



**European Committee
of the Regions**

CIVEX-VII/006

145th plenary session, 30 June-1 July 2021

OPINION

Strategy to strengthen the application of the EU Charter of Fundamental Rights in the EU

THE EUROPEAN COMMITTEE OF THE REGIONS

- welcomes the new Strategy to strengthen the application of the EU Charter of Fundamental Rights, as it specifically acknowledges the role of local and regional authorities (LRAs) as central stakeholders in promoting and protecting Charter rights;
- calls for continuous involvement of LRAs, a fundamental level of democratic legitimacy, in promoting Charter values and monitoring compliance with the principles associated with it and believes that the participation of the CoR is essential in the inter-institutional dialogue concerning the Charter;
- notes the important role that national and European associations of LRAs can play in this context, and is committed to step up its cooperation with them in order to raise LRAs' awareness and understanding with regard to the EU Charter;
- stresses the importance of setting up contact points, which will facilitate the flow of information on the Charter between different levels of government and can also provide guidance for LRAs on how to shape their policies in full compliance with the Charter;
- welcomes the funds allocated by the European Commission through the Rights and Values Programme to help municipalities and associations to work together on issues of common interest, enabling the exchange of good practice, and to develop networks of towns;
- underlines that the European Commission should systematically perform a cross-check against the application of the Charter prior to granting EU funds, using a clear and transparent procedure. Compliance with Article 2 TEU, which encapsulates the Union's values, should constitute a conditionality for eligibility for EU funds;
- calls for the Fundamental Rights Charter to be enacted on Europe Day (9 May) and at the Conference on the Future of Europe, and asks its members to promote local activities explaining and stressing the paramount importance of fundamental rights and the European Charter for our democracies;
- fully supports the accession of the European Union to the European Convention on Human Rights and Fundamental Freedoms.

Rapporteur

Jean-Luc Vanraes (BE/Renew Europe),
Member of Uccle Municipal Council

Reference document

Reference document

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Strategy to strengthen the application of the Charter of Fundamental Rights in the EU
COM(2020) 711 final

**Opinion of the Commission for Citizenship, Governance, Institutional and External Affairs –
Strategy to strengthen the application of the EU Charter of Fundamental Rights in the EU**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the new Strategy to strengthen the application of the EU Charter of Fundamental Rights, as it specifically acknowledges the role of local and regional authorities (LRAs) as central stakeholders in promoting and protecting Charter rights;
2. calls for continuous involvement of LRAs, a fundamental level of democratic legitimacy, in promoting Charter values and monitoring compliance with the principles associated with it;
3. agrees that the EU should continue to encourage the exchange of good practice and experience between all levels of government (national, regional and local) and the development of more targeted guidance and training on the Charter;
4. underlines the importance of the targeted guidance for explaining why fundamental rights are important for LRAs, partly by providing examples of how authorities can make use of the EU Charter;
5. encourages cooperation with the Council of Europe with a view to strengthening the application of the EU Charter of Fundamental Rights;
6. welcomes the Commission's intention to draw up an annual report, from 2021 onwards, on the application of the Charter of Fundamental Rights in the Member States, and calls on the Commission to present in the report the good practices and experiences of cities and regions in applying the Charter, placing the emphasis on proactively communicating with cities and regions. Cooperation with the CoR is important here;
7. notes the important role that national and European associations of LRAs can play in this context, and is committed to step up its cooperation with them in order to raise LRAs' awareness and understanding with regard to the EU Charter;
8. acknowledges the importance of setting up contact points and a network, which will facilitate the flow of information on the Charter between different levels of government and the sharing of best practices, and can also provide guidance for LRAs on how to shape their policies in full compliance with the Charter;
9. welcomes the funds allocated by the European Commission through the Rights and Values Programme to help municipalities and associations to work together on issues of common interest, enabling the exchange of good practice, and to develop networks of towns;
10. acknowledges that all EU Member States need to appoint local coordinators with a clear mission statement on the implementation of the Charter, as proposed by the European Commission;

11. considering the key role played by LRAs in ensuring the application of the Charter of Fundamental Rights, believes that the participation of the CoR is essential in the inter-institutional dialogue concerning the Charter;
12. underlines that the European Commission should systematically perform a cross-check against the application of the Charter prior to granting EU funds, using a clear and transparent procedure. Compliance with Article 2 TEU, which encapsulates the Union's values, should constitute a conditionality for eligibility for EU funds. Regulation 2020/2092 of 16 December 2020 on a general regime of conditionality for the protection of the Union budget¹ recalls that "in its conclusions of 21 July 2020, the European Council stated that the financial interests of the Union are to be protected in accordance with the general principles embedded in the Treaties, in particular the values set out in Article 2 TEU". The same regulation stipulates that whenever Member States implement the Union budget, respect for the rule of law, which is intrinsically linked to respect for democracy and for fundamental rights, "is an essential precondition for compliance with the principles of sound financial management enshrined in Article 317 of the Treaty on the Functioning of the European Union (TFEU)".
13. calls for the Fundamental Rights Charter to be suitably discussed and so made better known on the occasion of Europe Day (9 May) and in connection with the Conference on the Future of Europe, and asks its members to promote local activities that are fully accessible and inclusive, explaining and stressing the paramount importance of fundamental rights and the European Charter for our democracies and for our citizens ;
14. fully supports the accession of the European Union to the European Convention on Human Rights and Fundamental Freedoms;
15. Recommends that a body be set up to monitor the proper application of the Charter of Fundamental Rights of the European Union;
16. Calls for programmes targeting young people and children such as Euroscola, eTwinning and the European Solidarity Corps, among others, to focus permanently on funding actions related to the Charter of Fundamental Rights in order to educate them about it;
17. Also recommends that the European Union sign up to the European Social Charter in order to ensure the highest level of protection for all fundamental rights;
18. believes that its achievement will constitute a major milestone in strengthening the application of the EU Charter of Fundamental Rights in the European Union and at the same time, that this will further strengthen the EU's position on trying to make human rights a core component of its external action.

¹ <https://eur-lex.europa.eu/eli/reg/2020/2092/oj>

Brussels, 1 July 2021.

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
of the European Committee of the Regions

Petr Blížkovský

II. PROCEDURE

Title	Opinion on the Strategy to strengthen the application of the EU Charter of Fundamental Rights in the EU
Reference(s)	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Strategy to strengthen the application of the Charter of Fundamental Rights in the EU COM(2020) 711 final
Legal basis	Art. 307(1) TFEU
Procedural basis	Rules 41(b)(i) and 43 of the RoP
Date of Council/EP referral/Date of Commission letter	3 December 2020
Date of Bureau/President's decision	
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Jean Luc Vanraes (BE/Renew Europe), member of Uccle Municipal Council
Analysis	18 December 2020
Discussed in commission	16 February 2021
Date adopted by commission	30 March 2021
Result of the vote in commission (majority, unanimity)	majority
Date adopted in plenary	1 July 2021
Previous Committee opinions	Opinion on the <i>Strategy for the effective implementation of the Charter of fundamental rights by the European Union</i> , rapporteur: Lotta Håkansson Harju (SE/PES), adopted in 2010; Opinion on <i>Local and regional authorities and the multilevel protection of the rule of law and fundamental rights in the EU</i> , rapporteur: Luc Van den Brande (BE/EPP), adopted in February 2015; Resolution on <i>The Rule of Law in the EU from a local and regional perspective</i> , adopted at the 122nd CoR plenary session in March 2017; Opinion on <i>Strengthening the rule of law within the Union – A blueprint for action</i> ', rapporteur: Franco Iacop (IT/PES), adopted in February 2020.
Date of subsidiarity monitoring consultation	N/A