

European Year against Racism 1997

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Ministers discussed a draft joint action concerning measures to combat racism and xenophobia in the field of judicial cooperation. This is one of a series of measures proposed by the Spanish Presidency in response to the conclusions of the Cannes European Council and the report by the Consultative Commission on Racism and Xenophobia set up by the Corfu European Council in June 1994 and chaired by Mr Kahn. The text contains an obligation to take action, i.e. an undertaking by each Member State to ensure effective judicial cooperation in respect of offences based on certain types of behaviour, such as the public dissemination and distribution of tracts, pictures or other material containing expressions of racism or xenophobia and participation in the activities of groups, organisations or associations, which involve discrimination, violence, or racial, ethnic or religious hatred. Under the draft joint action, Member States would undertake to refer the provisions necessary for implementation of this joint action for adoption by their competent national authorities, and the Council would ensure that Member States had fulfilled that undertaking by the end of June 1997. After detailed discussion, particularly of the form the legal instrument should take, the Presidency noted that fourteen delegations could agree to the substance of the text of the joint action and that the United Kingdom delegation, which would prefer a resolution, could not agree to it. In these circumstances and given the seriousness of the phenomenon of racism and xenophobia in the European Union, the Presidency said that the matter would be referred to the General Affairs Council on 4 December 1995 and to the Madrid European Council.