

# Equality Bodies supporting the EU Charter of Fundamental Rights through their funding activities

Equality Bodies are champions for equality and defenders of the right to non-discrimination. Therefore, they play a vital role in the implementation of all the equality-related EU legal instruments, including the Charter of Fundamental Rights, notably Title III (Equality).

The Charter of Fundamental Rights assembles in a single document fundamental rights and freedoms protected in the EU. It is addressed to the institutions and bodies of the EU and the national authorities of EU Member States when they are implementing EU legislation. To render the rights of the Charter effective for individuals in practice, it needs to be applied, enforced and mainstreamed in all areas of EU law. Funding plays an essential role in this regard in a twofold way: On the one hand, adequate resources must be available to fulfil positive obligations and to promote and enforce the rights protected under the Charter. On the other hand, effective mechanisms must be in place to ensure that all EU-funded projects comply with the Charter under the Common Provisions Regulation.

Equality Bodies issuing or monitoring funding as well as their guidance to and cooperation with civil society organisations applying for funding are of important added value in this context. Therefore, the following examples show how Equality Bodies in different European countries contribute to the promotion and protection of the rights under the Charter through their activities related to funding. This report builds on several activities Equinet carried out on the topic of Equality Bodies' role in protecting and promoting the rights guaranteed in the Charter, including in relation to funding.[1]



[1] [Charting The Charter: Equality Bodies and Fundamental Rights in the EU; Virtual Seminar: The Role of the EU Charter of Fundamental Rights in the Work of Equality Bodies and National Human Rights Institutions; Equality Bodies and the European Structural and Investment Funds Realising a Potential for Change.](#)

## Equality Bodies providing funding to projects promoting and protecting the rights of the Charter

Some Equality Bodies issue their own funding for projects aimed at promoting and protecting fundamental rights. In such cases, they decide, sometimes in collaboration with other entities, on financially supporting projects in different areas related to the promotion of equality, non-discrimination and human rights.

The **German Federal Antidiscrimination Agency (FADA)**, provided funding in 2023 and 2024 for the respekt\*land programme, which addresses existing gaps in advice and support structures for victims of discrimination. In the pilot phase, 35 projects, carried out by civil society organisations, contribute to expanding and improving legal advice and support services for victims of discrimination across the country. Among the projects funded in the initial phase are those that pilot legal advice and counselling in severely underserved regions. Other projects aim at expanding advice and counselling services for victims of discrimination in rural areas of their respective Länder. One project's goal is to establish standards for local and municipal Equality Bodies and antidiscrimination services.

The **Irish Human Rights and Equality Commission** has its own funding available under a grants scheme to support projects by civil society and trade unions that promote human rights and equality. The scheme focuses on different areas. In 2025, it will support projects in the fields of Advancing Economic Equality, Promoting Awareness of Rights and Access to Justice as well as Promoting Climate Justice, Environmental Justice and a Just Transition.

# Equality Bodies monitoring the fundamental rights compliance of EU funding

Equality Bodies play a vital role in monitoring and ensuring that EU funds comply with the fundamental rights set out in the Charter in accordance with the Common Provisions Regulation which lays down financial rules and common provisions for different EU funds. According to Article 9(1) of the Regulation, "Member States and the Commission shall ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union in the implementation of the Funds". Following Article 8(1), "each Member State shall organise and implement a comprehensive partnership [...] [including] bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination". Consequently, Equality Bodies in different countries have a seat at monitoring bodies of EU funds. In this context, they can give advice and propose changes to ensure the fundamental rights compliance of funded projects.

The **Commissioner for Administration and the Protection of Human Rights** in Cyprus was assigned the mandate to monitor fundamental rights compliance in the implementation of EU funds in accordance with the Common Provisions Regulation. In this capacity, the Commissioner provides input and guidance to the Managing Authority on the compliance of EU-funded projects with the Charter of Fundamental Rights. This also includes ex-ante evaluation of programmes. Furthermore, they may issue recommendations for the rectification of non-compliance of a co-funded programme with fundamental rights. If the Commissioner's recommendations are not implemented, they do not approve the project proposal and its funding cannot proceed. Besides, the Commissioner acts as a complaints mechanism regarding possible violations of the Charter provisions. In this context, they invite the beneficiary to be heard in the presence of the Managing Authority. Following relevant consultations, the Commissioner shall make a binding recommendation towards the relevant person of the public or private sector and shall require corrective action to be taken within a prescribed time limit to remedy the identified breach.

The **Maltese National Commission for the Promotion of Equality (NCPE)** is a member of several Monitoring Committees. In those Committees, the Managing Authority gives an update on the implementation of the funded projects and proposes changes which need to be made in the Operational Programmes. The NCPE may object to or approve any changes proposed by the Managing Authority and may also send comments or feedback. In case the NCPE objects to any changes, it needs to provide alternative suggestions, which are then re-circulated in the Monitoring Committee until consensus is found. In practical terms, the NCPE has over the years given its input on issues such as data collection, evaluation, research, gender mainstreaming and targeted horizontal priorities of the projects.

## Equality Bodies supporting civil society to receive funding for fundamental rights projects

Through their expertise in equality and non-discrimination issues, Equality Bodies play a crucial role in ensuring that funding is directed to the specific areas of fundamental rights that require further strengthening. In this context, the role of Equality Bodies that support civil society organisations in their efforts to receive funding for projects on fundamental rights can be highlighted. Equality Bodies can for example review applications for funding by civil society organisations and give advice to better reflect fundamental rights and horizontal priorities.

The **NCPE** provides guidance to applicants on horizontal priorities during the application process of the European Union Structural Funds. It receives application forms, reviews the proposed priorities on gender equality, equal opportunities and non-discrimination in relation to the project activities and provides further suggestions. Moreover, the NCPE actively participates in the information sessions organised by the National Managing Authority where it provides examples of what may be included in the projects followed by a question and answer time slot.

The **Commission for the Rights of Persons with Disability in Malta (CRPD)** checks and gives feedback on proposals by prospective applicants for funding in meetings arranged by the Managing Authority. Applicants are recommended to send their plans for the proposals so that the CRPD can check them for horizontal priorities and make suggestions. The team then reviews the proposals and gives feedback to the applicants about missing areas in their proposals, prior to their evaluation.