



ROOTING FOR RIGHTS

Strengthening Human Rights in Europe

Advocacy Toolkit

Strengthening HUMAN RIGHTS in Europe

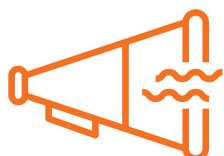


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Introduction.



Rooting for Rights (R4R) aims to prevent and address violations of fundamental rights in the reception and the detention of applicants of international protection. The project's activities span across Portugal, Malta, Greece and Cyprus, four key-countries where gaps in relevant provisions of the EU Charter of Fundamental Rights of the European Union ("the EU Charter") still persist.

R4R brings together [DRC Greece](#), [Cyprus Refugee Council \(CyRC\)](#), [Aditus foundation](#) and [Conselho Português para os Refugiados \(CPR\)](#) four southern European NGOs leading in the field of refugee rights, along with the [Greek National Commission of Human Rights](#) who are mandated to monitor human rights.

Our goal is that the EU Charter standards are fully applied, and that asylum-seekers enjoy their rights without encountering challenges.

To achieve this, the Rooting for Rights project provided capacity building activities to professionals working with asylum seekers, law practitioners, judicial bodies and law enforcement bodies. By increasing awareness on the EU Charter's relevance to reception conditions and detention of applicants of international protection, the project aims to lay the foundations for effective and sustainable improvements in the area of reception and advance the equal, nondiscriminatory protection of people's rights.

At the same time, R4R aspires to bring meaningful changes in decision making by advocating on the centrality of the Charter in policy developments and equipping with necessary tools all professionals to assess whether the rights that the EU Charter protects and guarantees are respected by the stakeholders, advocate effectively and promote the application of the EU Charter.

Learn more about the project: <https://vimeo.com/863135850?share=copy>





Our Vision

Advocacy encompasses a wide range of actions dedicated to bringing desirable change. Advocating for a cause is all about bringing to light critical issues and concerns and creating opportunities for vulnerable social groups to participate and engage in decision making processes.

We aim to enhance the implementation of the EU Charter standards, fostering an environment where asylum-seekers can enjoy their rights and entitlements without encountering challenges and obstacles.

Through advocacy, we strive to create meaningful change by promoting a supportive framework that fosters access to asylum procedures, adequate reception conditions, and humane treatment in detention for applicants of international protection.



How to use this toolkit

This advocacy toolkit aims to equip various professionals to engage and influence stakeholders on the relevance of the EU Charter of Fundamental Rights in the reception and detention of applicants of international protection.

The toolkit is informed by the advocacy strategy undertaken throughout the Rooting for Rights project and aims to contribute to knowledge-sharing among professionals to strengthen common goals. It is intended as an advisory and reference document.

The toolkit provides tools and guidance on how to develop and support advocacy work, including stakeholder analyses, gap analyses and risk assessment tools. It also provides useful information and resources for professionals to build expertise and confidence on the Charter to guide their advocacy strategy and inform their decisions on stakeholder engagement. The tools and guidance included can be modified to be adapted to each individual context.

The toolkit aims to equip professionals to effectively engage with a variety of stakeholders including decision- and policy makers, such as parliamentarians and government officials, to effectively raise awareness and contribute towards the development of policy decisions that respect, protect and fulfill the fundamental rights enshrined in the EUCFR, particularly as applicable to applicants of international protection.

Also included is a mapping of available educational resources such as information flyers, videos, and social media posts that can also be used to promote sympathy and awareness on the basic rights of asylum seeker to frontline staff working with asylum seekers and the broader public.



What is the EU-Charter?

The EU Charter is a self-standing document and since 2009 has had the status of a binding bill of rights for all EU countries. EU legislation and national laws should comply with the EU Charter. This underlines the importance of interpreting EU and national laws in line with the fundamental rights as outlined in the EU Charter.

The EU Charter largely reflects the European Convention on Human Rights (ECHR), the constitutional traditions of the Member States, and the general principles of EU law¹. It draws from legal texts of the Council of Europe and of international treaties, such as the Universal Declaration of Human Rights, the Geneva Convention on Refugees, the Fundamental ILO Conventions, the Convention on the Rights of the Child.

The EU Charter also binds the authorities of a State in the execution of duties falling within the scope of its application, as provided in article 52.

Other important information on the EU Charter:

- * The EU Charter has direct application.
 - * The EU Charter binds national bodies, including national Courts, when implementing Union law.
 - * The EU Charter does not extend the competences of the EU.
 - * The EU Charter binds EU bodies (institutional and others) when issuing binding acts (producing direct legal consequences).
-
- >> The Charter's provisions are addressed to the institutions, bodies, offices, and agencies of the Union and to the Member States only when they are implementing EU law.
 - >> The provisions also apply to all actions taken on behalf of the Union elsewhere in the world, meaning that any EU Agency must ensure that any action undertaken respects the EU Charter. It embodies a broad range of civil, political, social, and economic rights.
 - >> The national law that falls within the scope of the EU Charter must be compatible with the fundamental rights it contains. The national authorities are bound to ensure that those national provisions are interpreted and applied based on the EU Charter.

¹ For the history of the adoption of the EU Charter see at: https://www.europarl.europa.eu/charter/default_en.htm and at: https://multimedia.europarl.europa.eu/en/video/history-eu-charter-of-fundamental-rights_V001-0025



What are the fundamental rights protected by the EU Charter?

The EU Charter entails 54 Articles organized into seven chapters. The first six chapters are categorized as dignity, freedoms, equality, solidarity, citizens' rights, and justice. The final chapter encompasses four overarching provisions that regulate how the EU Charter should be interpreted and applied².



² ECRE - Dutch Council for Refugees, The application of the EU Charter of Fundamental Rights to asylum procedural law, October 2014, available at: <https://ecre.org/wp-content/uploads/2014/10/EN-The-application-of-the-EU-Charter-of-Fundamental-Rights-to-asylum-procedures-ECRE-and-Dutch-Council-for-Refugees-October-2014.pdf>, page 16



The following table is not an exhaustive list of the Fundamental Rights included by the EU Charter.

Dignity	<ul style="list-style-type: none"> • Human Dignity • Right to life • Prohibition of torture. • Prohibition of slavery and forced labour – this includes trafficking
Freedoms	<ul style="list-style-type: none"> • Right to liberty and security. • respect for private and family life. • freedom of thought, and religion. • freedom of expression and information and personal integrity. • Right to privacy. • Right to asylum. • Right to education
Solidarity	<ul style="list-style-type: none"> • Right to fair working conditions. • Protection against unjustified dismissal • Access to health care. • Access to social and housing assistance
Equality	<ul style="list-style-type: none"> • Equality before the law. • Prohibition of all discrimination. • Rights of the child • Rights of the elderly.
Citizens' Rights	<ul style="list-style-type: none"> • Right to good administration • Right to access documentation.
Justice	<ul style="list-style-type: none"> • Right to an effective remedy • Right to a fair trial. • Right of defense
General Provisions	<ul style="list-style-type: none"> • Interpretation and application of the EU Charter



What happens when Fundamental Rights are violated?

When individuals perceive a breach of their fundamental rights, they can bring their cases before national courts that apply the EU Charter when they rule cases that fall under its applicability. The national courts can ask for clarifications regarding the EU law to the Court of Justice of the European Union (CJEU) for a preliminary ruling.

The EU Charter can be invoked when filing complaints with the EU Ombudsman or when submitting petitions to the European Parliament. This multi-faceted approach reinforces the commitment to upholding and safeguarding fundamental rights within the European Union.

Considering that EU Charter's provisions are binding according to articles 51 and 52, civil society organizations can utilize it to strengthen the protection of asylum seekers. It can also contribute to the interpretation of the relevant EU asylum Regulations and Directives³.

Table of potential risks of violations per Chapter in the reception and detention of asylum seekers

Violations of rights can manifest in various forms and occur in numerous ways. Here, in this table we present some examples of potential violations within the reception and/or detention of asylum seekers in relation to Charter's chapter and article⁴ that they breach.

3 ECRE - Dutch Council for Refugees, The application of the EU Charter of Fundamental Rights to asylum procedural law, October 2014, available at: <https://ecre.org/wp-content/uploads/2014/10/EN-The-application-of-the-EU-Charter-of-Fundamental-Rights-to-asylum-procedures-ECRE-and-Dutch-Council-for-Refugees-October-2014.pdf>

4 <https://www.citizensinformation.ie/en/government-in-ireland/european-government/eu-law/charter-of-fundamental-rights/>



Potential Violation	Chapter	Articles
Not having in place a mechanism to complain in case of rights' violations.	Citizen's rights - Justice	Article 41: Right to good administration Article 42: Right of access to documents
Restricted or no access to legal aid.	Citizen's rights - Justice	Article 42: Right of access to documents Article 47: Right to an effective remedy and to a fair trial - this includes a right to legal aid where you are deemed to lack sufficient resources.
Asylum seekers are unable to leave the reception facility/ arbitrary restriction of movement.	Freedoms	Article 45: Freedom of movement and of residence
Lack of or restricted information on rights	Citizen's rights	Article 41: Right to good administration
if a detention is not properly based on grounds established in a pre-existing law; or o not in accordance with the procedures established by law; or otherwise arbitrary in the sense of being inappropriate, unjust, unreasonable, or unnecessary in the circumstances Exceed allowed timeframe of detention.	Freedoms - Justice - Human Dignity	Article 4: Prohibition of torture and inhuman or degrading treatment or punishment. Article 6: Right to liberty and security.
Fail to ensure non-discriminatory access to health care, for example for people living with HIV/AIDS.	Equality	Article 21: Non-discrimination
Do not take adequate measures to protect persons against actions of non-state actors.	Human Dignity	Article 1: Human dignity - everyone has the right to be treated with dignity.
Continuously exposure to unsanitary and overcrowded conditions forcibly returned to areas where their lives, liberty and security are threatened.	Human Dignity	Article 1: Human dignity - everyone has the right to be treated with dignity.
Fail to ensure the equitable distribution of medical services and facilities.	Equality	Article 1: Human dignity - everyone has the right to be treated with dignity. Article 21: Non-discrimination Article 25: The rights of the elderly - to live a life of dignity and to participate in social and cultural life. Article 26: Integration of persons with disabilities.
Refused medical attention or there was a failure to address deteriorating mental health	Solidarity	Article 35: Health care
Delays in issuing documentation.	Citizen's rights	Article 41: Right to good administration Article 42: Right of access to documents
Lack of appropriate interpretation.	Justice - Citizen's rights	Article 41: Right to good administration Article 42: Right of access to documents



Untangling the issue



Over the past decade, the EU Charter of Fundamental Rights has significantly contributed to the promotion of fundamental rights in the EU. The number of independent national human rights institutions and advisory bodies mandated to monitor fundamental rights compliance on EU soil increased, indicating that political drive to enforce shared standards.⁵

However, in reception and detention of the applicants of international protection, the relevant provisions of the EU Charter have not attained their full potential. This, despite a Common European Asylum System (CEAS) based on international and regional human rights standards, intended to safeguard the right to asylum and create a protection space for persons fleeing persecution and human rights violations.

Even though Member States are bound to respect the rights and apply the principles of the EU Charter whenever they are acting within the scope of binding EU law, various reports⁶ indicate potential violations of fundamental rights. These violations refer inter alia to the right to good administration, human dignity, the prohibition of torture, inhuman and degrading treatment, the right to liberty and security, the right to private and family life, the right to effective remedies.



R4R gap analysis

It has been identified that there is a general lack of knowledge and engagement with the EU Charter in daily practice among professionals. Rooting for Rights project circulated a questionnaire to key humanitarian actors and professionals in Cyprus, Greece, Malta and Portugal that are specialized in the reception of third country nationals with more than 150 participants.

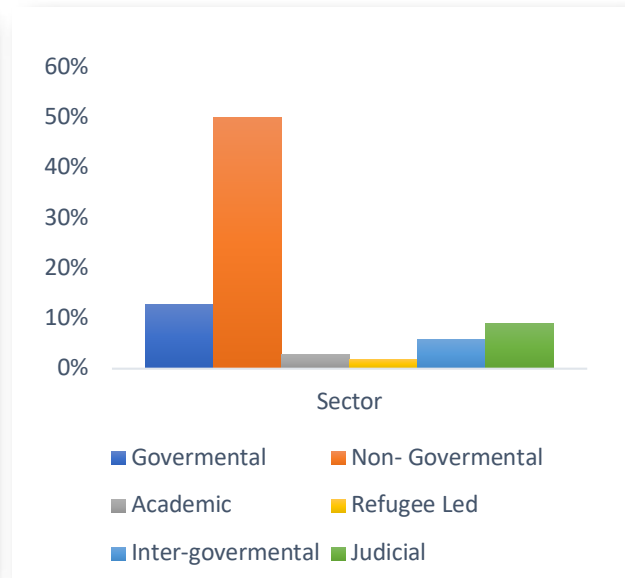
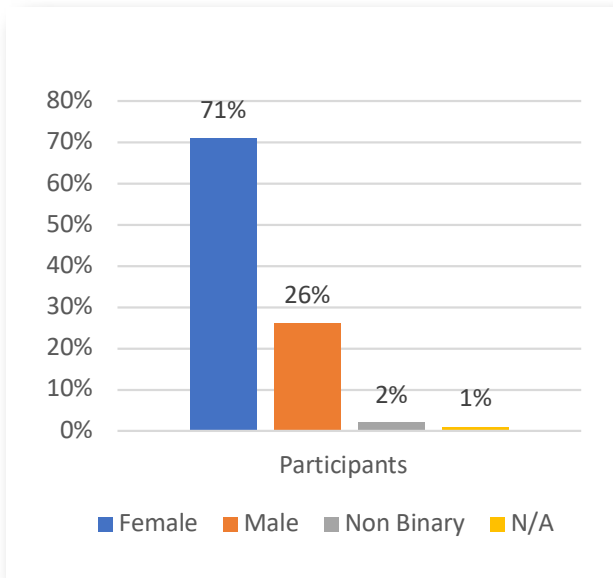
These are the key findings:

- While 73% of respondents claimed to have a very good/good knowledge of general asylum matters, only 46% of respondents admitted to not following Charter-related developments.
- 68% of research participants stated that they never received training or education on the EU Charter.
- Most respondents flagged the need for training in how the EU Charter specifically applies to their field of work.

⁵ "Strengthening NHRIs to advance EU common values and the EU Charter of Fundamental Rights: outcomes of FRA Conference on NHRIs", available at: <https://ennhri.org/news-and-blog/strengthening-nhris-to-advance-eu-common-values-and-the-eu-charter-of-fundamental-rights-outcomes-of-fra-conference-on-nhris/>.

⁶ European Commission, 2023 Rule of Law Report, COM(2023) 800 final, 5.7.2023, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52023DCo800>, FRA, [Fundamental Rights Report 2023](https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023), available at: <https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023> - FRA opinions, available at: <https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023-fra-opinions>

Participants profile



The mapping of education needs and resources included also 2 two roundtables with civil society organizations specialized in the provision of assistance to asylum seekers and refugees, organized by CPR. A total of 14 professionals from 8 different organizations participated in the discussions.

From the case law analysis, and the inputs collected from roundtables, it seems that the Charter has the potential to be applied throughout different contexts in which it is not currently taken into consideration or where its use is limited.

More specifically, the case-law analysis shows that:

- Most of the decisions refer to a very limited number of articles of the Charter, mostly, article 4 in the context of the application of article 3 (2) of the Dublin Regulation. For instance, article 1 is not mentioned/analysed by courts.
- References to the Charter are mostly superficial, and most questions discussed in relation to such rights are mainly procedural;
- Recourse to the Charter and the case-law of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR) is, for the most part, made in a compartmentalized manner. National courts most often adopt a restrictive understanding of that case-law and of the content of the articles in the light of the specific circumstances of the case. The articles of the CFREU are not analysed by courts, if not through a reference to the case-law of the CJEU and the ECtHR



Facilitating change



Define your advocacy objectives

Objectives refer to the desired change⁷ and they define the outcome and impact of the advocacy work. It is especially important to be realistic, achievable, and measurable. Therefore, advocacy objectives should be formulated at the very beginning to help navigate and identify what resources, networks and time is available to reach the objective

The advocacy objective is linked to the issue identified as a problem and it is crucial to define what kind of action is necessary⁸.

The following advocacy objectives were adopted during the implementation of the R4R project.

Overall objective: Increased understanding and use of the EU Charter on Fundamental rights (“the EU Charter”) to protect the rights of applicants of international protection in their respective EU Member states.

More specifically the project aims to achieve this through the following:

Objective 1:

Inform and increase knowledge of national policy/law makers, law enforcement bodies and other national authorities regarding their obligations towards applicants of international protection according to the EU Charter of Fundamental Rights so that they may take the necessary actions to prevent violations;

Objective 2:

Increase knowledge with view to increase effective use of the EU Charter by lawyers and jurists, notably in jurisprudence and litigation practices;

Objective 3:

Empower applicants of international protection and increase their awareness on their rights according to the EU Charter, along with first responders, rights-defenders, CSO staff and other professionals, so they are equipped with information to identify potential human rights violations and seek appropriate legal remedies;

⁷ OpenLearn Create, <https://www.open.edu/openlearncreate/mod/oucontent/view.php?id=175§ion=20.4>

⁸ More information on the advocacy roadmap available at: <https://euomedrights.org/lessons/step-3-design-an-effective-eu-advocacy-roadmap/>

Advocacy approaches and strategic litigation



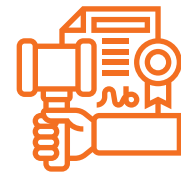
Advocacy at its core involves shedding light on pressing issues and facilitating opportunities for people affected to actively engage in decision-making processes. In this process, there are a plethora of tools and approaches someone can utilize to strengthen their efforts.

Advocates can combine different approaches and tactics to achieve their goals.

Tactics describe the approach and the actions you will take to achieve your objectives. When choosing tactics, one must think about feasibility in terms of existing advocacy or strategic communications capacity, utilize lessons learned from similar actions in the past or try to complement ongoing efforts, and reflect on successful engagement of the targets.

- **Private interventions** - Engage and influence political decision-makers through closed door meetings or discussions, and private letters.
- **Public activities /campaigning** - Raise awareness and build public support through events, performances, or public exhibitions, press work, social media campaigns or online petitions.
- **Semi-public approach** - Speak out to a small or selected public.

What is strategic litigation?



Strategic litigation⁹ is a powerful tool in the hands of civil society. It can be used to achieve meaningful changes in the legal framework and in society. Lawyers can use courts to change the interpretation/implementation of the legal frameworks and mobilise social change by filing lawsuits and bringing a case to the courtroom.

Strategic litigation, by definition, includes cases that can have meaningful impact beyond the courtroom and the individuals directly involved. This change leaves a lasting mark and affects larger populations and even governments.

Often, these cases come unexpectedly, without a strategy of mobilizing the public or challenge the legal framework. However, more often, such cases entail the deliberate implementation of a litigation strategy to amplify the case's potential impact.

Strategic litigation is an advocacy tool designed to promote a specific issue and raise awareness. Advocates who are working on strategic litigation can strengthen their efforts by seeking alliances within stakeholders and people in key positions but also by raising awareness to the public and affected population to influence the decision makers.

⁹ Child Rights International Network, What is Strategic Litigation?, available at: <https://archive.crin.org/en/guides/legal/guide-strategic-litigation/what-strategic-litigation.html#:~:text=This%20is%20often%20a%20part,government%20to%20change%20its%20laws>
UNSW Kaldor Centre for International Refugee Law Strategy and Strategic Litigation, Guy Goodwin-Gill, Global Strategic Litigation Council Conference, 12-13/4/2022, available at: https://www.youtube.com/watch?v=SeZioSrSmJg&ab_channel=UNSWKaldorCentreForInternationalRefugeeLaw

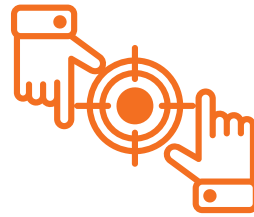


Building evidence for advocacy

Enriching your arguments with facts when advocating is key. First, this gives credibility to your arguments and makes them more persuasive. It demonstrates credibility and accuracy, and finally information gives depth to your arguments and promotes a more comprehensive discussion on the issues raised. Here are some ways to collect evidence and build your advocacy thesis.

Tool	What is it?	Pros	Cons	How to Use
Survey	a list of questions designed in such a way that generate various reports such as Trend Analysis	Fast and easy data collection Community mobilization capacity	Simplified Results No open-end questions	Collection of basic information on demographics. Conducting needs assessment to identify needs and priorities of your target groups and helps you design tailor-made activities.
FGD	a group of people from various backgrounds participate in a group discussion in the presence of an interviewer-facilitator	Participatory approach Community Mobilization capacity in-depth understanding group dynamics	Participants might not feel safe to share	Works well when the participants will be benefited by your project's activities.
Key-Interviews	one person asks a series of questions to a person that belongs to a target audience	open-end questions	Time consuming Not generalized outcomes	Ideal when people are direct. beneficiaries of your activities
Desk review	secondary research focuses on information that has already been acquired and documented.	Access to documented information	Not personalized information Lack of Community mobilization	When it is not easy to access people affected. It works well as complementary information. Helps in forming other data collection tools

Identify your advocacy targets



Advocacy targets are the individuals or entities that can promote a change and influence decisions. The targets for advocacy efforts aimed at promoting the EU Charter of Fundamental Rights could be the following.



1. Policy makers at national Level
2. Policy makers at EU Level.
3. Civil society organizations.
4. Right Holders
5. Media outlet

Policy Makers at National Level

Heads of State/Government: Presidents, Prime Ministers, or Chancellors who lead their respective countries.

Ministers: Government ministers responsible for various portfolios such as foreign affairs, interior, justice, finance, etc.

Members of Parliament: Elected representatives who participate in the legislative process and make or influence laws.

Civil Servants: Officials who work within government ministries and agencies, providing advice and implementing policies.

EU-level policymakers

European Commission: The executive branch of the EU responsible for proposing legislation, implementing decisions, and upholding EU treaties.

European Parliament: The directly elected legislative body of the EU, representing the citizens of the EU member states.

European Council: Comprised of the heads of state or government of EU member states, it sets the EU's overall political direction and priorities.

Council of the European Union: Represents the governments of EU member states, where ministers from each country meet to adopt laws and coordinate policies.

European Court of Justice (ECJ): The highest court in the EU, ensuring the uniform interpretation and application of EU law.

EU Agencies: such as FRONTEX, EUAA etc

International Agencies: such as UNHCR, UNICEF, UN Women, OCHA, IOM

Civil Society Organizations: Working in the public or private sector in the protection of rights of asylum seekers

Right Holders: third country nationals seeking asylum, detainees etc.

Media outlet/ The Public: such as press, journalists etc.



A Stakeholder tool analysis

Stakeholders are individuals or groups who have a direct or indirect interest in achieving or not achieving your advocacy objectives, and who may be affected by its outcomes. They may have decision-making power or influence over the overall advocacy goal, and their support or opposition can have a significant impact on the success of your advocacy efforts. Examples of key stakeholders might include government officials, community leaders, or advocacy groups.

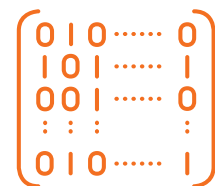
The stakeholder analysis is a tool that can assist advocates in mapping out decision-makers and/or secondary audiences to engage and inform about the significance of EU Charter application. These may be advocacy allies who can support our work or challengers who might oppose or put the impact of advocacy efforts at risk, for whom we can aim to identify/design mitigation measures.

A stakeholder analysis might include the following:

Stakeholder	Type	Their interest to cooperate to promote the use of the Charter	Accessibility: How can they best be accessed?	Capacity (skills, know-how, level of organisation, human resources, financial and material resources, powerful alliances, political influence etc.)	Influence (decisionmaker, access giver, information provider)	Advocacy Objective	Comments
	Law practitioners law enforcement bodies border monitoring agencies local and national authorities human rights bodies MPs policy makers CSOs working with people in displacement social workers working with people in displacement volunteers working with people in displacement rights-holders (people in displacement) other		(E.g. Social Media Campaign, Email, Flyers, In Person Information Sessions, Information delivered via another actor (specify), Through trainings, etc.)		Low Moderate High		



Risk and Challenges mitigation matrix



While working on a policy change advocates might face risks and challenges. The following tool can be used as a guide for advocates to identify potential risks and challenges while developing or implementing their advocacy plan and tackling them¹⁰.

Risk and Challenges	Rate	Mitigation measures
Ex. Policy Makers not interested in promoting the EU Charter.		
Ex. Limited progress on legal changes, there is little impact		



Communication and Social Media Corner



Awareness raising messages to right holders.



Information flyer for EU Charter.

Awareness raising messages to right holders.



Information flyer for EU Charter.


Social Media post



Infographics



Leaflet
English/French/Spanish/Portuguese/Arabic/Ukrainian/ Farsi



The Charter of Fundamental Rights of the European Union

The project Rooting for Rights (R4R) aims to prevent and address violations of human rights in the reception and detention of applicants of international protection, by promoting the use of the Charter of Fundamental Rights of the European Union.

It is also important to know that:

Authorities must respect the private and family life of asylum seekers. This includes the privacy of their home and communications.

Article 7 CFREU

Asylum seekers have the right to education, and employment with fair working conditions.

Articles 14 and 15 CFREU

Children and other vulnerable asylum seekers have specific rights under the Charter:

All decisions must consider whatever is best for children's protection, development, and well-being.

Article 24 CFREU

The specific needs of vulnerable asylum seekers, such as children, the elderly, and people with disabilities, must always be taken into account. Appropriate support, including adequate medical care, must be provided.

Articles 1, 24, 25, and 26 CFREU

Do you know that asylum seekers can access legal services and remedies?

Asylum seekers have the right to legal services and to access a court to appeal any negative decision. In court, they may apply for free legal aid.


Article 47 CFREU

Asylum seekers have the right to be informed of available remedies in case of violation of their rights, in a language they understand.

Article 47 CFREU

Follow our social media accounts for more important information and share it among your contacts:

[add contact/social media links]



What is the Charter of Fundamental Rights of the European Union?

The Charter of Fundamental Rights of the European Union (CFREU) is a legal document that establishes freedoms and rights, many of which are applicable to asylum seekers and refugees.

Preamble CFREU

Everyone has the right to seek asylum.

Article 18 CFREU

Here are some of the basic rights of asylum seekers under the Charter:

Asylum seekers have the right to live with dignity and have adequate reception conditions including housing, food and clothing, as well as physical and mental healthcare. These conditions must not put the asylum seeker at risk of poverty or lead to serious violations of their basic rights.

Articles 1 and 4 CFREU

Asylum seekers cannot be sent to a State, including another EU Member State, where there is a serious risk that they would be subjected to the death penalty, torture or lead to serious violations of their basic rights.

Articles 4 and 19 CFREU

Asylum seekers cannot be discriminated based on any ground such as 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.

Article 21 CFREU

Do you know what the rights of asylum seekers in detention are?

Asylum seekers in detention must be treated with full respect for their human dignity.

Article 1 CFREU

Asylum-seekers cannot be punished for requesting asylum. If a State decides to detain asylum-seekers, this must be for the shortest time possible and only for clear reasons listed in the law. All detained persons can ask a court to review their detention.

Articles 18, 19, and 47 CFREU



La Charte des droits fondamentaux de l'Union européenne

Le projet "Rooting for Rights" (R4R) vise à prévenir et à remédier aux violations des droits de l'homme dans l'accueil et la détention des demandeurs de protection internationale, en promouvant l'utilisation de la Charte des droits fondamentaux de l'Union européenne.




La Carta de los Derechos Fundamentales de la Unión Europea

El proyecto Rooting for Rights (R4R) pretende prevenir y abordar las violaciones de los derechos humanos en la acogida y detención de solicitantes de protección internacional, promoviendo el uso de la Carta de los Derechos Fundamentales de la Unión Europea.




A Carta de Direitos Fundamentais da União Europeia

O projeto Rooting for Rights (R4R) visa prevenir e abordar as violações de direitos humanos no contexto do acolhimento e detenção de requerentes de proteção internacional, através da promoção do uso da Carta dos Direitos Fundamentais da União Europeia.




ميثاق الحقوق الأساسية للاتحاد الأوروبي

هدف مشروع "التيقن على حقوق حقوق" (R4R) إلى منع ومعالجة انتهاكات حقوق الإنسان في استقبال واحتجاز طالبي الحماية الدولية، من خلال تعزيز استخدام ميثاق الحقوق الأساسية للاتحاد الأوروبي.




منشور حقوق اساسي اتحادياوروبا

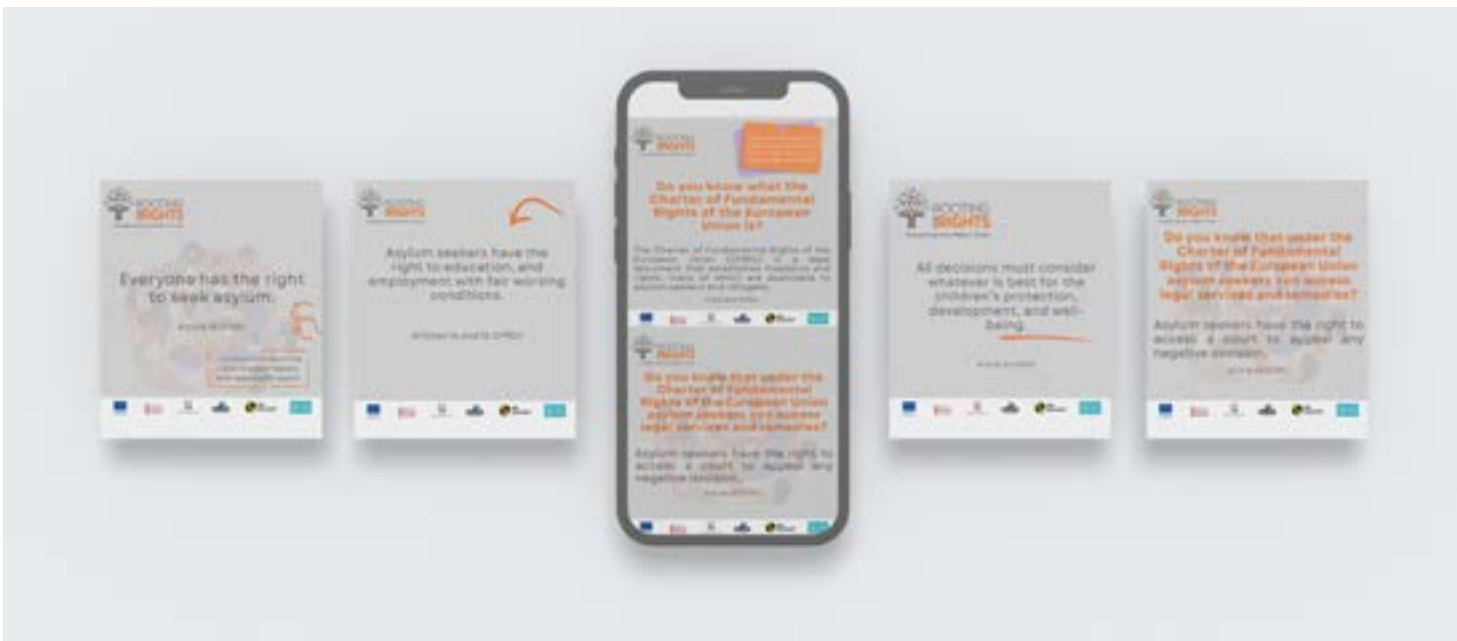
پروژه "Rooting for Rights" (R4R) هدف از پیشگیری و رفع نقایص حقوق بشر در پذیرش و بازداشت متقاضیان حمایت بین المللی است. ما ترویج استفاده از منشور حقوق اساسی اتحادیه اروپا را هدف قرار دادیم.



Poster
English/French/Spanish/Portuguese/Arabic/Ukrainian/ Farsi




Social Media Post
English/French/Spanish/Portuguese/Arabic/Ukrainian/ Farsi





Infographics English/French/Spanish/Portuguese/Arabic/Ukrainian/ Farsi



The rights of asylum seekers under the Charter of Fundamental Rights of the European Union

What is the Charter ?

The Charter of Fundamental Rights of the European Union (CFREU) is a legal document that establishes freedoms and rights, many of which are applicable to asylum seekers and refugees.

Preamble CFREU

Everyone has the right to seek asylum

Article 18 CFREU

Here are some of the basic rights of asylum seekers established under the Charter:

- Asylum seekers have the right to live with dignity and have adequate reception conditions including housing, food and clothing, as well as physical and mental healthcare. These conditions must not put the asylum seeker at risk of poverty or lead to serious violations of their basic rights.

Articles 1 and 4 CFREU
- Asylum seekers in detention must be treated with full respect for their human dignity.

Article 1 CFREU
- Asylum seekers cannot be sent to a State, including another EU Member State, where there is a serious risk that they would be subjected to the death penalty, torture or lead to serious violations of their basic rights.

Articles 4 and 19 CFREU

Children and other vulnerable asylum seekers' specific rights under the Charter:

All decisions must consider whatever is best for the children's protection, development, and well-being.

Article 24 CFREU

The specific needs of vulnerable asylum seekers, such as children, the elderly, and people with disabilities, must always be taken into account. Appropriate medical support, including adequate medical care, must be provided.

Articles 1, 24, 25, and 26 CFREU

You should also know that:

Asylum seekers cannot be discriminated based on any ground such as 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.

Article 21 CFREU

Do you know that asylum seekers can access legal services and remedies?

Asylum seekers have the right to legal services and to access a court to appeal any negative decision. In court, they may apply for free legal aid.

Article 47 CFREU

CHECK THIS [LINK TO WEBSITE IN THE SAME LANGUAGE VERSION] TO KNOW MORE ABOUT YOUR RIGHTS.

FOLLOW OUR SOCIAL MEDIA ACCOUNTS FOR MORE IMPORTANT INFORMATION AND SHARE IT AMONG YOUR CONTACTS.

@@@ [add social media accounts here]

ROOTING FOR RIGHTS

Los derechos de demandantes de asilo en vertu de la Carta de los derechos fundamentales de la Unión Europea

¿Qué es la Carta de los Derechos Fundamentales de la Unión Europea?

La Carta de los Derechos Fundamentales de la Unión Europea (CFREU) es un documento jurídico que establece libertades y derechos, muchos de los cuales son aplicables a los solicitantes de asilo y refugiados.

Todos poseen el derecho a pedir asilo

Article 18 CFREU

ROOTING FOR RIGHTS

Los derechos de los solicitantes de asilo en la Carta de los Derechos Fundamentales de la Unión Europea

¿Qué es la Carta de los Derechos Fundamentales de la Unión Europea?

La Carta de los Derechos Fundamentales de la Unión Europea (CFREU) es un documento jurídico que establece libertades y derechos, muchos de los cuales son aplicables a los solicitantes de asilo y refugiados.

Todos poseen el derecho a pedir asilo

Article 18 CFREU

ROOTING FOR RIGHTS

Os direitos dos requerentes de asilo de acordo com a Carta dos Direitos Fundamentais da União Europeia

O que é a Carta dos Direitos Fundamentais da União Europeia?

A Carta dos Direitos Fundamentais da União Europeia (CFREU) é um documento jurídico que estabelece liberdades e direitos, muitos dos quais se aplicam a requerentes de asilo e refugiados.

Todos os cidadãos têm direito a pedir asilo

Article 18 CFREU

ROOTING FOR RIGHTS

حقوق طالبي اللجوء وفقاً لميثاق الحقوق الأساسية للاتحاد الأوروبي

ما هو ميثاق الحقوق الأساسية للاتحاد الأوروبي؟

ميثاق الحقوق الأساسية للاتحاد الأوروبي (CFREU) هو وثيقة قانونية تحدد الحريات والحقوق، الكثير منها قابلة للتطبيق على طالبي اللجوء واللاجئين.

جميع الناس لهم الحق في طلب اللجوء

المادة 18 من ميثاق الحقوق الأساسية للاتحاد الأوروبي

ROOTING FOR RIGHTS

Права заявляющих прошение о предоставлении убежища в соответствии с Хартией основных прав Европейского Союда

Что такое Хартия основных прав Европейского Союда?

Хартия основных прав Европейского Союда (CFREU) — это юридический документ, который устанавливает свободы и права, многие из которых применимы к заявителям на убежище и беженцам.

У каждого человека есть право просить убежища

Статья 18 Хартии основных прав Европейского Союда

ROOTING FOR RIGHTS

حقوق پناهجویان بر اساس ميثاق حقوق اساسية الاتحاد الأوروبي

ميثاق حقوق اساسية الاتحاد الأوروبي (CFREU) هو وثيقة قانونية تحدد الحريات والحقوق، الكثير منها قابلة للتطبيق على طالبي اللجوء واللاجئين.

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Статья 18 Хартии основных прав Европейского Союда

ROOTING FOR RIGHTS

Os direitos dos requerentes de asilo de acordo com a Carta dos Direitos Fundamentais da União Europeia

O que é a Carta dos Direitos Fundamentais da União Europeia?

A Carta dos Direitos Fundamentais da União Europeia (CFREU) é um documento jurídico que estabelece liberdades e direitos, muitos dos quais se aplicam a requerentes de asilo e refugiados.

Todos os cidadãos têm direito a pedir asilo

Article 18 CFREU

ROOTING FOR RIGHTS

حقوق پناهجویان بر اساس ميثاق حقوق اساسية الاتحاد الأوروبي

ميثاق حقوق اساسية الاتحاد الأوروبي (CFREU) هو وثيقة قانونية تحدد الحريات والحقوق، الكثير منها قابلة للتطبيق على طالبي اللجوء واللاجئين.

جميع الناس لهم الحق في طلب اللجوء

المادة 18 من ميثاق الحقوق الأساسية للاتحاد الأوروبي



Videos

- 1) Right to Dignity
<https://vimeo.com/929798928>
- 2) Rights of the Child
<https://vimeo.com/929792879>
- 3) Right to Asylum
<https://vimeo.com/929792901>



Material and information on the EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights of the European Union, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

Explanations relating to the EU Charter of Fundamental Rights, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32007X1214%2801%29>

EU Institutions on the EU Charter

European Commission, Application of the EU Charter, https://commission.europa.eu/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights/application-charter_en

European Parliament, https://www.europarl.europa.eu/charter/default_en.htm (including information on the history of adoption of the EU Charter) - Check also at: https://multimedia.europarl.europa.eu/en/video/history-eu-charter-of-fundamental-rights_V001-0025

CJEU, The EU Charter of Fundamental Rights - binding rules with real-world impact, https://www.youtube.com/watch?v=Ln7hAl5fN7c&ab_channel=CourtofJusticeoftheEuropeanUnion (video of the Court on the EU Charter)

EU Agencies on the EU Charter

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FRA material and resources on the EU Charter, <https://fra.europa.eu/en/eu-charter/fra-charter-resources>

Fundamental Rights Report 2023, <https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023>

Fundamental Rights Report 2023 - FRA opinions, <https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023-fra-opinions>

FRA, Charterpedia, <https://fra.europa.eu/en/charterpedia> and <https://fra.europa.eu/en/eu-charter>

The Greek asylum cases that mention the EU Charter include:

Greece / Council of the State / 177/2023, <https://fra.europa.eu/en/caselaw-reference/greece-council-state-1772023>

Greece / Council of State / 689/2021, <https://fra.europa.eu/en/caselaw-reference/greece-council-state-6892021>

FRA e-learning platform, <https://e-learning.fra.europa.eu/>

FRA, The EU Charter of Fundamental Rights, <https://www.youtube.com/playlist?list=PLZMjtrRo5niNz3wU16hlOJsNVlhyZsabk>

FRA, Joint Commission and FRA conference on the 20th anniversary of the EU Charter, April 2020, available at: https://www.youtube.com/watch?v=ivJt6DP4G1k&ab_channel=EuropeanUnionAgencyforFundamentalRights%28FRA%29

EUAA Law Data Base - Decisions of Greek Courts that apply the EU Charter, <https://caselaw.euaa.europa.eu/pages/searchresults.aspx?Country=Greece&RLP=EU+Charter+of+Fundamental+Rights>

For updates, please check at: <https://caselaw.euaa.europa.eu/Pages/default.aspx>

FRONTEX, Fundamental rights at Frontex, <https://www.frontex.europa.eu/fundamental-rights/fundamental-rights-at-frontex/fundamental-rights-at-frontex/>

European Court of Human Rights

ECHR, HELP e-learning, Interplay between the ECHR and the EU Charter of Fundamental Rights, <https://help.elearning.ext.coe.int/course/view.php?id=6561>

Blog of Prof. Dr. iur. Johan Callewaert, Registrar of the ECHR, on the interplay between the European Convention on Human Rights and the EU-Charter of Fundamental Rights - <https://johan-callewaert.eu/the-interplay-between-the-european-convention-on-human-rights-and-the-eu-charter-of-fundamental-rights/> (Jurisprudence on asylum cases at: <https://johan-callewaert.eu/?s=asylum>)

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Moraru, Madalina, The EU Fundamental Right to Asylum: In Search of its Legal Meaning and Effects (2021). Iglesias Sánchez and González Pascual(eds), Fundamental Rights in the EU Area of Freedom, Security and Justice (Cambridge University Press 2021) , Available at SSRN: <https://ssrn.com/abstract=3890278> or <http://dx.doi.org/10.2139/ssrn.3890278>

Allan Rosas, When is the EU Charter of Fundamental Rights applicable at national level? , Uniwersytet Wroclawski, 5.9.2012, available at: <https://www.eu-hub.eu/sites/default/files/2019-11/When%20is%20the%20Charter%20applicable%20at%20national%20level%20-%20Allan%20Rosas.pdf>

María-Teresa Gil-Bazo, The EU Charter of Fundamental Rights of the European Union and the Right to be Granted Asylum in the Union's Law, Refugee Survey Quarterly, Volume 27, Issue 3, 2008, Pages 33-52, <https://academic.oup.com/rsq/article/27/3/33/1515095>

EuromedRights, Webinar: Surveillance technology and artificial intelligence: what impact for people on the move? held in June 2023 available at: <https://fb.watch/IJbEuAU85U/>

Material of the webinar:

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The report drafted by Antonella Napolitano, Artificial Intelligence: the new frontier of the EU's border externalisation strategy: https://euromedrights.org/wp-content/uploads/2023/07/Euromed_AI-Migration-Report_EN-1.pdf

The #ProtectNotSurveil website, where you can find more information about the CSOs coalition working around the AI Act: <https://protectnotsurveil.eu/>

The video showed by Caterina Rodelli from Access Now: <https://twitter.com/accessnow/status/1660919542543966209>

Border security with drones and databases, <https://www.statewatch.org/analyses/2024/border-security-with-drones-and-databases/>

Informative videos on EU Charter of Fundamental Rights

<https://www.youtube.com/watch?v=WmCw61U6WrQ>

<https://www.youtube.com/watch?v=hnMSfu8dRG8>

<https://www.youtube.com/watch?v=Fceik3nGkxM>

<https://www.youtube.com/watch?v=VWb6Hmxw9RO>

<https://www.youtube.com/watch?v=drFdu8lTheo>



ROOTING FOR RIGHTS

Strengthening Human Rights in Europe

