

## Experiences of civil society organisations working on human rights in the EU

### Consultation of the Fundamental Rights Platform (FRP)

*Final (4/09/2018)*

#### About this consultation

In January 2018, the Fundamental Rights Agency (FRA) published a report on "[Challenges facing civil society organisations working on human rights in the EU](#)". The report highlights challenges that civil society organisations in the EU are facing when implementing fundamental rights. It also gives examples of promising practices. You can find a short summary [here](#).

This online consultation has been sent to organisations registered in the FRP database. It serves to complement and update the information across the four main areas of the report:

- 1) enabling regulatory environment,
- 2) access to finance and resources,
- 3) access to the decision-making process and participation, and
- 4) safe space.

While the report brought together official data, this consultation aims to collect information about the real-life experiences of organisations. Outcomes will be summarised in a short paper, which will be published on FRA's website and shared widely with stakeholders and the media. Notably, the results will be presented at the European Commission's Colloquium on Fundamental Rights in November 2018.

The online questionnaire will be open from 4 until 30 September 2018.

Please fill the questionnaire to the best of your knowledge and as accurately as possible. The survey responses will be fully anonymised and are untraceable to the end user. You will be able to fill the survey only once per organisation. Please refer to the FRA website for general information on FRA's data protection: <http://fra.europa.eu/en/data-protection>, and see here [specific data protection information regarding this consultation](#).

This questionnaire is available in English. A [French translation](#) of the questions is also available.

The survey has **32 questions**, and 6 background questions about your organisation. We would like to thank you in advance for your time for answering the questions.

#### I) General questions

- 1) *In your country, **how would you describe the general conditions** for civil society organisations working on human rights (including advocacy and human rights work)?*

1	2	3	4	5	9
Very good	Good	Average	Poor	Very poor	Do not know

- 2) *In your country, **how has the general situation for civil society organisations working on human rights changed** in the past three years (2015-2018)?*

1	2	3	4	5	9
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Strongly improved	Improved	Remained the same	Deteriorated	Strongly deteriorated	Do not know
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3) **How has the situation for your own civil society organisation changed in the past three years (2015-2018)?**

1	2	3	4	5	9
Strongly improved	Improved	Remained the same	Deteriorated	Strongly deteriorated	Do not know

## II) Enabling regulatory environment and laws

Under the EU Charter of Fundamental Rights, the European Convention on Human Rights and the International Covenant on Civil and Political Rights, States have an obligation to create and maintain a safe and enabling operating environment for civil society organisations, including a conducive legal and administrative framework which respects and protects the rights to freedom of expression, association, assembly, public participation, non-discrimination, and communication and cooperation with national, regional and international human rights mechanisms and bodies. Below you will find a list of questions about the area of enabling regulatory environment and laws, based on the challenges identified in FRA's [civil society report](#).

4) **Generally speaking, how often has your organisation experienced specific challenges because of changes in the legal environment in your country, in the last three years?**

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

5) **How often has your organisation been challenged in the area of freedom of peaceful assembly in the last three years (e.g. difficulties in organising public gatherings for expressive purposes, such as lack of or inadequate police protection, bans on certain assemblies or excessive restrictions on their content, or regarding the time, place or manner of organising assemblies, such as bans on assemblies at certain times or locations)?**

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

6) **Has your organisation been challenged in the area of freedom of association in the last three years (e.g., challenges to the capacity to register and/or operate as a legal person in national law)?**

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

7) Has your organisation been challenged in the area of **freedom of expression** in the last three years (e.g. through criminal sanctions brought against the organisation, or through civil or administrative litigation)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

8) Has your organisation been challenged due to changes in **transparency or lobby laws** in the last three years (i.e. such legislation resulting in inappropriate or disproportionate controls or limitations on activities such as human rights advocacy)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

9) Has your organisation been challenged due to **laws on political campaigning** in the last three years (i.e. such regulations resulting in inappropriate or disproportionate controls or limitations on activities such as human rights advocacy)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

10) Has your organisation been challenged due to **counter-terrorism legislation or policy** in the last three years (i.e. such legislation or measures resulting in inappropriate or disproportionate controls or limitations on your work)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

11) Has your organisation been challenged due to **changes in tax laws** in the last three years (for charitable organisations as well as for donors), **or changes in laws governing charitable status** (e.g. changes in eligibility criteria for charitable status, reductions in tax deductibility of charitable giving/donations, discriminatory treatment in the area of taxation)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

12) Has your organisation been challenged due to the **misuse of data protection laws** (such as the disproportionate and/or discriminatory application of data protection regulations) in the last three years?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

### III) Access to finance and resources

Access to resources is an integral part of the right to freedom of association, as defined in Article 22 of the International Covenant on Civil and Political Rights and other human rights instruments, including the International Covenant on Economic, Social and Cultural Rights and the EU Charter of Fundamental Rights (Article 12). Legal frameworks and policies affecting the ability of organisations to seek and access resources have a significant impact on the freedom of association; they can strengthen the effectiveness and facilitate the sustainability of associations or, alternatively, subjugate associations to a dependent and weak position. The concept of ‘resources’ is broadly defined to include financial assistance, material resources, access to international funds, solidarity, the ability to travel and communicate without undue interference, and the right to benefit from the protection of the state. Below you will find a list of questions about access to finance and resources, based on the challenges in FRA’s [civil society report](#).

13) In the last three years, has your organisation experienced **obstacles in access to resources/funding**?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

14) Has **your own organisation’s budget changed** over the past three years?

1	2	3	4	5	9
Increased significantly	Increased somewhat	Stayed the same	Decreased somewhat	Decreased significantly	Do not know

15) Does your organisation accept the following types of public funding?

- a) EU funding Yes – No
- b) National public funding from your country Yes-No
- c) Other types of public funding Yes-No

16) In the last three years, **how has your organisation received funding**?

Types of activities	Our organisation has received funding from:						Income from own activity	Activity funded in some other way	Not applicable/Do not know
	Local government	National government	Private sources	EU funds	International sources				
Advocacy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Campaigns	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Education and awareness raising	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Legal cases on behalf of plaintiffs / strategic litigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Representation of victims, victim support, counselling (legal, psycho-social)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Gender equality or women empowerment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Research, data collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Service provision: social integration/ social services / health projects / refugee support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Targeted work with the media	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Operational expenditure grants – ‘core funding’ of your organisation’s infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

17) For which activities have you **applied for funding, but not received any**, over the last three years?

- Advocacy
- Campaigns
- Education and awareness raising
- Legal cases (litigation) on behalf of plaintiffs
- Representation of victims, victim support, counselling (legal, psycho-social)
- Gender equality or women empowerment
- Research, data collection

- Service provision: social integration/ social services / health projects / refugee support
- Strategic litigation
- Targeted work with the media
- Operational expenditure grants – ‘core funding’ of your organisation’s infrastructure
- We did not apply for any funding
- Other, please specify:

**18) Over the last three years, for which types of activities *would you have applied for funding if it were available?***

- Advocacy
- Campaigns
- Education and awareness raising
- Legal cases (litigation) on behalf of plaintiffs
- Representation of victims, victim support, counselling (legal, psycho-social)
- Gender equality or women empowerment
- Research, data collection
- Service provision: social integration/ social services / health projects / refugee support
- Strategic litigation
- Targeted work with the media
- Operational expenditure grants – ‘core funding’ of your organisation’s infrastructure
- We would not apply for any funding
- Other, please specify:

**19) Please select *up to five barriers to funding* that your organisation faces:**

- Availability of and access to information about available funding
- Limited internal capacity (people, skills) to find funding sources or apply
- Availability of funds for our type of activities
- Eligibility criteria of calls for project proposals
- Difficult application procedures
- Difficult reporting procedures
- Financial capacity criteria (need to prove certain income or turnover to access funding)
- Conditionality and shift in public funding from grants to contracts (service delivery)
- Requirement to conclude consortia, including cross-border
- Lack of transparency of application procedures and/or lack of fairness in funding allocation
- National rules making access to foreign funding more difficult

- Lack of core/infrastructure funding
- Discrimination on the grounds of gender
- Already secured funding being questioned or revoked
- We did not face any barriers
- Other, please specify: \_\_\_\_\_

#### IV) Access to the decision-making process & participation

Below you will find a list of questions about the access of civil society organisations to decision-making processes and participation, based on the challenges identified in FRA's [civil society report](#).

20) Has your organisation **participated in public consultations for law and policy making** in the past three years – either through online consultations, meetings or other means?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

21) **Where have you contributed** to consultations?

- At EU level
- At national level
- At local level
- Other, please specify: \_\_\_\_\_

a) How would you rate the overall quality and impact of the **EU level** consultation/participation/communication processes in which you have participated (European Commission, European Parliament, Council of the EU)?

1	2	3	4	5	9
Very high	High	Acceptable	Poor	Very poor	Do not know

b) How would you rate the overall quality and impact of the **national** consultation/participation/communication processes in which you have participated?

1	2	3	4	5	9
Very high	High	Acceptable	Poor	Very poor	Do not know

c) How would you rate the overall quality of the **local** (local authority/community) consultation/participation/communication processes in which you have participated?

1	2	3	4	5	9
Very high	High	Acceptable	Poor	Very poor	Do not know

22) In general, what were the **main challenges you encountered in consultations?** (please tick up to five)

- Unclear where and how to contribute
- Lack of information regarding new laws and policies and therefore lack of information about upcoming consultations
- Lack of adequate consultation/participation processes
- Scope of consultation unclear or too narrow
- Discrimination on grounds of gender
- Not clear what we would be feeding into and how input would be used
- Unclear who is consulted / criteria
- Only government-friendly organisations seem to be consulted
- Too short deadlines
- Lack of impact
- Lack of time to contribute
- Our organisation does not have the detailed level of expertise required to contribute
- No feedback on what happened with our input
- Quality of process depends on concrete theme
- Quality of process depends on who (which ministry or Directorate General) is in charge
- Contributing to consultation processes is not part of our work
- We did not face any challenges
- Other, please specify: \_\_\_\_\_



**V) Safe space**

In order to do their work, civil society organisations need a safe space to operate. This applies both online and offline, and refers not only to an environment in which they are safe from physical harm, but also to the need to ensure that a hostile atmosphere is not created through verbal attacks by governmental or non-governmental actors or through the use of excessively intrusive surveillance methods. *Below you will find a list of questions **about the conditions in which civil society organisations are operating**, based on the challenges in FRA’s [civil society report](#).*

23) *Has any of your **employees/volunteers been threatened and/or attacked (verbal or written, including online)** in relation to their work for your organisation, in the last three years?*

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

24) *Has any of your **employees/volunteers been attacked physically or beaten up**, in relation to their work for your organisation, in the last three years?*

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

*Do you suspect this was because on any of the following **personal characteristics of this employee/volunteer**?*

	Often	Sometimes	Rarely	Once	Never	Not applicable / do not know
gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
political opinions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(national) minority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
sexual orientation or gender identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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25) Has any of your **employees/volunteers individually experienced threats and/or physical, verbal or online attacks in relation to their work for your organisation, in the last three years?**

Yes – no

Do you suspect this was because on any of the following **personal characteristics of this employee/volunteer?**

	Often	Sometimes	Rarely	Once	Never	Not applicable / do not know
gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
political opinions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(national) minority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
sexual orientation or gender identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

26) Has **your organisation, as a whole, been subject to threats and/or physical, verbal or online attacks, in the last three years?**

Yes – no

Do you suspect this was in response to the organisation's work on any of the **following issues?**

	Often	Sometimes	Rarely	Once	Never	Do not know
gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
political opinions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>(national) minority</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>sexual orientation or gender identity</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27) Have the **premises of your organisation been attacked** (vandalism, graffiti, broken windows, etc.) in the last three years?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

28) Has your organisation **reported any of these incidents** (questions 23-27) to the police?

1	2	3	4	5	9
Always	Often	Rarely	Once	Never	Do not know

29) Has any of your **employees/volunteers' (psycho-social) wellbeing** suffered due to their experiences at work in the last three years (e.g. burnouts, depression, secondary trauma,...)?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

30) Has your organisation been the target of **negative media reports/campaigns** in the last three years?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

31) Did you ever suspect that your organisation was **under surveillance by public authorities** in the past three years? (for example electronic surveillance, telephone tapping, etc.)

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

32) Has your organisation been subject to **digital security threats**, e.g. attacks on digital infrastructure in the past three years?

1	2	3	4	5	9
Often	Sometimes	Rarely	Once	Never	Do not know

33) **Is there anything else you would like to share with us** regarding your organisation's experiences on civil society space? (open question)

## VI) Background

Finally, please could you answer a few questions about your organisation:

A) In which country does your organisation work (or is based in):

[list: 28 EU Member States, EU level, Former Yugoslav Republic of Macedonia as FRA observer]

B) What is the **geographical scope** of your organisation's activities (multiple selections are possible):

- Local / regional
- National
- EU
- International

C) What the **type** of organisation do you work for (categories as per FRA Founding Regulation, Art. 10) *only one answer possible*

- Non-governmental organisation
- Trade union
- Employer's organisation
- Social and professional organisation
- Faith-based, religious, philosophical or non-confessional organisation
- University or other qualified experts of European/international body/organisation
- Other, please specify: \_\_\_\_\_

D) What is your organisation **mainly engaged in** (a minimum of one and a maximum of four selections are possible):

- Advocacy
- Campaigns

- Education and awareness raising
- Legal cases (litigation) on behalf of plaintiffs / strategic litigation
- Representation of victims, victim support, counselling (legal, psycho-social)
- Gender equality or women empowerment
- Research, data collection
- Service provision: social integration/ social services / health projects / refugee support
- Targeted work with the media
- Operational expenditure grants – ‘core funding’ of your organisation’s infrastructure
- Other, please specify: \_\_\_\_\_

*E) Please select the **main theme(s)/field(s)** your organisation in operating in (a minimum of one and a maximum of five selections are possible):*

- Access to justice, including victims of crime
- Age discrimination / youth
- Age discrimination / older people
- Disability
- Legal advice / litigation with respect to discrimination
- Economic and social rights
- Education
- Gender
- Health
- Information society, privacy, data protection
- Judicial and police cooperation
- LGBTI
- Immigration, asylum and return, integration
- Poverty eradication
- Racism, xenophobia and related intolerance
- Religion / freedom of religion
- Rights of the child
- Roma integration
- Sexual and reproductive rights
- Women
- General Human/Fundamental Rights
- Other, please specify:

**F) Size of your organisation**

a) How many paid employees does your organisation have?

- 0
- 1-5
- 6-15
- 16-50
- 51-100
- 101-500
- More than 500

b) How many volunteers work with your organisation?

- 0
- 1-5
- 6-15
- 16-50
- 51-100
- 101-500
- More than 500

*Thank you.*

FRA would like to thank you for taking the time and effort to fill this questionnaire.

The outcomes will be summarised in a short paper, which will be published on FRA's website and distributed to all FRA stakeholders and the media. The results will also be presented at the European Commission's Colloquium on Fundamental Rights in November 2018. FRA will use the outcomes to further underpin its advice to policy makers in EU institutions and Member States on how to improve conditions for civil society work.

For any further questions regarding FRA's work on civil society space, please consult the [dedicated page on FRA's website](#), or send an email to [frp@fra.europa.eu](mailto:frp@fra.europa.eu)