

Establishing a European Monitoring Centre for Racism and Xenophobia

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OBJECTIVE: the establishment of a European Monitoring Centre on Racism and Xenophobia with the task of undertaking critical observation and analysis of the causes of racism and xenophobia and the drawing up of proposals for the Community institutions and the Member States. **COMMUNITY MEASURE:** Council Regulation (EC) No 1035/97 establishing a European Monitoring Centre on Racism and Xenophobia. **SUBSTANCE:** 1) **Tasks of the Monitoring Centre:** the prime objective of the Centre is to provide the Community and its Member States with objective, reliable and comparable data at European level on the phenomena of racism, xenophobia and anti-Semitism in order to help them when they take measures or formulate courses of action within their respective spheres of competence. The Centre will study the extent and development of the phenomena and manifestations of racism, analyse their causes and consequences and examine examples of good practice in dealing with them. The tasks of the Centre shall be: - to collect, record and analyse information and data on these phenomena communicated by scientific research centres, the Member States, Community institutions, international organizations or relevant non-governmental organizations, - build up cooperation with the suppliers of information and develop a policy for use of their databases in order to foster the wide distribution of their information, - to carry out scientific research and surveys, preparatory studies and feasibility studies taking into account the studies and activities undertaken by the centres and organizations linked in the European Racism and Xenophobia Information Network (Raxen), - to set up documentation resources open to the public, - to formulate conclusions and opinions for the Member States and the Community, - to develop methods to improve the comparability, objectivity and reliability of data by establishing indicators and criteria that will improve the consistency of information, - to publish an annual report on the situation regarding racism and xenophobia in the Community, - to set up a European Racism and Xenophobia Information Network (Raxen) consisting of the Centre's own central unit which will cooperate with national university research centres, non-governmental organizations and other specialist centres, etc., - to facilitate the organization of round-table discussions and other meetings with the social partners and other representatives of competent public authorities. The areas in which the Monitoring Centre will carry out its tasks fall within the competencies of the Community: . free movement of persons within the Union, . information and television and other media and means of communication, . education, vocational training and youth, . social policy including employment, . free movement of goods, . culture. 2) **Cooperation:** The Monitoring Centre will carry out its tasks in cooperation with other international organizations, in particular with the Council of Europe. An agreement will be concluded by the Community with the Council of Europe with a view to organizing coordination and allocation of the tasks to be carried out in order to avoid duplication. This agreement should include the appointment by the Council of Europe of a person to sit on the Management Board of the Monitoring Centre. Agreements with other international organizations or third countries can be entered into as necessary. 3) **Processing of personal data:** provisions have been made for the protection and confidentiality of personal data supplied to the Centre. The Centre may collect personal data only for the purposes of carrying out the tasks assigned to it. It cannot process such data before the setting up of a supervisory authority as provided for under Directive 95/46/EC on the protection of personal data. This authority will be responsible for monitoring respect for the relevant rules and, pending its appointment, it is the European Ombudsman which will supervise the activities of the Centre with regard to protection of data. In certain cases Member States and national bodies cooperating with the Centre may decide not to provide certain information classified as confidential under their national law and until the date of entry into force of Directive 95/46/EC, a Member State can object to the transmission of certain personal data to another Member State. 4) **Administrative provisions:** The Centre has legal personality and enjoys in each of the Member States the most extensive legal capacity accorded to legal persons under their laws. There are administrative provisions with regard to the composition of the Management Board, the Executive Board, the Director of

the Centre, the Staff Regulations (which are the same as that of officials and other servants of the European Communities) and the budget. 5) Report: a report must be forwarded to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the Centre's activities three years after it has been set up in order to establish whether its tasks should be modified in relation to the development of Community powers. ENTRY INTO FORCE: The Monitoring Centre cannot start its work until the Member States have taken a decision on its seat (The Conference of representatives of governments decided on 2 June 1997 that the seat of the Centre would be Vienna).