by Instruction No 16/2015, as a result of various legislative reforms. The aforementioned protocol has been specifically cited in the compendium of best practices from across the European Union on how to combat hate crime. Compendium published by the European Union Agency for Fundamental Rights (FRA). It contains measures and actions developed by the EU Member States to combat 'hate crime' and the Charter of Fundamental Rights of the European Union was one of many regulations it applied, although it did not feature prominently.

The same State Secretariat for Security of the Ministry of the Interior approved an '[Action Plan to combat hate crime](#)' ('*Plan de Acción para combatir los delitos motivados por el odio*') whereby the National Police participates in training programmes and exchanges of best practices among the Member States of the European Union Agency for Fundamental Rights (FRA).

The Ministry of Justice has competence in the field of human rights and pays particular attention to the Charter when drawing up draft laws, both in the explanatory memorandum and in the preparation of Regulatory Impact Assessment Reports, especially when it comes to the transposition of European directives, the adaptation of the Spanish legal system to European law or compliance with international treaties or conventions signed by Spain in these areas.

Special attention should be paid to the [Office for Regulatory Coordination and Quality \(Oficina de Coordinación y Calidad Regulatoria\)](#) (within the Ministry of the Presidency, Relations with the Spanish General Courts and Democratic Memory [*Ministerio de la Presidencia, Relaciones con las Cortes y Memoria Democrática*]), created in 2017 with the objective of ensuring the coordination and quality of the regulatory activity carried out by the government. As part of this general task, it must examine 'the consistency of the regulatory initiative with the rest of the legal system, both national and European Union', in accordance with Article 26(9) of Law 50/1997, of 27 November 1997. The Office has recently begun to require in its reports that the Regulatory Impact Assessment Reports analyse whether the draft legislation conforms with the Charter. This is the reason why it is thought that this Office could play a very important role in promoting the consideration of the Charter in the drafting of legislation, leading to increased awareness of the importance of the Charter in all ministries of the Executive.

The Charter is also an important factor taken into account when deciding whether the Spanish State should participate in preliminary rulings by the courts of the other Member States, having already done so in relation to the prohibition of torture and inhuman or degrading treatment or punishment (Article 4 of the Charter on conditions of detention in prison cases C-128/18 of 15 October 2019, C-220/18 PPU of 25 July 2018 and C-496/16 of 15 November 2017), respect for private and family life and the protection of personal data (Articles 7 and 8 of the Charter, case C-73/16 of 27 September 2017), equality before the law and non-discrimination (Articles 20 and 21 of the Charter, Case C-205/15 of 30 June 2016) and the right to an effective remedy and to a fair trial (Article 47 of the Charter, case C-73/16 of 27 September 2017).

On 9 May, Europe Day, the Spanish Federation of Municipalities and Provinces (*Federación Española de Municipios y Provincias*) issued the [Manifesto for a local and regional Europe](#) (*Manifiesto por una Europa local y regional*), which proposed: 'Promoting the Charter of Fundamental Rights of the European Union as well as the history of the EU in schools in all Member States and advancing knowledge of the functioning of the institutions. It is important to introduce appropriate financial and legal conditions to ensure that all pupils have the opportunity to visit the European institutions throughout their school life.' In the Legislative Assembly, the explanatory statements of laws sometimes refer to the Charter; in parliamentary debates, the ECHR and ECtHR rulings are often used as an authority or criterion, unlike the Charter or the CJEU which are not generally used so often; however, the Charter is starting to be used more and more, although certainly not in a wide sense. The Europeanism of Spanish parliamentarians is beyond any doubt, but it would be beneficial if they had better training or knowledge that is more easily available and accessible, an area in which there is always room for improvement, as indicated below.

Monitoring of the work of the Joint Committee on the European Union (*Comité Mixto para la Unión Europea*) reveals (Joint Commission on the European Union [*Comisión Mixta para la Unión Europea*]) that the Charter is not one of the most time-consuming issues in its work.

The Joint Commission on the European Union of the Spanish Congress of Deputies (Joint Commission on the European Union) could routinely monitor matters relating to the Charter, such as the adoption of European legislation, relevant case-law, etc.

Within the judiciary, the Fundamental Rights Agency has 'recognised the increasingly important role of national courts in ensuring the effectiveness of the Charter'. Awareness of the Charter is increasing among judges, despite the fact that the Charter does not feature significantly in the syllabus of state examinations to become a judge. The study of the Charter was introduced into the syllabus in the 2016 session, within the subject corresponding to Human Rights Treaties, together with the Universal Declaration of Human Rights, other UN treaties and the European Convention for the Protection of Human Rights and Fundamental Freedoms. It was only in 2020 that the Charter became part of the subject matter for European Union law.

Once candidates have passed the entrance exam for a career in the judiciary, workshops ([the teaching plan](#) [*el plan de enseñanza*]) are held at the Judicial College (attached to the General Council of the Judiciary) to deepen knowledge of key cases such as the Familiapress case (Case C-368/95 of 26 June 1997), the Grogan case (C-159/90 of 4 October 1991), the García Avello case (C-148/02 of 2 October 2003) and the Küçükdeveci case (C-555/07, of 19 January 2010). Other key cases relating to the Charter are examined in depth, such as the Fransson case (C-617/10 of 26 February 2013), the Melloni case (C-399/11 of 26 February 2013), the Aranyosi and Căldăraru joined cases (C-404/15 of 5 April 2016 and C-659/15 PPU of 3 March 2016) and the N.S. and M.E. joined cases (C-411/10 of 21 December 2011 and C-493/10 of 22 September 2011).

The number of different continuous training courses on European Union law offered to judges by the General Council of the Judiciary has increased since 2010, but there are no courses exclusively dedicated to the Charter; since 2018, however, the Charter has started to play a leading role in European law courses. In addition, courses on fundamental rights or the impact of European law on certain jurisdictions, mainly administrative law, social law and also criminal law, are studied.

Tools that help clarify the Charter and when it applies

There is an increasing number of publications and tools that explain what the Charter consists of and how it should be implemented. Some examples are provided below, reflecting the various powers, levels of administration and civil society.

The Constitutional Court has drawn up a [Compendium of case-law of the Constitutional Court on European Union Law](#) [*Prontuario de jurisprudencia del Tribunal Constitucional sobre el Derecho de la Unión Europea*], a section of which is dedicated to 'D) The relationship between the Constitution and the Charter of Fundamental Rights of the European Union', which addresses issues such as 'elements of shared interpretation' and 'clashes'.

The Human Rights Institute of Catalonia (*Institut de Drets Humans de Catalunya*), together with the General Council of the Judiciary, organised a course on [The Charter of Fundamental Rights of the EU for public prosecutors and members of the judiciary](#) [*La Carta de los Derechos Fundamentales de la UE para fiscales y miembros de la judicatura*], which focused on legal practice with the aim of providing public prosecutors and members of the judiciary with tools to facilitate the use of the legal framework of fundamental rights and thus disseminate the scope of the Charter.

The Madrid local authority has released a digital publication entitled [The Europe that we want. 20 Charters for Europe](#) (*La Europa que queremos. 20 Cartas para Europa*), which includes the main European texts on services and rights, including, of course, the Charter of Fundamental Rights of the European Union (pages 20 to 31).

[The Spanish Bar Council \(Consejo General de la Abogacía\)](#), a professional public-law body bringing together professional lawyer associations, includes an entry on its website that explains the [application of the EU Charter of Fundamental Rights](#).

On its website, the Federation of Associations for the Prevention of Child Abuse (*Federación de Asociaciones para la Prevención del Abuso Infantil – FAPMI*) provides a detailed explanation of the information needed to understand the [Charter](#), based on basic data, a detailed description and its subject areas.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

[The Madrid local authority has approved the inclusion of a subject on the European Union in the syllabus](#) used by secondary schools, which also includes the Charter of Fundamental Rights.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

The Spanish Committee of Representatives of Persons with Disabilities (*Comité Español de Representantes de Personas con Discapacidad – CERMI*), a platform founded in 1997 for the representation, defence and action of Spanish citizens with disabilities, has repeatedly called on the authorities to improve their rights and has [invoked the Charter](#) to that end in dealings with the national authorities.

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Member States' best practices on the Charter - France

[Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.](#)

1. Ecole nationale de la magistrature (French National School for the Judiciary)

The Charter of Fundamental Rights is very widely dealt with by the National School for the Judiciary in initial and continuous training for French magistrates.

1.1.1. Initial training

In the initial training of magistrates, the Charter of Fundamental Rights is taken into account in thematic sessions (**right to a fair trial, impartial tribunal, reasonable time for trial, guiding principles of the trial**).

Since 2019, the Charter has been addressed in a sequence specifically dedicated to the Court of Justice of the European Union (sources of EU law, organisation, operation, tasks and control exercised by the Court of Justice of the European Union, the system of references for preliminary rulings and method of drafting such a question, mastering the e-Curia website and tools such as the European Judicial Network).

1.1.2. In-service training

Specific training courses dedicated to the Charter

Since 2019, special attention has been devoted to the Charter of Fundamental Rights to raise awareness among magistrates about the use of this tool. In 2019, in addition to a training course dedicated to the 10th anniversary of the entry into force of the Charter, **specific *ad hoc* training on the Charter and its handling of disputes** was developed in partnership with the Faculty of Law of the Grenoble-Alpes University (Jean Monnet Chair). This one-day training course fulfilled several educational objectives: The presentation of the Charter and its contributions to the protection of fundamental rights and its practical application within the French legal order. In addition to a theoretical approach (morning), practical case workshops are planned, specifically in social matters and on European arrest warrants (afternoon). This session was also open to lawyers with a view to interprofessional training.

In 2020, distance training was introduced due to the pandemic. The training is divided into two stages: Participants had to learn about content (thematic course videos and documentation) on the ENM pedagogical platform, followed by a virtual classroom with practical cases, answers to sample questions and tests, as well as a debate among participants. This training has brought together both magistrates and lawyers, with a view to achieving inter-professional cooperation, and has trained around thirty people. **The training course is intended to be adapted into face-to-face format as from 2021.**

Charter-related training in European law

The Charter of Fundamental Rights is also being studied as part of four courses in European law offered to magistrates in continuous training:

The judiciary and European integration: This three-day training course is specifically devoted to the functioning of the European institutions and the current case law of the CJEU. Three lectures are devoted to the Charter (“The use of EU law in criminal proceedings”, “The Charter of Fundamental Rights of the European Union” and “The reference for a preliminary ruling”).

The Court and the European Convention on Human Rights: This training course specifically focuses on the relationship between the Charter of Fundamental Rights and the European Convention for the Protection of Human Rights. It covers the respective case-law of the two courts, as well as those of the national supreme courts on the consistency of European case-law.

The magistrate and the international environment: This session asks about the role of magistrates in the light of current developments in European and international law. The Charter of Fundamental Rights is discussed on this occasion as a European instrument that contributes to the prevalence of fundamental rights in the construction of the law.

Cycle of ‘Justice and Freedom of Expression’ Conferences: Set up under the ‘JUST FREE — 2020-2022’ project funded by DG JUSTICE, this series of conferences, implemented since September 2020, takes the form of three seminars which address the limits of freedom of expression, the right of the public to be informed and the ethics of legal professionals, in relation to the Charter of Fundamental Rights and the European Convention on Human Rights. An application will support all the conferences in this project.

2. National School of Prison Administration

The Charter of Fundamental Rights of the European Union is cited as a reference to and support for the teaching of prison staff in training, including in the fields of European protection of human rights and, more specifically, the rights of detainees.

Tools that help better understand the Charter and when it applies

For practitioners (legislator, administration, law enforcement authorities, judiciary, legal practitioners)

Tools developed by the National School for the Judiciary

On its educational platform, the National School for the Judiciary provides judges in initial and continuous training with a thematic area and a teaching kit dedicated to the Charter of Fundamental Rights of the European Union (history, case-law research, etc.), referring in particular to the Charter tools developed by the European Union Agency for Fundamental Rights ([📄 2018 Handbook of the Agency on the application of the Charter](#)).

For citizens

The network of Community Justice Centres (*des maisons de la justice et du droit*)

With 141 establishments throughout the country, the community justice centres are places where people are welcomed, listened to, guided and provided with free and confidential information on the rights and obligations of citizens. They provide a local judicial presence and contribute to crime prevention, support for victims and access to the law. The community justice centres can make use of the Charter, in particular in promoting access to the law for young people in educational activities aimed at schools.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

I — The Human Rights Defender (*Le Défenseur des Droits*)

In France, the Human Rights Defender is an independent administrative authority set up by Organic Law No 2011-333 of 29 March 2011. It has been enshrined in the Constitution since its 2008 reform and its task is to deal with complaints falling within its five areas of competence: The defence of the rights and freedoms of users of public services, the defence and promotion of the best interests and the rights of the child, the fight against discrimination and the promotion of equality, respect for the ethics of persons performing security activities, and finally, guidance and protection of whistle-blowers.

Any natural or legal person who considers that his or her rights have been infringed may lodge a complaint directly through more than 500 delegates throughout the territory in more than 800 locations, or directly at headquarters by means of an internet form, or by a letter free of charge.

The Human Rights Defender has significant investigative powers. It may request explanations and the provision of any information relevant to the investigation and settlement of the dispute to any public or private organisation.

At the end of its investigation, the Human Rights Defender favours amicable settlement. Almost 80% of the settlements initiated by the institution are successful.

It may also adopt a decision by which it makes individual or general recommendations. When a case is brought before the courts, the Human Rights Defender may also make observations as *amicus curiae* in all courts. The Human Rights Defender, in parallel with its action to protect rights, develops a policy of promoting equality and access to rights.

The Human Rights Defender makes rather limited use of the Charter in so far as it is applicable only if the State implements EU law (Article 51 of the Charter). It must therefore be demonstrated at the outset, which is not always obvious. The Human Rights Defender can more easily invoke the European Convention on Human Rights and the case-law of the European Court of Human Rights, which is abundant, or the EU directives on discrimination.

However, it may be invoked by the Human Rights Defender, sometimes in addition to other treaty texts (such as the International Convention on the Rights of Persons with Disabilities or the European Convention on Human Rights). It sometimes uses the Charter in complaints concerning discriminatory situations, which is one of the specific areas of intervention of the Human Rights Defender.

Here are some examples of decisions in which the Charter has been a useful legal lever for the Human Rights Defender’s case.

Example 1: Refusal to allow an employee to terminate her parental leave early in favour of maternity leave

The Human Rights Defender received a complaint in which an employee was denied the possibility by her employer (a primary sickness insurance fund) of early termination of her parental leave in favour of maternity leave since she was pregnant after having had her first child [1].

When questioned by the Human Rights Defender, the employer acknowledged that the Court of Justice of the European Union had stated on three occasions that the refusal to allow an employee to terminate her parental leave in favour of maternity leave constitutes discrimination on grounds of sex [2]. However, it refused to follow that case-law on the ground that it had not been transposed into French law. Article L.1225-52 of the Labour Code provides for two situations in which an employer cannot refuse early termination of parental leave:

the death of the child;

or a significant decrease in household resources.

In so doing, the Labour Code does not exclude the possibility of early termination of parental leave for another reason, provided that the parties agree on that reason.

The Human Rights Defender therefore had to remind the primary sickness insurance fund that the prohibition of discrimination constitutes a public policy prohibition from which no employer may derogate. It therefore concluded that the refusal to terminate the complainant's parental leave prematurely in favour of maternity leave constituted discrimination on grounds of her sex. In that decision, the Human Rights Defender based its arguments in part on articles of the Charter of Fundamental Rights of the European Union:

Article 33 of the Charter, which guarantees 'the protection of the family and the reconciliation of family and professional life'. In this respect, the second paragraph of Article 33 provides that 'To reconcile family and professional life, everyone shall have the right to protection from dismissal for a reason connected with maternity and the right to paid maternity leave and to parental leave following the birth or adoption of a child'.

Article 21 of the Charter provides for the prohibition of discrimination based on, inter alia, sex and Article 23 ensures equality between men and women in all areas.

This example shows that as soon as we are within the scope of EU law — which is the case here since we are within the scope of non-discrimination on the criterion of sex in employment and, more specifically, Directive 2006/54 — the Human Rights Defender can use the Charter and it is directly applicable in national law.

Example 2 — Impossibility for persons with disabilities to access promotional offers, available exclusively on a dedicated website for the sale of train tickets.

The Human Rights Defender received a complaint concerning the impossibility for persons with disabilities to have access to promotional offers, available exclusively on a website dedicated to the sale of rail tickets. The Human Rights Defender therefore concluded that this situation was the result of a discriminatory practice in the sense of both:

The Regulation on rail passengers' rights and obligations, which states that 'a railway undertaking, ticket vendor or tour operator shall not refuse to accept a reservation or issue a ticket for a disabled person or a person with reduced mobility' [3];

But also Article 21 of the Charter of Fundamental Rights;

and finally French Law No 2008-496 of 27 May 2008.

The Human Rights Defender therefore recommended that the company managing the online ticket website should allow disabled persons to access all its promotional fares, including those for international travel. Here again, the Charter is used as a complementary and authoritative argument:

It is complementary because there is no horizontal directive in EU law prohibiting discrimination in access to goods and services for persons with disabilities, and the Regulation on passengers' rights and obligations is rather limited, so Article 21 of the Charter states the main principles of non-discrimination, including disability in access to goods;

and an authoritative argument to support recommendations and claims for compensation by stipulating direct applicability.

In addition, as part of its work to promote the rule of law and fundamental rights through its networks of counterparts (the European Network of Ombudsmen managed by the European Ombudsman; ENOC, which brings together the Children's Rights Defenders; Equinet, a network of anti-discrimination bodies in Europe; The informal IPCAN network of external and independent policing mechanisms; The informal NEIWA network to exchange views on the transposition of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting violations of Union law),

The Human Rights Defender uses not only the European Convention on Human Rights, the relevant directives, but also, in quite a systematic manner, the Charter of Fundamental Rights. In the framework of these networks, the Human Rights Defender works very much with the European Agency for Fundamental Rights (FRA), which is the real vehicle for promoting the Charter in these fora.

II — The National Advisory Commission on Human Rights (*Commission consultative nationale des droits de l'Homme*)

The National Advisory Commission on Human Rights (CNC DH) is the French national institution for the promotion and protection of human rights set up in 1947. It is an independent administrative authority (AAI), a State structure that provides the Government and Parliament with independent advice and proposals in the field of human rights, humanitarian law and action, and the observance of fundamental guarantees granted to citizens for the exercise of public freedoms. Composed of 64 personalities and representatives of civil society organisations, it reflects the diversity of opinions expressed in France on human rights issues and international humanitarian law. As part of its tasks, it warns the public and raises awareness among the general public. It also participates in education and training on the observance of human rights.

In 2018, the CNC DH, in partnership with the European Agency for Fundamental Rights, produced a two-minute video presenting the tool:

 [2 minutes to understand the Charter of Fundamental Rights YouTube](#)

 [2-minutes-pour-comprendre-la-charte-des-droits-fondamentaux-de-l-union-europeenne Site CNC DH](#)

It should be noted that the Charter will be included in the new CNC DH website under 'resources' with a descriptive window that could open and which it regularly refers to in its reports and opinions.

[1] Decision 2019-183 of 24 October 2019 concerning the refusal by her employer to allow an employee to terminate her parental leave prematurely in favour of maternity leave

[2] (CJEU, 20 September 2007, Case C-116/06 *Kiiski v Tampereen Kaupunki*; CJEU, 3rd ch., 13 February 2014, Case C-512/11, *YTN* and C-513/11, *DST*; CJEU, 1st Chamber, 8 May 2019 — No C-486/18).

[3] Article 19-2 of Regulation (EC) No 1971/2007 of 23 October 2007.

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Member States' best practices on the Charter - Croatia

Use and awareness of the Charter in your country

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary

The National Anti-Discrimination Plan for 2017–2022 (the National Plan) refers to the Charter of Fundamental Rights of the European Union in its introductory chapters, focusing especially on Article 21 of the Charter, which prohibits any discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. In its chapter on access to housing, the National Plan explicitly mentions Article 34(3) of the Charter, which emphasises that, in order to combat social exclusion and poverty, the European Union recognises and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources. The priority areas of the National Plan are focused, among other things, on the rights clearly outlined in the EU Charter of Fundamental Rights, such as access to housing, social care, health care, and services and goods.

Effective application of the EU Charter of Fundamental Rights is one of the horizontal conditions for the implementation of European structural funds. Therefore, the Action plan for monitoring the implementation of enabling conditions (*ex ante* conditionalities), developed by the Ministry of Regional Development and EU Funds (*Ministarstvo regionalnog razvoja i fondova Europske unije*), specifies how the implementation of this criterion will be ensured. The Ministry of Regional Development and EU Funds is to organise training for all employees involved in the management and control system for EU funds. Training courses entitled '*Anti-discrimination, gender equality and the application of the UN Convention on the Rights of Persons with Disabilities in ESI Funds*' have been conducted since 2015. To date, they have been delivered to 1 500 people working in the management and control of ESI Funds and continue to be delivered to all new recruits in the system. Training is provided to a total of 22 institutions, including line ministries and implementing agencies, and notably state administration bodies such as the Ministry of the Sea, Transport and Infrastructure (*Ministarstvo mora, prometa i infrastrukture*), the Ministry of Environmental Protection and Energy (*Ministarstvo zaštite okoliša i energetike*), the Ministry of Construction and Physical Planning (*Ministarstvo graditeljstva i prostornog uređenja*), the Ministry of Tourism (*Ministarstvo turizma*), the Ministry of Health (*Ministarstvo zdravstva*), the Ministry of the Economy, Entrepreneurship and Crafts (*Ministarstvo gospodarstva, poduzetništva i obrta*), the Ministry of Culture (*Ministarstvo kulture*), the Ministry of Agriculture (*Ministarstvo poljoprivrede*), the Ministry of Finance (*Ministarstvo financija*), the Ministry of Science and Education (*Ministarstvo znanosti i obrazovanja*), the Ministry of Regional Development and EU Funds, the Ministry of Labour and the Pension System (*Ministarstvo rada i mirovinskog sustava*), and the Ministry of Demographics, Family, Youth and Social Policy (*Ministarstvo za demografiju, obitelj, mlade i socijalnu politiku*). The training courses are carried out in cooperation with the Croatian Government Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), the Ministry of Demographics, Family, Youth and Social Policy, the Office of the Ombudswoman and the Office of the Ombudswoman for Persons with Disabilities (*Ured pravobraniteljice za osobe s invaliditetom*). The anti-discrimination legal framework in Croatia, including the EU Charter of Fundamental Rights, is explained as part of the training. Training courses with a special focus on the EU Charter of Fundamental Rights are planned to continue to be implemented by future managing authorities, as part of their management of ESI Funds in the next financing period.

Moreover, the Action plan for monitoring *ex ante* conditionalities, implemented by the Ministry of Regional Development and EU Funds, emphasises that the Guidelines for Beneficiaries of EU Funds (*Guidelines for Applicants*) also specify the strategic legal framework referring to the EU Charter of Fundamental Rights. In the coming period, in order to provide for a mechanism for verifying compliance of the operations financed from EU funds with the Charter, the obligation for operations to comply with the Charter will be included in the *Guidelines for Applicants*. Managing authorities are to develop checklists for all bodies publishing calls for applicants, which will have to clearly indicate in the list whether the calls issued are consistent with the Charter.

In addition, the EU Charter of Fundamental Rights is an integral part of the ESI Funds management system, especially for the *Operational Programme 'Competitiveness and Cohesion 2014–2020'* (OPCC). For that purpose, on 31 May 2016, the Ministry of Regional Development and EU Funds (the MRRFEU) issued a Decision on application of horizontal principles, which states that 'Interventions to be financed under the OPCC must not only comply with the principles of equality, but should promote the practical application of the policy of equal opportunities, non-discrimination and accessibility wherever possible.' This provision is fully in line with Title III of the Charter, headed 'Equality', Articles 21 to 26. Following this decision, on 31 June 2016 the MRRFEU issued a decision on the entry into force of the *Guidance for Applicants and Beneficiaries of the Operational Programme 'Competitiveness and Cohesion' on the Implementation of Horizontal Principles*. The drafting of this document involved, among others, the Croatian Government Office for Gender Equality (*Ured za ravnopravnost spolova*), the Office of the Ombudswoman for Persons with Disabilities, the Office of the Ombudswoman and the Office of the Ombudswoman for Gender Equality (*Ured pravobraniteljice za ravnopravnost spolova*). The Guidance, which provides a summary of the concepts and provisions of the Charter, is available at: https://strukturnifondovi.hr/dokumentil/?doc_id=578&fondovi=esi_fondovi. The provisions of the *Guidance for Applicants and Beneficiaries of the Operational Programme 'Competitiveness and Cohesion' on the Implementation of Horizontal Principles* are incorporated and given special emphasis in the entire OPCC tender documentation, as can be seen [here](#). Also, the OPCC promotes [the Charter] through direct infrastructure investment that contributes to achieving the Charter's objectives by investing in infrastructure for the most vulnerable groups in society in order to guarantee their human rights. In the current financing period, the OPCC is investing in accordance with the following articles of the Charter: Article 35 – Health care, Article 14 – Right to education, Article 24 – The rights of the child, Article 25 – The rights of the elderly, Article 26 – Integration of persons with disabilities, etc.

As an organisational unit of the MRRFEU, the Service for the Coordination of Project Preparation and Implementation coordinates the application of the horizontal principles of non-discrimination, gender equality, the rights of persons with disabilities and sustainable development.

The Croatian Government Office for Human Rights and Rights of National Minorities plans to include the need to implement measures aimed at raising awareness and visibility of the EU Charter of Fundamental Rights, as well as education on the Charter, in a planned strategic document in the field of human rights promotion and protection (National Programme for the Protection and Promotion of Human Rights for 2019–2024).

Tools that help better understand the Charter and when it applies

for practitioners (legislator, administration, law enforcement, judiciary, legal practitioners)
for citizens.

Each year, the Judicial Academy (*Pravosudna akademija*) strives to include training on the EU Charter of Fundamental Rights in its Programme of Lifelong Professional Development for Judicial Officers and Other Judiciary Staff. The Academy also takes part in EU projects financed by Union programmes which are dedicated to learning about the Charter.

An example of this is the 'Charter of Fundamental Rights of the European Union in Legal Practice' project (*Judging the Charter*), which is implemented in Croatia by the Office of the Ombudswoman, with the Judicial Academy as one of the associated partners. As part of this project, four judges participated in two international conferences in 2017, while six one-day workshops were organised in 2018: three general ones on the topic of the Charter (for a total of 41 judges from Zagreb, Split and Osijek) and three specialised ones on asylum and discrimination, held for a total of 46 judges in Zagreb.

It is also important to mention the Transition Facility project on 'Improving the Quality of Training in the Judiciary – EU Law and Online Learning', which was completed in March 2018. In addition to organising workshops and online courses, the project included developing a curriculum for the delivery of training in the field of European law, which the Judicial Academy can continue to apply in its programmes. One of the topics covered was 'EU Charter of Fundamental

Rights: Scope and Application at National Level', with the related material forming the basis of four workshops held for a total of 60 participants as part of the regular lifelong professional development programme in 2019.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

An EU Fundamental Rights Agency handbook entitled *Applying the Charter of Fundamental Rights of the European Union in law and policymaking at national level* was presented as part of a training course for civil servants involved in the legislative process. The training course was provided by the Office of the Ombudswoman in cooperation with the EU Fundamental Rights Agency on 30 January 2019.

In addition, following the publication of the Annual Fundamental Rights Report by the EU Fundamental Rights Agency, which contains a chapter on the use of the Charter of Fundamental Rights at national level, the civil society organisation Human Rights House Zagreb disseminates the Report by publishing it on its social media.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of Fundamental Rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

In cooperation with the EU Fundamental Rights Agency, the Office of the Ombudswoman has organised two workshops aimed at raising awareness of the Charter of Fundamental Rights:

On 30 January 2019, training for civil servants was organised on the premises of the National School of Public Administration (*Državna škola za javnu upravu*). The aim of the training was to raise awareness of the Charter of Fundamental Rights among civil servants involved in the legislative process, with a particular focus on Article 51 determining the field of application of the Charter. An Agency handbook entitled *Applying the Charter of Fundamental Rights of the European Union in law and policymaking at national level* was also presented as part of the training.

Training for representatives of civil society was organised on the premises of the Human Rights House on 31 January 2019. The training focused on the possibility of applying the Charter through campaigns and human rights advocacy, as well as to support persons whose rights have been violated, with a particular emphasis on strategic litigation.

Also, the Report of the Ombudswoman for 2018, delivered to the Croatian Parliament late in March 2019, cites the Charter of Fundamental Rights.

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

At the Faculty of Law of the University of Zagreb (*Pravni fakultet Sveučilišta u Zagrebu*), awareness of the Charter is raised through lectures delivered to students in the second and fifth years, as well as at postgraduate level.

In the second year, two lectures are dedicated to the protection of fundamental rights in the EU, including the Charter, as part of the core course in European Public Law. In the fifth year, law students are offered the choice of a course on *EU Fundamental Rights* taught in English. A university textbook on fundamental rights in the EU, focusing on the prohibition of discrimination, has also been written recently. Also, the protection of fundamental rights is taught in the Institutions and the EU Legal System course, as part of a specialist study programme in EU law.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

Each year, the Human Rights House Zagreb participates in a survey conducted by the European Union Agency for Fundamental Rights (FRA) for the purpose of preparing its Annual Fundamental Rights Report, which contains a chapter on the use of the Charter of Fundamental Rights at national level. The Report provides an overview of Member States' case law invoking or referring to the Charter, the use of the Charter in parliamentary debates and adoption of new legislation, as well as the representation of the Charter in academic articles. As already mentioned, following the publication of the Report by the EU Fundamental Rights Agency, the Human Rights House Zagreb disseminates the Report by publishing it on its social media.

Also, as mentioned above, a seminar on the Charter of Fundamental Rights of the EU, organised by the EU Fundamental Rights Agency and Croatia's Office of the Ombudswoman, was held on the premises of the Human Rights House Zagreb on 31 January 2019. The seminar, attended by representatives of civil society, independent human rights institutions and other interested legal practitioners, addressed topics such as the relevance and function of the Charter while also including exercises related to its practical application during a full-day training session.

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Member States' best practices on the Charter - Latvia

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

Latvian legislation and case-law incorporate articles of the Charter of Fundamental Rights of the European Union (the 'Charter') that relating to matters of personal data protection, equality between people and human rights in the areas of migration, science and access to information.

References in explanatory memorandums to draft legislation

[☞ Law on the processing of personal data in criminal proceedings and administrative infringement proceedings](#) - [☞ in the explanatory memorandum to the draft law](#) reference to Article 8 of the Charter on the protection and fair processing of personal data. The law has been drawn up to prevent, investigate and detect criminal and administrative offences with regard to the processing of personal data.

[☞ Law on private pension funds](#) - [☞ in the explanatory memorandum to the draft law](#) reference to Article 8 of the Charter on the protection and fair processing of personal data.

[☞ Law amending the Law on State social insurance](#) of 25 October 2018 - [☞ in the explanatory memorandum to the draft law](#) reference to Article 20 of the Charter on everyone being equal before the law.

[☞ In the explanatory memorandum to the draft law amending the Law on taxes and duties](#) reference to Article 42 of the Charter on the right of access to documents of EU institutions and bodies.

References in judgments of the Constitutional Court

[☞ Judgment in case No 2018-18-01](#) on the compliance of articles of the *Law on road traffic* with the Constitution. The articles were found to be unconstitutional with regard to personal data protection requirements. Reference was made to Article 8 of the Charter on the protection of personal data.

[☞ Judgment in case No 2018-15-01](#) on the compliance of articles of the Law on higher education institutions with the Constitution. Reference to Article 13 of the Charter on the academic freedom of arts and scientific research.

[☞ Judgement in case No 2018-11-01](#) on the compliance of articles of the Law on the remuneration of officials and employees of central and local government bodies with the Constitution. Reference to Article 8 of the Charter on the protection and fair processing of personal data.

Tools that help better understand the Charter and when it applies

For practitioners

In Latvia there is the Latvian Judicial Training Centre [Latvijas Tiesnešu mācību centrs] (LTMC), which organises and delivers further training and professional development courses for judges and court officials. General lectures on human rights are organised on a regular basis, during which it is also possible to discuss the Charter.

The LTMC works alongside with the Academy of European Law (ERA) and the European Judicial Training Network (EJNT) and also offers international training courses for judges.

In 2014, the LTMC organised six lectures on the Charter. In total, 141 lawyers attended the events in 2014.

From 2017 to 2019, 43 Latvian judges attended seminars relating to the Charter.

In 2018, a cooperation agreement was concluded with the Academy of European Law (ERA) on high-level training services for Latvian judicial and law enforcement staff to train judges, court officials, investigators, prosecutors and officials, including in matters of EU general law.

For citizens

[The Supreme Court](#) promotes transparent application of the Charter by including a separate section dedicated to it in the [legislation directory](#). Not all Senate rulings are included in this directory, only those that are relevant for the application of the legal provisions (see in the directory: European Union Law - > Treaties -> Charter of Fundamental Rights of the European Union).

In the [Manuals](#) section of the Supreme Court website, information has been included on the expenditure of the European Union Agency for Fundamental Rights (see Expenditure of European Union Agency for Fundamental Rights).

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Member States' best practices on the Charter - Lithuania

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

The basis for ensuring that the compatibility of draft legislation with the Charter is assessed as part of the legislative process is Article 9(4) of the Law on the principles of law-making (*Teisėkūros pagrindų įstatymas*), which provides for Government-authorised bodies to issue conclusions on the compatibility of draft legislation with EU law, judgments of the Court of Justice of the European Union, international treaties to which the Republic of Lithuania is a signatory, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and judgments of the European Court of Human Rights. Those conclusions are also provided to the entity adopting the legal act. Although that provision does not explicitly mention the requirement to comply with the Charter, the requirement to ensure compliance with EU law also includes ensuring compliance with the Charter. Practice shows that this is how the provision is understood. For example, in its conclusions on the draft law amending the Lithuanian Law on elections to the European Parliament (*Lietuvos Respublikos rinkimų į Europos Parlamentą įstatymo pakeitimo įstatymo projektas*), the European Law Department (*Europos teisės departamentas*) stated that the provisions which restricted the exercise of the right enshrined in Article 39(1) of the Charter to vote and stand as a candidate in elections to the European Parliament (namely the provision stating that the same person may not be elected to the European Parliament more than twice in succession), but which did not meet the conditions justifying such a restriction, as laid down in Article 52 of the Charter (restrictions must be provided for by law, respect the essence of the rights in question and be proportionate), should be considered to be contrary to EU law (<https://e-seimas.lrs.lt/portal/legalAct/lt/TAK/325a8fb0199811e9bd28d9a28a9e9ad9?positionInSearchResults=1&searchModelUID=2d93c2bd-31b3-4e97-b94e-d931ddae3ca2>).

Tools that help better understand the Charter and when it applies

A [guide to the case-law of the Court of Justice of the European Union](#) (*Europos Sąjungos Teisingumo Teismo praktikos vadovas*) has been published on the website of the Ministry of Justice (*Teisingumo ministerija*), which also provides information on matters relating to the application of the Charter. The website also provides a link to the information published on the European Commission's website about defending rights granted by EU law (<https://tm.lrv.lt/lt/veiklos-sritys-1/es-reikalu-koordinavimas/es-teises-perkelimas-ir-igyvendinimas> linking to https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/help-defending-your-rights/individuals_en). A link to the [handbook on applying the Charter at national level](#) published by the European Union Agency for Fundamental Rights will also be provided once it has been translated into Lithuanian.

As part of the project 'Strengthening the response to hate crime and hate speech in Lithuania', being implemented by the Ministry of the Interior (*Vidaus reikalų ministerija*), the Prosecutor-General's Office (*Generalinė prokuratūra*) and the Office of the Journalistic Ethics Inspector (*Žurnalistų etikos inspektoriatas tarnyba*), [joint training is being provided for police officers, prosecutors and judges](#), financed by the European Union's Rights, Equality and Citizenship Programme (2014–2020). When publishing legal information relevant to the fight against hate crime, intended for both officers and victims, the Ministry of the Interior provides a link to the dedicated section of the website of the European Union Agency for Fundamental Rights (<https://vrm.lrv.lt/lt/veiklos-sritys/viesasis-saugumas-1/atsakas-i-neapykantos-nusikaltimus-ir-neapykanta-kurstancias-kalbas> linking to <https://fra.europa.eu/en/themes/hate-crime>).

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

See the information provided above regarding the links to the websites of European Union institutions and agencies.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

Lithuania has adopted the practice of holding annual [National Human Rights Forums](#) (*Nacionaliniai žmogaus teisių forumai*). In 2019, the forum was organised by the Lithuanian Disability Forum (*Lietuvos negalios organizacijų forumas*), the Office of the Equal Opportunities Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), the Seimas Ombudsmen's Office (*Seimo kontrolierių įstaiga*), the Seimas Committee on Human Rights (*Seimo Žmogaus teisių komitetas*), the Ministry of Foreign Affairs (*Užsienio reikalų ministerija*), the Office of the Ombudsperson for Children's Rights (*Vaiko teisių kontrolieriaus įstaiga*), Vytautas Magnus University (*Vytauto Didžiojo universitetas*) and the Coalition of Human Rights Organisations (*Žmogaus teisių organizacijų koalicija*).

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

The Research Council of Lithuania (*Lietuvos mokslo taryba*) funded a research study carried out by the University of Vilnius (*Vilniaus universitetas*) on the 'Application of the EU Charter as a standard for the defence of individual rights at supranational and national level'. The study investigated the extent to which the Charter is applied and its provisions invoked by Lithuanian authorities – which, in their fields of activity, are likely to deal most often with investigating complaints concerning individual rights falling within the scope of the Charter – and by courts and pre-trial investigation bodies. It asked whether the public and the legal community are sufficiently aware of the importance of the Charter for the defence of fundamental rights and whether the Charter is seen as a truly effective standard for the defence of fundamental rights, as well as looking at issues relating to the use of the Charter to defend specific rights. The [results of the study](#) have been made public.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

On its 'My Rights' (*'Mano teisės'*) portal, the NGO [Lithuanian Centre for Human Rights](#) (*Lietuvos žmogaus teisių centras*) provides a link to the websites of European Union institutions and agencies, including the European Union Agency for Fundamental Rights. The texts published on that portal also address matters relating to implementation of the Charter.

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Member States' best practices on the Charter - Austria

Examples of best practices in Austria on the use and awareness of the EU Charter of Fundamental Rights (the Charter)

1) General Remarks

Austrian courts have traditionally been open to European law. Awareness and acceptance of European fundamental rights in Austria is high. This is, among others, due to the fact that the **ECHR was assigned constitutional status in 1964**. Since then, the ECHR has been part of the Austrian Constitution. Likewise, the Charter is broadly accepted and applied in Austria because it reflects existing catalogues of human rights in the Austrian Constitution: For most Charter rights there is already a corresponding right in the ECHR.

In Austrian practice, any awareness raising regarding human rights includes the Charter. Against the background of the strong openness towards the EU legal area, Austria has actively sought the **seat of the Fundamental Rights Agency (FRA)** in Vienna. Since its foundation in 2007, the FRA is based in Vienna, which contributes to visibility, awareness raising and acceptance of the Charter in Austria. The FRA's objectives cover the respect, protection, promotion and fulfilment of fundamental rights in the EU.

In general, there is a longstanding **human rights tradition** in Austria. Many decades ago, Austria has ratified or acceded to a number of international treaties (e.g. ECHR and UN Genocide Convention in 1958, CERD in 1972; CEDAW in 1982; CCPR in 1978; CRPD 2008). Through these treaties (together with domestic constitutional law), a wide-ranging protection of human rights within the meaning of the Universal Declaration of Human Rights was ensured in the Austrian legal sphere already at an early stage. In addition to respect for fundamental rights, the ratification of such treaties was intended to express Austria's solidarity with the United Nations in promoting and realizing the principles of the UN Charter and the Universal Declaration of Human Rights.

2) The Charter Decision of the Austrian Constitutional Court

In its **"Charter decision"** of 2012, VfSlg (Verfassungssammlung – Collection of the Austrian Constitutional Court) 19.632/2012, the Constitutional Court partly "constitutionalised" the Charter. The Court attributed the status of constitutionally guaranteed rights to those Charter rights that were "similar in wording and purpose" to rights guaranteed by the Austrian Federal Constitution. Those rights could thus be invoked as constitutionally guaranteed rights in cases of concrete judicial review in constitutional complaint procedures. Moreover, within the scope of application of the Charter, Charter rights would also constitute a standard of review in abstract judicial review proceedings. This is particularly important for cases in which there is no provision enshrined in the Austrian Constitution corresponding to that of the Charter. In these cases, national courts in general and the Constitutional Court in particular refer exclusively to the Charter.

3) Application of the Charter by Austrian Courts

In the Austrian jurisdiction, all three **highest courts** (Constitutional Court, Administrative Court and Supreme Court) review the application of the Charter in legislation, administration and judiciary on a regular basis, provided that the scope of application of EU law is opened in the case in question in accordance with the jurisprudence of the ECJ.

According to the Legal Information System of the Republic of Austria (*Rechtswissenschaftensystem des Bundes, RIS*), as of 16 May 2022, the Charter was invoked by the Constitutional Court in 125 rulings so far. The Supreme Administrative Court has adopted 652 rulings and the Supreme Court has adopted 20 rulings where the Charter was cited among the most important norms on which the decisions are based. What concerns lower instance courts, only a selected number of decisions is published in the RIS.

4) Important Institutions in the field of human rights

a) Human Rights Coordinators

The Constitutional Service of the Federal Chancellery coordinates general issues relating to the protection of human rights at the domestic level in close co-operation with the Federal Ministry for European and International Affairs. They are primus inter pares of the network of so-called **Human Rights Coordinators** of the Federal Ministries and the federal provinces (*Länder*). This network plays a crucial role in the further improvement of the human rights protection as the Coordinators are charged with the essential and challenging mission to improve human rights mainstreaming in their respective areas of work. They contribute to awareness raising for the Charter, for example by disseminating information on Charter tools developed by the FRA.

b) The Austrian Ombudsman Board

The [Austrian Ombudsman Board](#) (*Volksanwaltschaft*) functions as the National Human Rights Institution in Austria. It contributes significantly to the implementation and guarantee of human rights, including charter rights, and thus complements the very good protection offered by the independent courts. The Austrian Ombudsman Board has conducted a constant, institutionalised dialogue with civil society and human rights experts from various fields. Through its contact to NGOs, it plays a significant part when it comes to raising awareness for Charter rights.

In addition to the Austrian Ombudsman Board, several other independent authorities contribute to upholding fundamental rights in different areas. These include the [Ombudsperson for Equal Treatment](#) (*Gleichbehandlungsanwaltschaft*); the [Federal Disability Ombudsperson](#) (*Behindertenanwaltschaft*), and the [Ombudsoffices for Children and Youth](#) in each federal province (*Kinder- und Jugendanwaltschaften*).

c) Academic Human Rights Institutes

As examples of non-governmental initiatives that promote the use and awareness of the Charter, a number of Human Rights Institutes shall be mentioned. They promote the dissemination of human rights and the implementation of the Charter on the regional and local level.

The [European Training and Research Center for Human Rights and Democracy](#) (*Europäisches Trainings- und Forschungszentrum für Menschenrechte und Demokratie*) addresses both theoretical and practical issues related to the implementation of human rights and democracy at the local and regional level in Austria in order to promote human rights education.

At the University of Graz, the [UNESCO Chair in Human Rights and Human Security](#) was established in 2016 to strengthen interdisciplinary teaching, research, academic cooperation and outreach in human rights and human security. The Chair supports UNESCO's objectives of life-long learning and human rights education as a means to promote global citizenship and foster peace and stability. The Chair teaches human rights and strengthens the University's capacity in interdisciplinary research in human rights and human security.

The [Ludwig Boltzmann Institute of Fundamental and Human Rights](#) (*Ludwig Boltzmann Institut für Grund- und Menschenrechte*) is an independent, non-university research institute. It has established cooperation with international, European and national institutions, including the FRA, and it provides educational work for school teachers, training of members of the executive forces and the judiciary, advocacy work for and monitoring of state institutions.

The [Austrian Institute for Human Rights](#) (*Österreichisches Institut für Menschenrechte*) is a centre of the University of Salzburg and stands for scientifically based dissemination of human rights in German-speaking countries, focussing especially on the protection of human rights in the context of the ECHR, the

Charter and the United Nations. Its main tasks include the documentation and dissemination of the jurisprudence of European, international and Austrian courts in the field of fundamental and human rights, as well as education and training on human rights aspects.

5) Education and Training Measures

a) University Education

Education in fundamental and human rights is a fixed part of the curricula at all Austrian law faculties. These topics are taught in law courses at other faculties, as well. By way of example, the following programmes are mentioned:

Within the framework of the Law diploma program at the University of Vienna, students may specialise by choosing so-called “**elective baskets**”. The [programme of the elective basket “Fundamental and Human Rights”](#) includes a course on European protection of human rights, focusing on the ECHR and the Charter. The University of Vienna also offers a one-year [“Human Rights” postgraduate program](#).

At the Karl-Franzens University of Graz, there is a **ring lecture** on [“Introduction to human rights”](#). The course includes an in-depth look at selected human rights problem areas. The lecture series enjoys great popularity not only among students of all faculties of the University of Graz but even among non-students.

b) Training for Practitioners

In Austria, every future **judge** and **public prosecutor** has to attend a specific seminar on fundamental rights as part of their mandatory four-year initial training period. The three-day training deals with the most important sources of fundamental and human rights – including the Charter – and puts a particular focus on enabling candidate judges to use their legal knowledge in practice.

Furthermore, practicing judges and public prosecutors may participate in international trainings as provided by the **European Law Academy (ERA; Europäische Rechtsakademie)** and the European Judicial Training Network (EJTN), for example. These institutions regularly offer trainings on topics such as „Human Rights and Access to Justice in the EU“, „Applicability and Effect of the European Charter on Fundamental Rights in National Proceedings“ and „Charter of Fundamental Rights of the European Union“.

In addition, the Austrian **Ministry of Justice** organized two trainings on the Charter in practice as part of the EU-funded project „Judging the Charter“.

Besides, the Charter is addressed in the mandatory basic training of prison staff. Further education in Human Rights is provided, including “train the trainer – seminars” on the Charter.

Further possibilities of strengthening the awareness of this topic are being evaluated continuously.

The **Austrian Federal Academy of Public Administration (Verwaltungsakademie des Bundes)** offers training to public officials. This includes courses about fundamental rights protection in the EU. One of the courses, [“Fundamental rights protection of the European Union](#) focusses on EU fundamental rights protection in case law, legislation and in the work of the EU institutions, in particular the EU Fundamental Rights Agency. The role of the Charter is also dealt with in detail, including its significance for national case law.

The [Austrian Academy of Administrative Justice for Law, Management and Innovation \(Österreichische Akademie der Verwaltungsgerichtsbarkeit für Recht, Management und Innovation\)](#) offers regular knowledge updates and an ongoing exchange of knowledge on legal and management issues to administrative court judges. The training programme includes, for example, a workshop on the significance of the Charter for the jurisprudence in Austria, which also addresses the guarantees of the Charter and their validity in Austrian law.

Within the **Federal Ministry of the Interior**, human rights training is offered to executive bodies, including in-depth training for leading police officers.

Knowledge of the Charter and its significance is taught in basic and advanced training at all levels of executive and administrative staff. Lecturers, in particular those who teach the obligatory subjects [“Human Rights”](#), “Constitutional Law” and “European Law”, have various information, teaching and learning materials at their disposal for this purpose, which also refer to the Charter in general. Among others, general concepts of human rights (significance, development, contents of human rights documents and human rights as basic values of our society); principles of human rights; the ECHR; analysis schemes for human rights cases; national and international control mechanisms as well as a visit to a memorial site are part of the training content.

Furthermore, the seminars [“A World of Difference”](#), which are offered especially to police officers in cooperation with the Anti-Defamation League, have as their main objective to recognize and counteract prejudices of any kind as well as discrimination and stereotyping.

c) Schools

Teaching fundamental rights at school

Knowledge of the Charter and its significance is taught in Austrian schools as part of “**EUropolitical education**”. For this purpose, teachers have various teaching and learning materials at their disposal, ranging from easily accessible basic information such as the [political encyclopedia for young people \(Politiklexikon für junge Leute\)](#) to offers of the FRA (e.g., https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-rights-agency_de.pdf).

The topic is included in the curriculum for history and social studies/political education (module 8: [political participation](#)) and through the **teaching principle of political education**, which applies to all school types and levels (see [Basic Decree 2015](#)).

„Constitution goes school“ (*Verfassung macht Schule*)

Since 2020, the **Constitutional Court** has offered visits by judges and employees of the Constitutional Court to schools, as well as [guided tours for school groups to the Court](#). The Court offers incentives and impulses to teachers in order to deal with basic questions on the topics of constitution, democracy and fundamental rights – including the Charter – with their students. The target group is young people aged 14 and older.

From spring to fall 2021, the exhibition “Constitutional Court on Tour” travelled through all federal provinces and could be visited by students at many locations.

d) The Austrian Parliament’s Democracy Workshop

The topic of fundamental rights is reflected in the Austrian Parliament’s [Democracy Workshop](#) in several ways.

Since 2009, there have been regular workshops for students from schools throughout Austria, focusing on the “European Union”. Representatives of all political groups and experts from different institutions are invited to these workshops to discuss this topic with young people on site and share their expertise with the youth. MEPs as well as experts from the European Commission Representation in Austria participate in the events.

Within the framework of the Conference on the Future of Europe, five specially designed workshops focussed on the European Union between October 2021 and February 2022. In these workshops, students together with members of the National Council and (former) MEPs dealt with the topics “Democracy in Europe”; “A Stronger Economy, Social Justice and Employment”; “Migration”; “Climate Change and the Environment” and “Principle of the Rule of Law”.

In an outstanding **event on democracy, fundamental rights and media** at the end of 2021, students exchanged views with the President of the National Council, a historian and the granddaughter of Hans Kelsen – the famous Austrian jurist and philosopher – at the Hofburg in Vienna. The digital media toolkit “Reconstruction” was presented, which offers multimedia material on democracy. The President of the National Council highlighted the conveyance of democracy and the focus on fundamental rights as essential tasks of parliament. He also emphasised the inestimable value of the observance and discussion of the Charter. During a round table, students were able to ask questions which they had worked out in advance in the democracy workshop.

6) Further examples of Best Practices

a) Sports and large sporting events

Human rights play a major role in the procurement of major international sport events. In order to standardize awarding processes, the Vienna Institute for International Dialogue and Cooperation and the Federal Ministry for Arts, Culture, the Civil Service and Sport in 2021 jointly published a **handbook** on international sporting events and human rights (*Internationale Sportereignisse und Menschenrechte – Ein Handbuch zur Umsetzung in Österreich*). It intends to support associations and event organizers in aligning international sporting events in line with human rights.

Since 2015, the working group “Sport and Human Rights” has been in place to network the actors of organized sports in Austria. Three networking meetings are held each year to ensure an ongoing exchange on current human rights issues in sports and to address specific issues such as child protection or sexualized violence.

b) Culture and cinema

Among culture projects by non-governmental initiatives, which are supported by the Federal Government, the annual “**this human world**” film festival held in Vienna is worth mentioning. Since 2009, the Film Department has continuously supported this festival, which is organized by the association “This Human World - Verein zur Förderung und Verbreitung von Menschenrechtsthemen”. The festival was founded on the 61st anniversary of the Universal Declaration of Human Rights. In 2022, it will again show current feature films, documentaries and short films on the topic of human rights.

7) Best practices of federal provinces

At the level of the federal provinces, there are great efforts to promote the application and awareness of the Charter. The report “[Human Rights Cities in the EU: A framework for reinforcing rights locally](#)” of 2021 shows how the Charter is implemented in the everyday practice of cities. It was written in a two-year process with the participation of more than 50 cities and EU institutions, led by the FRA. The report proposes a framework for becoming a **human rights city** in the EU. Since Graz has become the first European human rights city in 2001, other cities have joined the initiative, such as Vienna, Utrecht or Barcelona.

In **Graz**, the Human Rights Council monitors the human rights situation in the city and reports annually to the city council. The report compiles information from more than 150 local stakeholders, including city departments and civil society. It outlines existing problems and good practice, proposes recommendations and assesses how past recommendations were implemented (see the mentioned FRA report, p. 22 with further references).

In 2014, the Municipal Council of **Vienna** adopted the Declaration “Vienna – City of Human Rights”. The Declaration follows a participatory process of positioning Vienna as a human rights city with the aim of strengthening the observance and promotion of fundamental rights as well as further developing human rights awareness – both in the administration and among Vienna’s citizens. The Charter forms the backbone of the **Vienna Declaration** as well as the basis for the establishment of the Human Rights Office (consult the Declaration [here](#)).

The [Human Rights Office](#) coordinates the topic of human rights and makes the city’s commitment visible to the outside world. Its main task is to implement the Vienna Declaration. The office cooperates with various municipal departments, other public institutions, NGOs, civil society initiatives and experts.

In **Salzburg**, the [Human Rights Round Table](#) was constituted in 2011 as an independent advisory body in the field of human rights. It consists of 13 experts from various fields (administration, civil society, science and practice). Its tasks include monitoring the human rights situation, discussing current issues in human rights work, public relations work, etc.

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Member States’ best practices on the Charter - Portugal

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

Specific references to or explanations on the application of the Charter

In 2019, the Directorate-General for Justice Policy (*Direcção-Geral da Política de Justiça*) (Ministry of Justice) (*Ministério da Justiça*) produced a guide on the application of the Charter in relation to the implementation of European funds, aimed at professionals working in this area.

Training on the application of the Charter

Training for judges and other legal professionals:

The Centre for Judicial Studies (*Centro de Estudos Judiciários*) offers initial and continuous training for judges and prosecutors both on EU law in general and on specific questions of EU law. The Charter is covered in this training. Lawyers and other legal professionals can also take part in conferences and seminars organised by the Centre.

In 2018, the Centre organised a whole day’s training course focusing specifically on the Court of Justice of the European Union (CJEU) and the Charter. The course programme, video footage and relevant texts can be found [here](#).

Training for beneficiaries involved in the implementation of EU funds:

In June 2019, the Directorate-General for Justice Policy held a training course for all Ministry of Justice bodies on the application of the Charter in relation to the implementation of EU funds.

Tools that help better understand the Charter and when it applies

For practitioners (legislator, administration, law enforcement, judiciary, legal practitioners):

The Centre for Judicial Studies publishes a regular newsletter on CJEU case-law: http://www.cej.mj.pt/cej/newsletter_tjue_cej/newsletter_tjue_cej.php;

In 2019, the Directorate-General for Justice Policy (Ministry of Justice) produced a guide on the application of the Charter in relation to the implementation of European funds, aimed at professionals working in this area.

For citizens:

The Ministry of Justice website has a dedicated [webpage on the Charter](#);

The website of the Public Prosecutor’s Office (*Ministério Público*) has a [webpage about the European Union’s system of fundamental rights protection](#), which also provides information about the Charter.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

The Ministry of Justice website has a dedicated [webpage on the Charter](#), which refers to the tools made available by the Fundamental Rights Agency (FRA) and includes a link to the Agency’s website.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

[N/A]

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

[N/A]

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

The project 'The Charter of Fundamental Rights of the European Union "in action"'.

This project was funded by the European Commission's Directorate-General for Justice and Consumers and developed by a consortium of European universities (the Human Rights Institute of Catalonia, the University of Utrecht – School of Law, and the University of Szczecin). In Portugal, the project was coordinated by the Permanent Observatory for Justice (*Observatório Permanente de Justiça*) of Coimbra University's Centre for Social Studies (*Centro de Estudos Sociais*) and involved the Supreme Council of the Judiciary (*Conselho Superior da Magistratura*), the Public Prosecutor's Office (*Ministério Público*), the Centre for Judicial Studies (*Centro de Estudos Judiciários*) and the Bar Association (*Ordem dos Advogados*). The main aim of the project was to develop a broad training programme to strengthen the competences of judicial actors in relation to the application of the Charter, so that they would be better able to interpret and apply it. The project sought not only to help overcome difficulties relating to the lack of knowledge about the Charter, highlighting the need to raise more awareness of it, but also to better explain the relevance of the Charter at national level and within the European Area of Justice.

Various training courses and conferences were organised in 2018 as part of this project, aimed primarily at judicial actors. Online training was also provided: <https://ces.uc.pt/cfr/moodle/>.

A Manual of Best Practice and a Training Manual were also developed as a result of the project.

All information about this initiative is available at: <https://www.ces.uc.pt/cfr/>.

The project 'E-Learning National Active Charter Training' (e-NACT).

Funded by the European Commission's Fundamental Rights and Citizenship Programme, this project involves several European universities, including the Centre for Research in Public Law (*Centro de Investigação de Direito Público*) (CIDP) of Lisbon University's Faculty of Law. It aims to provide a training methodology and training activities, which, coupled with the expertise of the trainers involved, will foster the emergence and consolidation of a common culture of fundamental rights.

This initiative also offers e-learning courses and thematic handbooks on various areas of law.

In 2019, three workshops on data protection, asylum and migration, and freedom of expression were held at Lisbon University's Faculty of Law, primarily for lawyers, judges and prosecutors from the Public Prosecutor's Office – <https://www.icjp.pt/cidp/eventos/17759/programa>.

For more information about this project, consult: <https://cjc.eui.eu/projects/e-nact/>.

Conference 'The EU Charter of Fundamental Rights and the judicial activism of the CJEU: a bill of rights under pressure?'

In 2017, Lisbon University's Faculty of Law organised a conference on the Charter and the judicial activism of the CJEU. In 2018, following this conference, an edition of the online public law journal, *e-Pública – Revista Eletrónica de Direito Público*, focused on this issue ([Vol. 5 No 2 July 2018](#)).

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Member States' best practices on the Charter - Romania

Use and awareness of the Charter in your country

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary

The Constitutional Court has established reliance on the Charter as an emergent practice in [its case-law](#). Ordinary courts also tend to refer to the Charter provisions in their judgments. This tendency is linked to the increase in the number of courses and seminars on topics related to the rights conferred on magistrates in various forms.

The National Institute of Magistracy (*Institutul Național al Magistraturii*) has developed programmes under which information is provided on EU law and CJEU case-law in close connection with ECHR case-law, with particular focus on judicial cooperation. Future prosecutors as well as future judges attend such courses. Judges and prosecutors in office attend such courses as part of their continuing training. A [recent example](#) in this respect is a webinar regarding the use of the Charter in asylum procedures.

The Charter is included in the curriculum of law faculties and other universities in Romania as well as in the curricula implemented by the National Institute of Magistracy.

Other Romanian public authorities use the Charter provisions in policy making (for example, employment and unemployment policies; sustainable development policies) or when providing the grounds for the application of penalties (see, for example, the practice of the National Council for Combatting Discrimination (*Consiliul Național pentru Combaterea Discriminării*)). Charterpedia and, in general, the data provided by the European Union Agency for Fundamental Rights in all forms are very useful instruments which are relied on, for instance, in the work of the Ministry of Internal Affairs (*Ministerul Afacerilor Interne*). The Ministry of Internal Affairs has its own training units which provide training on human rights for the law enforcement authorities. These training courses revolve around all international instruments for protection of human rights, including the Charter.

Among the measures required to meet the precondition for "Effective application and implementation of the EU Charter of Fundamental Rights", the Ministry of European Funds (*Ministerul Fondurilor Europene*) is also responsible for ensuring that effective mechanisms are put in place to ensure compliance with the EU Charter of Fundamental Rights, as provided for in Annex III to the proposal for the Common Provisions Regulation (CPR). In this respect, the General Directorate for Programming and System Coordination (*Direcția Generală Programare și Coordonare Sistem*) has prepared the Guidelines for the application of the EU Charter of Fundamental Rights in the implementation of European Structural and Investment Funds ([Guidelines](#)), which aim at assisting both the staff of the Ministry of European Funds (*Ministerul Fondurilor Europene*), the competent ministries entrusted with the management of European funds, the agencies and other public authorities at the programming and implementing stages, for the 2021–2027 financial years, and the potential beneficiaries applying for financing from EU funds in the effective application and implementation of the provisions of the EU Charter of Fundamental Rights. The ministry considers that regular dialogue on the application of the Charter and the EU granting institutional assistance in this respect are important.

Tools that help better understand the Charter and when it applies

Charterpedia and in general FRA materials regarding the Charter are useful instruments. For example, the Ministry of Internal Affairs stated that they use FRA materials.

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

See reply to question No 2 – instruments developed by FRA are relevant and used.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

The webinar organised recently, i.e. in June 2020, by the National Institute of Magistracy regarding the use of the Charter in asylum procedures is an example of such cooperation. Several national and international NGOs attended this event, along with the Bucharest Bar.

In 2019 and 2020, the Romanian Institute for Human Rights (*Institutul Român pentru Drepturile Omului*) developed and provided a series of courses designed for a variety of professional categories which, given the specificity of their work, are called on to become aware of and to apply human rights. The

courses concerned the Charter provisions. They were thoroughly reviewed and debated during the courses designed for the border police (organised within the General Police Inspectorate (*Inspectoratul General al Poliției*) and other three territorial inspectorates: Timișoara, Giurgiu, Constanța) on the topic of human rights in the context of irregular migration (with particular reference to Articles 2, 3, 4, 6, and 35 of the Charter).

The courses provided in 2019 may be consulted [here](#).

Moreover, with regard to the issue of prevention of torture and inhuman and degrading punishment and treatment, the Charter provisions were included in the courses developed for the agents of the National Centres for Detention and Remand in Custody Pending Trial.

On the occasion of a course organised to mark the 10th anniversary of the adoption of the Charter, the Charter provisions, in particular those regarding privacy and protection of personal data, were debated during discussion workshops directed at teachers and school inspectors in Vâlcea County.

In 2020, the Charter was promoted through training sessions directed at police officers from the National Centres for Detention and Remand in Custody Pending Trial, border police inspectorates and lawyers.

The courses provided in 2020 may be consulted [here](#).

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

All the above-mentioned courses, which were organised by the Romanian Institute for Human Rights, were put together in partnership with public institutions and partners from the educational/academic environment, as follows:

The Institute for Public Order Studies (*Institutul de Studii pentru Ordinea Publică*) (Prevention of torture and inhuman and degrading treatment for the staff of the National Centres for Detention and Remand in Custody Pending Trial);

The Romanian Border Police (*Poliția Română de Frontieră*), the General Inspectorate for Immigration (*Inspectoratul General pentru Imigrări*), the Anticorruption Directorate (*Direcția Anti-corupție*) of the Ministry of Internal Affairs (under the joint action plan of the General Anticorruption Directorate (*Direcția Generală Anticorupție - DGA*) – the General Inspectorate of the Romanian Border Police (*Inspectoratul General al Poliției de Frontieră Române - IGPF*) – the General Inspectorate for Immigration - IGI for preventing corruption in the context of irregular immigration)

Secondary schools, schools, national teacher training centres involved in the training of teachers from the national education system

See also the reply to question No 1 – The Charter is included in the curriculum of EU law and public international law subjects of the law faculties in Romania.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

[The Romanian Institute for Human Rights](#) constantly promotes the use of the Charter and awareness of the rights provided for therein.

The Union of Civil Liberties Union for Europe is an NGO with offices in several states, including Romania. [The website](#) is translated into Romanian and contains guidance on the use of the Charter.

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Member States' best practices on the Charter - Slovakia

The Constitutional Court of the Slovak Republic [Ústavný súd Slovenskej republiky] ruled on the applicability of the Charter in Slovakia in case PL. ÚS 10 /2014, where it explicitly concluded that the Charter must have the same position within Slovakia's constitutional order as other international agreements concerning human rights and fundamental freedoms governed by Article 7(5) of the Slovak Constitution. This means it takes precedence over national legislation.

In the legislative process, each new piece of legislation contains a clause on its compatibility with European Union law and must also state its compatibility with the Charter if the legislation concerns rights conferred by the Charter.

Use and awareness of the Charter in your country

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary

The documents below contain references to the Charter and its importance in terms of international and European human rights legislation.

[Action Plan for Prevention of all Forms of Discrimination for 2016-2019 \[Akčný plán predchádzania všetkých foriem diskriminácie na roky 2016-2019\]](#)

refers to the Charter and incorporates it into the fundamental anti-discrimination legal framework in relation to its international context and Slovakia's obligations

[Slovak National Gender Equality Strategy for 2014-2019 \[Celoštátna stratégia rodovej rovnosti v Slovenskej republike rok 2014-2019\]](#)

[Strategy for Labour Mobility of Foreigners in Slovakia \[Stratégia pracovnej mobility cudzincov v Slovenskej republike\]](#)

[National Strategy for the Protection of Children from Violence \[Národná stratégia na ochranu práv detí pred násilím\]](#)

[National Programme for the Development of the Living Conditions of Citizens with Disabilities in all Areas of Life for 2014-2020 \[Národný program rozvoja životných podmienok osôb so zdravotným postihnutím na roky 2014-2020\]](#)

[National Programme for Active Ageing for 2014-2020 \[Národný program aktívneho starnutia na roky 2014-2020\]](#)

[National Priorities for the Development of Social Services for 2015-2020 \[Národné priority rozvoja sociálnych služieb na roky 2015-2020\]](#)

[Strategy for Deinstitutionalisation of the System of Social Services and Substitute Care in Slovakia \[Stratégia deinštitucionalizácie systému sociálnych služieb a náhradnej starostlivosti v Slovenskej republike\]](#)

[National Framework for Protection of Children in Digital Space and the Action Plan for Implementation of the National Framework for Protection of Children in Digital Space for 2020-2021 \[Národná koncepcia ochrany detí v digitálnom priestore a Akčný plán k národnej koncepcii ochrany detí v digitálnom priestore na roky 2020-2021\]](#)

The EU Charter is included in the Training Framework [*koncepcia vzdelávania*] of the Judicial Academy of the Slovak Republic [*Justičná akadémia Slovenskej republiky*]. The Training Framework of the Slovak Judicial Academy (the 'Judicial Academy') is a document specifying the procedure for the Judicial Academy's role in training the target groups specified by Act No 548/2003 on the Judicial Academy, as amended, at the Ministry of Justice and the Prosecutor-General's Office [*Generálna prokuratúra Slovenskej republiky*]. As part of lifelong learning referred to below, this means training for judges, assistant judges and judicial officers in the field of their specialisation and competences.

• The Training Framework of the Judicial Academy of the Slovak Republic (effective since 25 September 2019)

is part of lifelong learning; EU law is included as part of 'Current issues concerning application of law by courts in various fields of law'.

The learning pathway reflects current European trends. It is based on the three pillars of education, respect for the law and justice, and the rule of law.

The training activities emphasise panel discussions, workshops, and knowledge and experience from practical application of law imparted by Slovak and international lecturers. Events are interactive and include analyses of case studies and specific real-world cases.

• In the area of EU and international law, emphasis is placed on:

the application of EU law by national courts, the case-law of the Court of Justice of the European Union and the case-law of EU Member States' constitutional courts;

the procedure regarding questions referred for a preliminary ruling and the preliminary ruling procedure;
human rights protection in the EU – the Charter of Fundamental Rights of the European Union of 2009 and its use in practice (case-law of the Court of Justice of the European Union);
compensation for damage in the context of the case-law of the Court of Justice of the European Union and the European Court of Human Rights;
EU consumer law;
[EU labour law in the single market](#), especially anti-discrimination and gender equality law and social security.

Tools that help better understand the Charter and when it applies

• for practitioners (legislator, administration, law enforcement, judiciary, legal practitioners)

Publications by the European Commission and the European Union Agency for Fundamental Rights; a detailed list is provided below

• for citizens

[The website](#) on gender equality operated by the Ministry of Labour, Social Affairs and Family of the Slovak Republic

[Factsheet](#) containing basic information about the Charter

[Your rights in the EU](#) – European Commission information website

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

Various materials of the European Union Agency for Fundamental Rights (FRA) are freely available, many in Slovak. The fundamental documents and tools include:

The [Fundamental Rights Report 2019](#), Chapter 2 EU Charter of Fundamental Rights and Its Use by Member States

[Charterpedia](#) is an online tool which provides easy-to-access information about the whole range of fundamental rights under the various articles of the Charter and contains the full text as well as legal explanations of the individual articles, related European and national case-law and related FRA publications. It is also available in the form of a mobile app.

[The EU Charter of Fundamental Rights in Slovakia](#), which provides a comprehensive explanation of the importance, applicability and the entire broader concept of protection of rights conferred by the Slovak Constitution and the European Convention on Human Rights

[Applying the Charter of Fundamental Rights of the European Union in Law and Policymaking at National Level – Guidance](#)

[Available resources](#) including legal opinions and examples of practical application

[The EU Charter of Fundamental Rights on its 10th anniversary: views of civil society and national human rights institutions](#)

Also, for example, the European Parliament's [Report on the implementation of the Charter of Fundamental Rights of the European Union in the EU institutional framework](#) of 30 January 2019.

The European Commission's report on monitoring the application of European Union law

[The European Commission's annual report on the application of the Charter](#)

European Network of National Human Rights Institutions (ENNHRI) publication: [Implementation of the EU Charter of Fundamental Rights](#).

Cooperation with stakeholders to promote the use and awareness of the EU Charter of Fundamental Rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

• Publication of the Slovak National Centre for Human Rights [*Slovenské národné stredisko pre ľudské práva*]: Guide on Human Rights Topics regarding the Membership of the Slovak Republic in the European Union [*Sprievodca ľudskoprávnymi témami súvisiacimi s členstvom Slovenskej republiky v Európskej únii*]

• Professional websites providing information on practical application of law and expert and scholarly articles

The website of the Slovak Bar Association [*Slovenská advokátska komora*] and the Slovak Chamber of Tax Advisors [*Slovenská komora daňových poradcov*]

Slovak Bar Association Bulletin [*Bulletin Slovenskej advokátskej komory*]

Online professional legal journal at pravnelisty.sk

The epravo.sk website

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

This information is not available.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

[The website](#) of the EUROIURIS European Legal Center, a civic association – Human rights legislation in the European Union and the Council of Europe and its application in Slovakia [*Právna úprava ochrany ľudských práv v Európskej únii a v Rade Európy a ich aplikácia v podmienkach Slovenskej republiky*].

The euractiv.sk news portal focusing on EU affairs, especially in relation to Slovakia.

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Member States' best practices on the Charter - Finland

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

The main policy document in force is the Government of Finland Human Rights Report 2014 (*Valtioneuvoston ihmisoikeusselonteko*, VNS 6/2014 vp), which looks at ways to strengthen the EU's fundamental rights dimension, including by raising awareness of the EU Charter of Fundamental Rights. The report also mentions the Commission's Report on the Application of the EU Charter of Fundamental Rights and the annual report of the European Union Agency for Fundamental Rights, as well as the discussion on these at Council level. It also states that it is important to increase citizens' awareness of the Charter. The report emphasises the importance of developing and making use of existing practical tools for drafters, such as guidelines and checklists, in order to raise awareness of the Charter. This should be supported, for example, through training for EU rapporteurs (p. 38). In its opinion on the Human Rights Report, the Grand Committee of the Parliament of Finland particularly stressed the need to raise awareness of the EU Charter of Fundamental Rights (SuVL 6/2014 vp).

[Government of Finland Human Rights Report 2014](#)

Finland's second National Action Plan on Fundamental and Human Rights 2017–2019 (*Kansallinen perus- ja ihmisoikeustoimintaohjelma 2017–2019*) specifically references the EU Charter of Fundamental Rights as a legal basis for the entire Action Plan (p. 17) in addition to other relevant fundamental and human rights sources. The Charter of Fundamental Rights is also a legal basis for some individual action plan projects, such as action 1.1 Enhancing the capacity of the Government in fundamental and human rights matters (*Valtioneuvoston kapasiteetin kasvattaminen perus- ja ihmisoikeusasioissa*) and action 1.1.1 Strengthening the basic and human rights skills of Government officials (*Valtioneuvoston virkamiesten perus- ja ihmisoikeusosaamisen vahvistaminen*).

[Kansallinen perus- ja ihmisoikeustoimintaohjelma 2017–2019 \(National Action Plan on Fundamental and Human Rights 2017–2019\)](#)

Training on the application of the Charter of Fundamental Rights

Government training programme on fundamental and human rights (*Perus- ja ihmisoikeudet valtioneuvostossa*) for Government officials in spring 2017, which also addressed fundamental rights in the EU, including a section on fundamental and human rights impact assessment;

Training course for officials on fundamental and human rights in the European Union (*Perus- ja ihmisoikeudet Euroopan unionissa*), which includes a separate section on the EU Charter of Fundamental Rights (every year, latest training course on 30 March 2020);

Training course for officials called *EU-oikeus pähkinänkuoressa* ('EU law in a nutshell'), which also deals in detail with the EU Charter of Fundamental Rights (every year, latest training course on 10 May 2019);

Training on data protection and the EU Charter of Fundamental Rights in cooperation with the European Union Agency for Fundamental Rights, the Finnish Human Rights Centre and the Finnish Ministry of Justice (16 January 2019);

Training course for officials on legal drafting criteria, including a section on fundamental rights and the Charter of Fundamental Rights (every year);

Training session for officials of the Permanent Representation of Finland to the EU (Brussels) on how to take into account the Charter in the work of Council working groups (spring 2019, as part of Finland's preparations for the Finnish presidency of the Council), in cooperation with the EU Agency for Fundamental Rights and the General Secretariat of the Council.

A visit to the EU Agency for Fundamental Rights (FRA) in Vienna by staff from the Office of the Parliamentary Ombudsman took place in October 2019 as a follow-up to the FRA's initiative to cooperate more closely. During the visit, the Agency's activities were presented, in particular monitoring the application of the Charter of Fundamental Rights and the Agency's role in monitoring and evaluating the rights of people with disabilities and children. The participants agreed to further develop cooperation between the agencies. Other training courses on the content and application of the Charter have also been organised at the Prime Minister's Office.

Tools that help better understand the Charter and when it applies

The Ministry of Justice drew up a note on the interpretation and application of the EU Charter of Fundamental Rights. The note was first drafted in 2016 and updated in early 2020. The purpose of this note is to serve as a tool for drafting national legislation and Finland's drafting with regard to the EU, in particular when assessing fundamental and human rights in matters falling within the scope of EU law. Much of EU law is implemented at national level, which is why EU fundamental rights are also an essential part of drafting national legislation. In addition, EU law often leaves room for national discretion in the practical implementation of EU law and in the choice of measures, but this discretion must be used in accordance with EU fundamental rights.

The note addresses issues related to the scope, interpretation, legal effects and level of protection of the EU Charter of Fundamental Rights. The update took into account the latest case law and sought, in particular, to address in more detail the main issues of the practical aspects of legislative drafting. These include the conditions for restricting EU fundamental rights and the relationship between the Charter and other fundamental and human rights, such as those included in the European Convention on Human Rights and the Constitution of Finland.

[Muistio EU:n perusoikeuskirjan soveltamisesta ja tulkinnasta](#) ('Note on the interpretation and application of the EU Charter of Fundamental Rights')  (978 Kb) 

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU


Information on the reports and tools of the EU Agency for Fundamental Rights (FRA) is provided through the Government's fundamental and human rights network. In addition, the annual fundamental rights report will be the subject of a ministerial press release to support communication to citizens.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of Fundamental Rights

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

Legislative drafting course organised by the University of Tampere, including a section on fundamental and human rights impact assessments, in particular on the EU Charter of Fundamental Rights (organised on 8 November 2018 and 26 November 2019 and to be organised in autumn 2020).

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

Emphasising the importance of the Charter of Fundamental Rights on the occasion of its tenth anniversary:  [a piece published in the newspaper Turun Sanomat on 11 December 2019](#)

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Member States' best practices on the Charter - Sweden

Use and awareness of the Charter in your country

Use and awareness of the Charter in your country

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary

In the Government's National Human Rights Strategy ('human rights strategy', Government Communication 2016/17:29), the Government considered that there was a need to evaluate the application of the Charter. In 2017, Uppsala University was tasked with mapping the application of the Charter. Part of the task was highlighting in which cases and how the Charter is applied by the courts, including compiling statistics on the number of judgments where there is a reference to the Charter. The analysis, which was presented on 31 December 2017 and carried out in consultation with, among others, the National Courts Administration (*Domstolverket*), showed that several courts had applied the Charter on a number of occasions. A reference to the Charter is generally made when the matter is related to the ECHR and/or other EU law. A few articles have been applied more widely, namely the principle of *ne bis in idem* (Article 50) and other procedural rights.

In connection with the Government's human rights strategy (see above), Uppsala University has been tasked with preparing skills development activities for state employees. The university offers free training programmes both online and hosted by individual authorities. They include training on the application of the Charter.

The National Courts Administration contributes to knowledge of the application of the Charter in Sweden through the EU law newsletter, which is issued 10 times a year. The main purpose of the newsletter is to highlight and illustrate the importance of EU law through selective monitoring of the case-law of the Court of Justice of the European Union and monitoring and reporting on the application of EU law by Swedish courts. The case-law of the Court of Justice of the European Union obviously plays an important role in the application of EU law. There is therefore no doubt that the case-law of the Court of Justice also affects the substance of the rights laid down in the Charter. In this context, the EU law newsletter, in particular by monitoring the relevant case-law of the Court of Justice of the European Union, is thus an important instrument designed to raise awareness, among the staff concerned in the Swedish courts and the general public, of EU law and hence of the fundamental rights set out in the Charter. The fact that the Court of Justice of the European Union has a very

broad view of the scope of EU law and thus also of the Charter further underlines the importance of continuous monitoring and general guidance regarding those decisions which, from the perspective of the Swedish courts, are the most important/decisive in the field of EU law. This is because this is a dynamic and constantly evolving area of law.

The list of legal links on human rights on the Swedish courts' intranet site provides information on all relevant bodies, institutions and documents and legal acts with regard to human rights. By providing this information, the National Courts Administration ensures that the staff of the Swedish courts have adequate and continuously updated access to a database containing key information on the Charter as well as other relevant legislation concerning human rights.

The Judicial Training Academy (*Domstolsakademin*) and the Learning Unit (*Enheten för lärande*) are responsible for skills development for employees of the Swedish Courts. This includes training related to the judicial activity of appointed judges, technical advisers, reporting clerks, notaries, rapporteurs and drafting lawyers, as well as training outside judicial activity. The training courses cover a wide range of subjects such as criminal law, family law, procedural law, land and environmental law, tax law, social security law, migration law and procedural law and administrative procedural law. In addition, tailored training is provided for example for managers and court administrators. The Charter is addressed in training courses both directly (through training sessions on the Charter itself) and indirectly (woven into the training when the Charter and the human rights perspective are relevant to the subject matter of the course). For example, courses for future judges include a review of the fundamental aspects of the Charter and its relationship with the European Convention on Human Rights, including the articles, case-law and judicial decision writing. Participants also receive training on how to search in EU law databases. For appointed judges there is, among other things, an online training course in European law addressing the Charter. Courses in other subject areas, such as criminal law and administrative procedural law, have also included references to the Charter. The Charter is also highlighted when appointed judges and judges in training travel to Europe on study visits. Such trips include visits to the Court of Justice of the European Union and the European Court of Human Rights. The Charter is included in a large number of courses offered to other court employees and to all categories of staff. Examples include the induction course for newcomers and courses on dealing with the public, on the media, the GDPR, the use of interpreters' services and equality as well as publicity and confidentiality.

Tools that help better understand the Charter and when it applies

for practitioners (legislator, administration, law enforcement, judiciary, legal practitioners)
for citizens

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

The manual "Fundamental Rights Training for Border Guards" (Frontex, 2013), which cites the Charter as a tool to reinforce mutual respect and cooperation, is used in Frontex training for border police staff.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of fundamental rights

Examples of cooperation between rights defenders and national authorities that contribute to better awareness and use of the Charter

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Examples of cooperation between national authorities and academia that contribute to better awareness and use of the Charter

As mentioned above, Uppsala University has been tasked with preparing skills development activities for state employees. As part of this task, the university offers operational training to public authorities. The university develops this training in close consultation with the relevant authority. More information on the training offered by Uppsala University can be found at <https://mr-forum.se/>

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

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