EU's next long-term budget (MFF) – ENNHRI Submission on EU funding for values and civil society

May 2025

Promoting and protecting union values and fundamental rights

The European Union is founded on the values of human dignity, freedom, democracy, equality, rule of law and human rights. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail (article 2 of the Treaty on European Union (TEU) and the EU Charter of Fundamental Rights).

It is crucial that the new MFF commits as a priority funding for upholding the EU values - including fundamental rights, democracy and rule of law - which are essential for ensuring mutual trust, coherence, prosperity, sustainability, and security in the Union.

Ringfencing sufficient investments for fundamental rights, through supporting the implementation of the EU Charter of Fundamental Rights will ensure – in line with the Treaty on European Union – that:

- human dignity is inviolable and must be respected and protected to constitute a real basis of fundamental rights;
- freedom of movement, giving citizens the right to move and reside freely within the Union, and related that individual freedoms such as respect for private life, freedom of thought, religion, assembly, expression and information are ensured;
- EU citizens are entitled to enjoy political rights, including standing as candidates and to vote in elections to the European Parliament;
- all EU citizens can enjoy equal rights before the law and that the principle of equality between women and men, which underpins all European policies, is enforced;
- rule of law is enforced to ensure the functioning of the European Union, through the treaties, and that law and justice are upheld by an independent judiciary and the European Court of Justice; and

- human rights are protected including the right to be free from discrimination on the basis of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, the right to the protection of your personal data, and the right to get access to justice.

As independent public institutions with a broad legal or constitutional mandate to promote and protect human rights, National Human Rights Institutions (NHRIs) are recognised by the EU as part of checks and balances in a state and as key actors for advancing the application of the Charter of Fundamental Rights. NHRIs, jointly through the European Network of National Human Rights Institutions (ENNHRI), report annually on the situation of rule of law and fundamental rights.

NHRIs' reports show that space for civil society organisations (CSOs) and human rights defenders (HRDs) has significantly deteriorated over the past 6 years. This includes limitations on freedom of peaceful assembly, freedom of expression and freedom of association as well as a growing trend of negative attitudes, serious obstacles in access to funding, stigmatisation, criminalisation and attacks against CSOs and HRDs.

NHRIs across the EU also document in their annual reporting increasing challenges that impact their own effectiveness and operating space. Most reported is a lack of sufficient resources to carry out their broad and increasing mandates (including those derived from EU regulations) and budget cuts. Further, an insufficient level of follow-up and response to NHRIs' recommendations is reported, even when legal obligations exist for state authorities doing so. Moreover, NHRIs in the EU face a rising number of intimidations, threats and attacks with one in four EU NHRIs reporting this in relation to the past year.

This shows the crucial importance of further investment in independent institutions such as NHRIs, as well as civil society and HRDs to strengthen their role and recognition, and thereby ensuring that the foundations of the EU are not eroded.

In the context of the negative trends reported by NHRIs, **promoting and protecting Union values and fundamental rights is essential to ensuring the well-functioning of the European Union in the years to come**.

Against this backdrop, this submission highlights **the key role of NHRIs and ENNHRI in upholding Union values**, sets out the **added value and challenges of EU funding** in this area and points to some **recommendations to improve its impact**.

Contribution to the "values and civil society" policy area

The European Network of National Human Rights Institutions (ENNHRI) brings together 49 Institutions across Europe to enhance the promotion and protection of human rights in the region. National Human Rights Institutions (NHRIs) are unique as they are state-mandated bodies, independent of government, with a broad constitutional or legal mandate to protect and promote human rights. Different from other national institutions, NHRIs are accredited with an internationally accepted quality label, on the basis of their compliance with the UN Paris Principles.

As the only national bodies with a broad legal or constitutional mandate covering all fundamental rights, NHRIs are key domestic actors for the respect of fundamental rights in the EU and advancing the EU's common values of fundamental rights, democracy and the rule of law (art. 2 TEU). In its conclusions of March 2021, the Council of the European Union recognised that independent NHRIs "play a crucial role in the protection and promotion of fundamental rights and in awareness-raising and contribute to ensuring compliance of national policies with the Charter."

NHRIs act as bridges:

- Between civil society and the state: as independent state bodies, NHRIs are trusted to provide advice to state authorities, and also cooperate with a variety of civil society actors to bring an accurate overview of the human rights situation, with recommendations, to government, parliament and other state bodies.
- Between the national and international arenas: NHRIs apply international human rights standards at the national level with a full understanding of the local context. They also report to international and regional human rights mechanisms, including the EU.

NHRIs can take different forms, including ombuds institutions, human rights commissions and institutes, and have different mandates, including UN and EU devolved mandates. The majority of NHRIs in the EU, for example, also have the mandate as National Preventive Mechanism under UN OPCAT, as National Monitoring Mechanism under UN CRPD, or as National Equality Body under the EU Equality Directives. NHRIs have more recently been allocated mandates and roles under further EU regulation and policy, including as independent fundamental rights monitoring body under the MFF, independent monitoring mechanism under the EU Screening Regulation, or fundamental rights body under the EU Artificial Intelligence Act (further below). :

As a general rule, each state has only one NHRI. Consequently, the strategic added value of EU funding for NHRIs lies with transnational networking and exchanges, for which ENNHRI provides a sound platform to:

- Strengthen NHRIs by facilitating the exchange of information and good practices and organising capacity-building activities;
- Supporting NHRIs with their compliance with the UN Paris Principles during their establishment, accreditation and when they come under threat;
- Connecting NHRIs to European institutions by facilitating their engagement with regional mechanisms, raising their visibility and intervening on regional legal and policy developments.

NHRIs' recognised role in advancing EU Treaty values and the EU Charter of Fundamental Rights

In the Strategy to strengthen the application of the Charter of Fundamental Rights in the EU (COM(2020)711), the European Commission has recognised the key role of NHRIs to advance the application of the EU Charter domestically, including as independent national bodies for monitoring and advising authorities to ensure that EU-funded programmes are designed and implemented in compliance with the EU Charter. The Strategy also formally puts in place the recognition by the European Commission for all Member States to establish an independent NHRI in compliance with the UN Paris Principles, including through technical support from ENNHRI.

The key role of NHRIs has been subsequently recognised in the Commission's annual reports on the application of the Charter (COM(2021)819; COM(2022)716; COM(2023)786), as well as the subsequent Council Conclusions (6795/21; 7388/23; 7127/24; 6878/25) and European Parliament Resolutions (2019/2208(INI); 2021/2103(INI)). This has included recognition of NHRIs' role in relation to the promotion and protection of civic space, legal protection and access to justice, and their role in ensuring compliance with the Charter of EU funds expenditure.

Since the start of the European Commission rule of law reporting in 2020, NHRIs have been recognised as part of checks and balances, and the existence of a strong and independent NHRI in compliance with the UN Paris Principles has been recognised as an indicator of healthy rule of law in EU Member States. The European Commission rule of law reports draw on information provided by NHRIs through ENNHRI, and the Commission's recommendations addressed to Member States also include country-specific recommendations on the establishment and strengthening of NHRIs.

The recognition of NHRIs' added value in the EU has led to the increased allocation of mandates and roles for NHRIs in ensuring independent domestic oversight of whether EU legislation is implemented in compliance with fundamental rights. For example, NHRIs have been allocated mandates as independent fundamental rights monitoring body under the MFF (Article 8 (1) (c) of the Common Provision Regulation), domestic focal point on SLAPPs (EC Recommendation (EU) 2022/758), independent monitoring mechanisms under the EU Screening Regulation, or the monitoring of fundamental rights under the EU Artificial Intelligence Act.

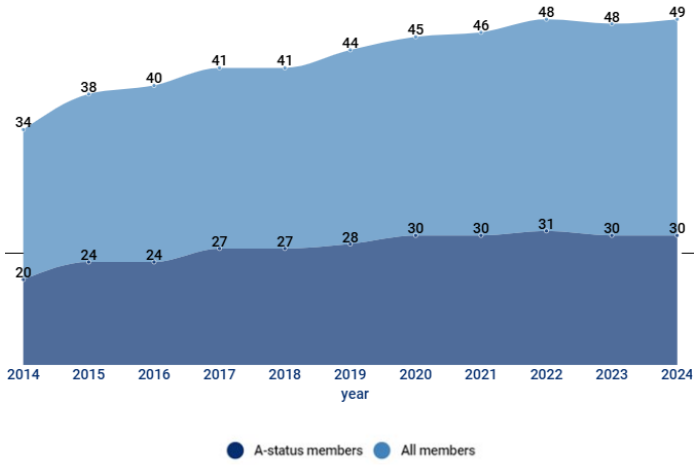
NHRIs, through the Paris Principles, are referenced in Article 33(2) UN Convention on the Rights of Persons with Disabilities (CRPD) as appropriate bodies to promote, protect and monitor the implementation of CRPD on Member State level. As such, ENNHRI coordinates a Working Group of all Article 33(2) bodies across Europe, including the Monitoring Framework of the EU as an Observer, given that the EU is also a party to this UN Convention.

The most recent Council Conclusion on the Charter (7 March 2025), notably: "recommends to provide, in line with the national budgetary framework, adequate funding for NHRIs, […], reflecting their mandates under EU law, as well as the scale and range of current challenges in the area of fundamental rights protection. By providing high-level expertise on fundamental rights, monitoring the application of the Charter, ensuring support for victims of fundamental rights violations and for persons in vulnerable situations, cooperating with national institutions and raising awareness of fundamental rights in society, NHRIs, […] continuously contribute to preserving and defending the common values enshrined in Article 2 TEU and in the Charter."

The added value of EU funding to address this policy area

Funding provided through the Citizens, Equality, Rights and Values (CERV) Programme Operating Grants have helped the growth of the ENNHRI network year on year in terms of establishment in EU Member States growing with new Institutions, as well as the increase in the A-status accreditation of NHRIs around Europe.

Since 2013, the number of NHRIs in Europe has increased by 34%, the amount of accredited NHRIs by 27%, and the amount of A-status NHRIs by 50%. In particular, across EU Member States NHRIs have more than doubled. ENNHRI's membership now covers all EU Member States except for Italy, where we are actively supporting its establishment in compliance with the UN Paris Principles, in line with EU institutions' recommendations.



Moreover, funding through both operating grants contributed to:

- Strengthened NHRIs to promote and protect Human Rights, through dedicated support to NHRI establishment and accreditation, compliant with the Paris Principles, to ensure each state's effectiveness in respecting human rights, democracy and rule of law.
- Greater awareness of NHRIs, Paris Principles and NHRI standards by national and regional stakeholders, and increased opportunities offered by NHRIs to civil society / human rights defenders for joint collaborations.
- Increased actions by NHRIs to address the enabling environment of human rights defenders and civil society related to the respect for human rights and rule of law; and calling national governments to account for the implementation of human rights and fundamental freedoms
- Reinforced role of NHRIs in promoting and protecting human rights through the professional development of NHRI leaders and staff on national and local levels.
- Increased NHRI capacity to effect change at national level and improved engagement at regional and international levels; by improved recognition of NHRIs by and engagement with relevant decision makers / stakeholders.
- Enhanced exchanges and mutual understanding and solidarity between NHRIs. Enabling subject matter specific meetings and/or training activities for NHRIs on emerging sub-regional human rights concerns, networking is facilitated and will strengthen NHRIs as vectors for the respect for human rights on the ground

On EU Member State level, NHRIs are provided with funding from the state, as defined by the Paris Principles. However, as human rights institutions are often facing budgetary reductions, limitations or attribution of new mandates that result in a lack of adequate resources, EU funding in this area is of the outmost importance. EU funding is also essential for the only European

Network of NHRIs, ENNHRI, to facilitate transnational exchange, peer support, training on the EU Charter and enabling conditions, and joint work on fundamental rights, democracy and rule of law that impact across the EU, and into enlargement states. Notably, due to ENNHRI's geographic remit, the networks' transnational activities in relation to EU values also benefit EU enlargement states, which is crucial to strengthen a growing Union, and security and prosperity in the EU and its neighbourhood.

The obstacles that prevent the EU budget from fully delivering on its objectives in this policy area

Increase funding for this policy area

Funding through the Operating Grants has helped strengthen the capacity of NHRIs on the level of staff and leadership and should be continued. However, notwithstanding the efforts of the European Commission, funding for fundamental rights, and advancing the implementation of the EU Charter at the national level is still limited. NHRIs struggle to cover the expectations of their mandate(s) for the promotion and protection of human rights at the national level, including linking to the EU Charter Strategy, and meeting – in terms of resources – the expectations of the European Institutions.

Therefore, more project funding would enable ENNHRI and NHRIs to develop strategies in the context of increasing expectations. Such funding would allow NHRIs to advance the implementation of fundamental rights and the EU Charter, as well as a growing number of EU regulations impacting fundamental rights which require monitoring by NHRIs (e.g.: EU migration pact, EU AIA, CPR, etc.)

Maintaining fundamental rights conditionality of EU Programmes

Following the 2019 Council Conclusions on the Charter, the 2021 Common Provision Regulation (CPR) on EU funds proposes a potential role for NHRIs in monitoring and contributing to the compliance with fundamental rights (EU Charter and UN CRPD) of EU-funded programmes. While the CPR leaves a broad margin of appreciation for national authorities to set up their arrangements at the national level, NHRIs have been approached by state authorities to become involved.

As a result, NHRIs have been increasingly involved in the implementation of the CPR, including in the context of the monitoring committees. As reported by FRA ('NHRI accreditation status and mandates - update 2024'), around half of the EU NHRIs indicate their involvement in the monitoring of fundamental rights compliance in the use of EU funds at the national level.

While ENNHRI as network of NHRIs cannot play a direct role in the monitoring of fundamental rights compliance of EU funds in EU Member States, ENNHRI has raised awareness of NHRIs across the EU about both the potential of taking up such role and opportunities and challenges, including with a view to ensure compliance of the role with the international standards on NHRIs (UN Paris Principles). In 2022, at the initial stages of the implementation of the CPR, while no EU-level guidance existed yet on the potential role for NHRIs, ENNHRI collected information from its members and developed a common position outlining the potential roles, opportunities and challenges for NHRIs.

ENNHRI has also supported the capacity-building of NHRIs in this area, in cooperation with the EU Fundamental Rights Agency (FRA). While NHRIs continue to flag the need for further capacity-building and peer exchange, there is a potential to develop, on the basis of initial NHRI experience and projects, templates and guidance that could be supporting NHRIs across the region if they take up a role in the context of implementing and monitoring EU funds' compliance with fundamental rights.

Based on its experience under the current CPR, ENNHRI recommends continuing to include and further develop fundamental rights conditionality of EU funds in the next CPR and to strengthen support for fundamental rights bodies involved in CPR implementation, like NHRIs, including through their network ENNHRI.

Options that could help the EU budget become more effective and efficient in this policy area

Recognition of ENNHRI and NHRIs under the next MFF

NHRIs are independent state-mandated bodies, recognised in various EU policies, processes and regulations as strategic partner to promote the EU Treaty values and the Charter of Fundamental Rights.

Under the NDICI-Global Europe instrument, NHRIs and their global alliance (GANHRI) are recognised as a strategic partner and a direct beneficiary of funding, which will be reflected from this year under the Instrument for pre-accession (IPA III) for the role of ENNHRI and NHRIs in the enlargement process.

However, when considering the strategic partnership with DG Justice and Consumers, NHRIs and ENNHRI are competing with civil society organisations under the Citizens, Equality, Rights and Values Programme (CERV) for resources. This undermines ENNHRI members' role in bridging

between the state and those civic actors, as defined under the UN Paris Principles. As a result, ENNHRI asks your support to recognise:

1. The ENNHRI network is in an exceptional situation, being the only entity which ensures the coordination of activities between European National Human Rights Institutions.
2. The coordination by ENNHRI is of key importance for the effective implementation of the EU common values (art 2 TEU) and the EU Charter of Fundamental Rights.
3. In compliance with article 195 of the EU Financial Regulation (2018/1046), an operating grant might be awarded, without a call for proposals, to the European Network of National Human Rights Institutions, to cover expenditure associated with ENNHRI's permanent work programme.

About ENNHRI

ENNHRI is the European Network of National Human Rights Institutions. We bring together 49 National Human Rights Institutions (NHRIs) to enhance the promotion and protection of human rights in Europe. Our network provides a platform for collaboration and solidarity in addressing human rights challenges and a common voice for NHRIs at the European level.

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