Flash Eurobarometer 340

THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

SUMMARY

Fieldwork: January 2012
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This survey has been requested by Directorate-General Justice and co-ordinated by Directorate-General for Communication (DG COMM “Research and Speechwriting” Unit).

This document does not represent the point of view of the European Commission. The interpretations and opinions contained in it are solely those of the authors.

Flash Eurobarometer 340 - TNS Political & Social
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The Charter of Fundamental Rights of the European Union

Conducted by TNS Political & Social at the request of Directorate-General Justice

Survey co-ordinated by Directorate-General for Communication
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INTRODUCTION

The European Union Charter of Fundamental Rights\(^1\) was first formally proclaimed in December 2000. Amended in December 2007, the Charter became legally binding in December 2009 when the Lisbon Treaty came into force.

The Charter was not intended to establish new rights. Rather the Charter combines in one place rights that had previously been found in a range of both national and EU laws and conventions. As a result these rights are now more visible to citizens, making them more accessible and more readily understood. The Charter has seven chapters dealing with dignity, freedoms, equality, solidarity, citizens' rights, justice, and general provisions. These chapters identify the rights that apply to each EU citizen in the political, civil, economic and social spheres.

In 2010 the European Commission adopted a Strategy\(^2\) on the effective implementation of the Charter. The objective is that the Union sets an example in particular when it legislates. The Commission further committed to prepare annual reports to better inform citizens on the application of the Charter and to measure progress in its implementation. These Annual Reports inform the public on the situations in which they can rely on the Charter and on the role of the European Union in the field of fundamental rights.

According to the findings of the 2010 Annual Report\(^3\) citizens often misunderstand when the Charter does and does not apply. The Flash Eurobarometer on Citizenship, in 2007, also identified low general awareness and knowledge of the Charter.

The questions in this Flash Eurobarometer\(^4\) expand on this theme to provide greater insight, and to establish whether awareness has improved over time. Specifically the survey has been designed to:

- Identify the level of awareness of the Charter itself, and when it does and does not apply.
- Find out where people would turn to if they feel their rights enshrined in the Charter of Fundamental Rights are violated.
- Determine what aspects of the Charter need greater explanation and information.

\(^1\) [http://www.europarl.europa.eu/charter/default_en.htm](http://www.europarl.europa.eu/charter/default_en.htm)
The findings of this survey have been analysed firstly at EU level and secondly by country.

In the course of this survey, 26,335 European citizens aged 15 and above were interviewed by telephone (fixed-line and mobile phone) by the TNS Political & Social network between 4 and 9 January 2012 in all 27 European Union Member States, as requested by the European Commission’s Directorate-General for Justice. The methodology used is that of surveys as carried out by the Directorate General for Communication (“Research and Speechwriting” Unit). A technical note on the methodology for interviews conducted by the institutes within the TNS Political & Social network is annexed to this report. This note indicates the interview methods and the confidence intervals.

The Eurobarometer web site can be consulted at the following address:
http://ec.europa.eu/public_opinion/index_en.htm

We would like to take the opportunity to thank all the respondents across the continent who have given of their time to take part in this survey. Without their active participation, this study would simply not have been possible.

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5 Further information on the methodology used can be found in the technical note which specifies the interview methods as well as the confidence intervals.
6 http://ec.europa.eu/public_opinion/index_en.htm
7 The results tables are included in the annex. It should be noted that the total of the percentages in the tables of this report may exceed 100% when the respondent can give several answers to the same question.
### ABBREVIATIONS

<table>
<thead>
<tr>
<th>EU27</th>
<th>European Union - 27 Member States</th>
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<tbody>
<tr>
<td>EU15</td>
<td>The fifteen Member States that were EU Members prior to the accession of ten candidate countries on 1 May 2004</td>
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<td>NMS12</td>
<td>The twelve Member States that joined the European Union in the recent years (2004 and 2007)</td>
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1. FAMILIARITY WITH THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

- General awareness of the Charter improved since 2007 (64% as compared to 48%) but few know what the Charter is about (11%) -

General awareness of the EU Charter of Fundamental Rights rose significantly since 2007 when the majority (51%) had never heard of it. Now the majority are aware of the Charter (up 16 points from 48% to 64%).

However, only 11% of respondents say they actually know what it is - up 3 points from 8% in 2007. The majority - 53% - are not sure what the Charter is, although they have heard of it. In other words, only about one-sixth of the respondents who have heard of the Charter say they actually know what it is. More than one-third (36%) have never heard of the Charter.
Individual country results show that one in five respondents in Spain say they know what the Charter is - the highest level across all EU 27 countries. Respondents in Germany (17%), Austria (17%), the Czech Republic (17%) and Luxembourg (16%) are also more likely than the EU average to say they know what the Charter is. In contrast, only 3% of respondents in France and 5% of respondents in Belgium, Ireland, Estonia and Latvia know what the Charter is.
2. AWARENESS AND KNOWLEDGE OF THE APPLICATION OF THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

- A quarter think that the Charter is definitely legally binding, and almost half think it probably is -

Respondents were asked to say whether they thought the Charter was legally binding, such that Charter rights could be ensured by any court in the EU. Around seven out of ten respondents correctly think that the Charter is legally binding - 25% say it definitely is, and a further 46% say it probably is. 6% think that the Charter is definitely not binding, and a further 14% think it is probably not binding. About one in ten are unsure of the legal status of the Charter (9%).
- Precise knowledge of when the Charter does and does not apply is low. The greatest confusions rests around whether the Charter applies to all actions of Member States, including matters of national competence -

Respondents were asked to say whether the Charter applied to each of the following cases:

- All actions of EU institutions and bodies (e.g. when EU institutions adopt new legislation) [true]
- All actions of EU Member States, including matters of national competence [false]
- EU Member States only when they implement EU law [true]

This question was designed to test how well respondents understand the scope of the Charter and when it applies.

Most respondents have some knowledge of when the Charter of Fundamental Rights applies. Just under one-third were able to answer one question correctly and 44% answered two questions correctly. However, only 14% answered all three correctly.
Just over two thirds (67%) of respondents correctly say it is true that the Charter does apply to all actions of EU institutions and bodies.

63% of respondents correctly say it is true that the Charter applies to EU Member States only when they implement EU law.
However, notwithstanding these responses, the majority, 55%, incorrectly say that it is true that the Charter applies to all actions of EU Member States, including matters of national competence.

The results presented so far have already shown that knowledge about the Charter is not widespread, although many have heard of it. **The mixed responses to the statements on the scope of application of the Charter highlight the lack of knowledge and understanding about the Charter.** Such questions are difficult to answer correctly without a clear understanding of the Charter and when it applies. These results therefore further illustrate the need for more information.
3. **INSTITUTIONS/BODIES TO WHICH CITIZENS WOULD TURN IF THEIR RIGHTS WERE VIOLATED**

- EU institutions are perceived as having the same redress function as a national court or independent bodies/ Ombudsmen when rights are violated -

Respondents were asked to imagine that their Charter rights had been violated, and they wanted to make a complaint. They were then asked to identify the body they would turn to first for help, and then any others they would turn to.

When asked where they would first turn to if their Charter rights are violated, (21%) responded local courts, closely followed by Ombudsmen/independent bodies (20%) and EU institutions (19%).

NGOs (4%) and the national government (9%) are the least mentioned bodies, either as a first choice, or as any choice.
National-level analysis illustrates the range of responses across countries. In 12 out of 27 countries respondents are most likely to turn to the national courts if they feel their Charter rights are being violated. Respondents in Portugal (64%) and Lithuania (63%) are the most likely to mention this option, and respondents in Ireland (28%) are the least likely.

An EU institution is the most common choice for respondents in Cyprus, Malta, Bulgaria, France, Hungary and Denmark. Across the EU, respondents in Cyprus are also the most likely to mention EU institutions (58%) - compared to only 23% of respondents in Finland.

Respondents in nine of the 27 countries would turn first to a local ombudsman or independent body if their Charter rights were violated. Respondents in Poland are the most likely to do this (69%), followed by the UK (63%) and the Czech Republic (61%).

4. INFORMATION ABOUT THE CHARTER OF THE FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

- There is an appetite for more knowledge about the Charter, about two-thirds of respondents across Europe are interested in learning more about their rights as enshrined by the Charter, and where to go if they feel that these rights have been violated -

Respondents were asked to say how interested they were in having more information about four different aspects of the Charter. Two-thirds of respondents across Europe are interested in learning more about their rights as enshrined by the Charter (66%), and where to go if they feel that these rights have been violated (65%). Six out of ten respondents would like to learn more about when the Charter applies and when it does not. However, only a minority (45%) are interested in knowing more about the Charter's historical and political context.

Q5. For each of the following aspects related to the Charter, would you be interested or not to have more information about it?

- The content of the Charter: your Fundamental Rights as an EU citizen
- Where to turn if your rights enshrined in the Charter are violated (e.g. competent court or body which can handle complaints)
- When does the Charter apply and when does it not
- The history and political context of the Charter: when it has been adopted, by whom, etc.

Total 'Interested' | Total 'Not interested' | Don't know
TECHNICAL SPECIFICATIONS
Between the 4th and the 9th of January 2012, TNS Political & Social, a consortium created between TNS political & social, TNS UK and TNS opinion, carried out the survey FLASH EUROBAROMETER 339 about "The Charter of Fundamental Rights of the European Union".

This survey has been requested by the EUROPEAN COMMISSION, Directorate-General for Justice. It is a general public survey co-ordinated by the Directorate-General for Communication ("Research and Speechwriting" Unit). The FLASH EUROBAROMETER 340 covers the population of the respective nationalities of the European Union Member States, resident in each of the 27 Member States and aged 15 years and over. The survey covers the national population of citizens (in these countries) as well as the population of citizens of all the European Union Member States that are residents in these countries and have a sufficient command of the national languages to answer the questionnaire. All interviews were carried using the TNS e-Call center (our centralized CATI system). In every country respondents were called both on fixed lines and mobile phones. The basic sample design applied in all states is multi-stage random (probability). In each household, the respondent was drawn at random following the "last birthday rule".

TNS have developed their own RDD sample generation capabilities based on using contact telephone numbers from responders to random probability or random location face to face surveys, such as Eurobarometer, as seed numbers. The approach works because the seed number identifies a working block of telephone numbers and reduces the volume of numbers generated that will be ineffective. The seed numbers are stratified by NUTS2 region and urbanisation to approximate a geographically representative sample. From each seed number the required sample of numbers are generated by randomly replacing the last two digits. The sample is then screened against business databases in order to exclude as many of these numbers as possible before going into field. This approach is consistent across all countries.
For each country a comparison between the sample and the universe was carried out. The Universe description was derived from Eurostat population data or from national statistics offices. For all countries surveyed, a national weighting procedure, using marginal and intercellular weighting, was carried out based on this Universe description. In all countries, gender, age, region and size of locality were introduced in the iteration procedure. For international weighting (i.e. EU averages), TNS Political & Social applies the official population figures as provided by EUROSTAT or national statistic offices. The total population figures for input in this post-weighting procedure are listed above.

Readers are reminded that survey results are estimations, the accuracy of which, everything being equal, rests upon the sample size and upon the observed percentage. With samples of about 1,000 interviews, the real percentages vary within the following confidence limits:

<table>
<thead>
<tr>
<th>Observed percentages</th>
<th>10% or 90%</th>
<th>20% or 80%</th>
<th>30% or 70%</th>
<th>40% or 60%</th>
<th>50%</th>
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<tr>
<td>Confidence limits</td>
<td>± 1.9 points</td>
<td>± 2.5 points</td>
<td>± 2.7 points</td>
<td>± 3.0 points</td>
<td>± 3.1 points</td>
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