

Brussels, 2 March 2004

OPINION

of the Committee of the Regions

of 12 February 2004

on the

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the activities of the European Monitoring Centre on Racism and Xenophobia, together with proposals to recast Council Regulation (EC) 1035/97 and the Proposal for a Council regulation on the European Monitoring Centre on Racism and Xenophobia (Recast version)

COM(2003) 483 final

THE COMMITTEE OF THE REGIONS,

Having regard to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the activities of the European Monitoring Centre on Racism and Xenophobia, together with proposals to recast Council Regulation (EC) 1035/97 and the Proposal for a Council regulation on the European Monitoring Centre on Racism and Xenophobia (Recast version) (COM(2003)

483 final),

Having regard to the decision of the European Commission of 22 May 2003 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community,

Having regard to the decision of its President of 19 March 2003 to instruct its Commission for Economic and Social Policy to draw up an opinion on this subject,

Having regard to its draft opinion (CdR 313/2003 rev. 1) adopted on 16 December 2003 by the Commission for Economic and Social Policy (rapporteur: **Mr Peter Moore**, Councillor, Sheffield City Council (UK/ELDR)),

adopted unanimously the following opinion at its 53rd plenary session, held on 11 and 12 February 2004 (meeting of 12 February).

1. The Committee of the Regions' views

The Committee of the Regions:

1. **recognises and values** the strategic role of the Monitoring Centre in combating racism and xenophobia across the European union;
2. **welcomes** the Communication's commitment to add management skills to the areas of expertise required for Management Board members;
3. **considers** that as major employers and as providers of goods and services to residents and citizens, regional and local authorities are important in effecting, measuring and participating in anti-racism projects and in the development of good practice. National strategies must gain the support of local and regional authorities in order to maximise support and involvement and so that information is disseminated as widely as possible through local and regional media across the Member State;
4. **underscores** the importance of mechanisms for consultation and the maintenance of links with civil society;
5. **is concerned** that the deletion of national Roundtables from the EUMC's activities will diminish the EUMC's interactions with civil society in the Member States.

National Roundtables have contributed to the building and sustaining of vital links in bilateral information flow with minority ethnic communities and key agencies in civil society.

6. With reference to the composition of the Management Board, the CoR **disagrees** with the proposed mandatory designation of the heads of equal treatment bodies to the Management Board;
7. **recognises** the Commission's wish to optimise the effectiveness of the decision-making structures of the Centre – with particular reference to the fact that the composition of the Board should maximize the influence of the Centre with policy-makers in the Member States, while retaining the ability to guarantee its independence;
8. **agrees** that RAXEN be given the highest priority. The monitoring remit of the EUMC is a very salient one. Systematic collection of data and information is crucial to address the following issues with respect to racism and xenophobia: persistent under-reporting or non-reporting of incidents due to a number of reasons; identifying the development of discriminatory trends and practices and the effectiveness of measures to combat them; enhancement of the comparability of data from disparate sources via use of common formats, indicators and methodology. Monitoring by the EUMC through collection, collation, analysis and dissemination of appropriate data will provide the EU with a better overview of the location and occurrence of racism and xenophobia, better formulation of strategies and methods to improve the comparability, objectivity, consistency and reliability of data at Community level, and increased cooperation with the national university research centres, NGOs and specialist advocacy groups/centres.
9. In this regard, **recognizes** that increased co-operation with Member States and national authorities is crucial to improve monitoring and reporting mechanisms at the national level. The CoR concurs with the Communication that ultimately the Centre's remit is unachievable unless national authorities adopt compatible if not common classification systems. The CoR welcomes the willingness of national authorities to play a more active role in this regard in their consultations with the Commission and with the Centre. The CoR also strongly endorses the Commission's proposal to sharpen the focus of the Regulation on co-operation between the Centre and national authorities to ensure that maximum value is obtained from the Union's investment;
10. **considers** that EUMC reports should be clearly linked to its overall objectives thereby informing national and EU policymaking;

11. **considers** that the EUMC's work with monitoring and strengthening the Charter of European political parties for a non-racist society (February 1998) should continue to be encouraged and supported. Current initiatives supported by the EUMC via Round Tables, for instance work with the media, work with sports organizations such as UEFA and FIFA, and conferences, should be extended to cover the activities of political parties at local and regional authority level;
12. concerning enlargement of the EU, **considers** that the EUMC should acquire a clear overview of the current reality in candidate countries, and be prepared for the implications of enlargement with respect to possible increases in fears about migration, unemployment, etc. The EUMC should continue its legitimate and important work for an inclusive society.

2. **The Committee of the Regions' recommendations**

The Committee of the Regions:

1. with respect to co-operation with other organisations and with respect to its remit under Article 2 (1) of the Regulation, **proposes** that the EUMC further include regional and local authorities within the scope of its activities, such that information is both disseminated to, and collected from regional and local authorities. This could be done by:
 - a. Agreements with National Focal Points being made specific to incorporate this;
 - b. Annual report of the EUMC to be presented to the Committee of the Regions to promote an ongoing dialogue with regional and local authorities on activities, knowledge and information sharing, participation in research and data collection;
2. **calls for** a clarification of Article 3.e. and Article 2.2 (the article setting out the EUMC's objective). The role of social partners and civil society in the structures, functions and actions of the EUMC needs further clarification;
3. with reference to the Management Board and Executive Board of the EUMC, the CoR:
 - a. **recommends** that the required skills mix for Board members needs to be further clarified, and certain threshold levels of competency identified and established.

Member States should nominate and appoint in compliance with these skills profiles and competency thresholds;

- b. **recommends** that members of the Management Board be independent persons in a manner consistent with Article 8.1.a of the regulation;
 - c. **strongly recommends** that there be fixed terms of office for members of the Board – a lack of term limits enhances the risk of unaccountability and instability and is contrary to established good practice;
 - d. **questions** the additional vote on both Boards for the Commission in order to avoid undue influence on the workings of an independent agency such as the EUMC;
 - e. **recommends** a broadening of the mandate of the Executive Board to include greater managerial control in designated areas – this will increase both the effectiveness and the efficiency of decision making in a manner consistent with both operational and strategic imperatives;
 - f. **recommends** representation of the Committee of the Regions on the Management Board to reflect the key role played by local and regional authorities in the remit of the EUMC;
4. **recommends** the further clarification of the nature of "involvement" from the Member States vis-à-vis RAXEN (as indicated in Article 3.2), while protecting the independence of the Centre as intended in the original Regulation;
5. recognises the essential link between data collection and information analysis, and therefore **recommends** that the EUMC's contribution to both policy making, as well as capacity building in this regard should be supported. Data collection is therefore a necessary but not a sufficient condition for the Centre to fulfil its remit as intended by the Regulation;
6. **believes** that the EUMC's awareness-raising activities have been integral to its remit, and recommends that they should therefore be outlined in the Regulation;
7. **recommends** that the EUMC be adequately prepared to meet the challenges and opportunities presented by candidate countries in the context of EU enlargement and should collaborate with the Commission in monitoring the Copenhagen criteria, including anti racism;
8. **supports** the proposal to enable the Management Board of the EUMC to invite independent experts from candidate countries to its meetings in order to facilitate future accession.

Brussels, 12 February 2004

The President
of the
Committee of the Regions

The Acting Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl

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CdR 313/2003 fin EN/o

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