

OSCE Tolerance Implementation Meeting on
Promoting Inter-Cultural, Inter-Religious and
Inter-Ethnic Understanding,
Almaty, 12 – 13 June 2006
Session III

PC.DEL/550/06
12 June 2006

ISSN 1725-5295

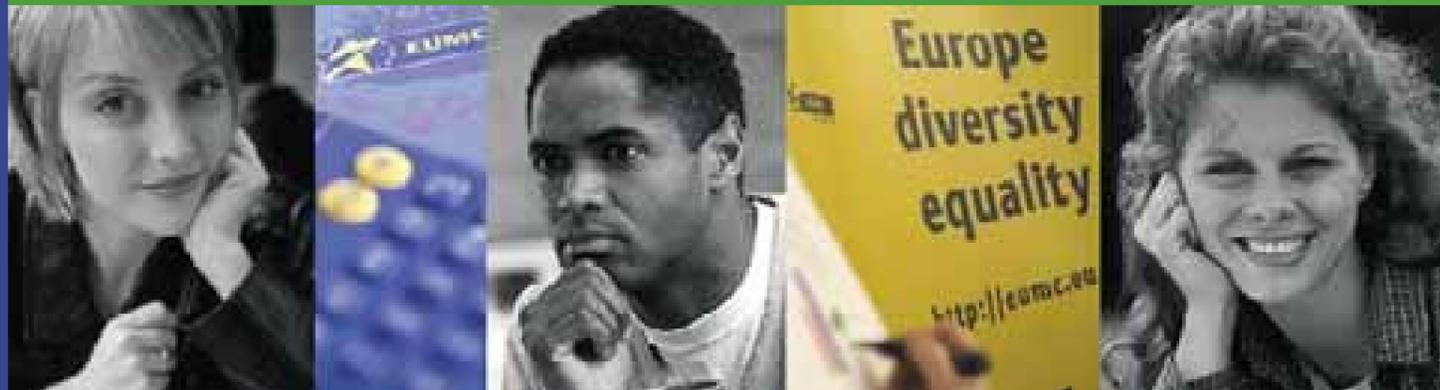
ENGLISH only

European Monitoring Centre on Racism and Xenophobia
Observatoire européen des phénomènes racistes et xénophobes
Europäische Stelle zur Beobachtung von Rassismus und Fremdenfeindlichkeit



Activities of the **European Monitoring Centre on Racism and Xenophobia**

EUMC Annual Report 2004/2005 – Part 1



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Part 1



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Luxembourg: Office for Official Publications of the European Communities, 2005

ISBN 92-95008-72-3

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Printed in Italy

PRINTED ON WHITE CHLORINE-FREE PAPER

Foreword

The European Monitoring Centre on Racism and Xenophobia (EUMC) is pleased to present this report on its activities in 2004, following its adoption at the meeting of the EUMC Management Board in March 2005.

This Annual Report — Part 1, gives an account of the EUMC's activities and achievements during 2004. Part 2 of the Annual Report, to be published in November 2005, will provide an overview of the situation regarding racism and xenophobia in the Community and its Member States.

In 2004 the EUMC continued its work in five areas:

- monitoring racism and xenophobia by collecting, recording and analysing information and data from all EU Member States;
- coordinating and developing the European racism and xenophobia information network (RAXEN) composed of national focal points contracted to collect data and information in each Member State;
- developing methods to improve the comparability, objectivity and reliability of data at EU level;
- drawing conclusions and producing recommendations for the EU and its Member States;
- setting up structures and mechanisms to coordinate the exchange and dissemination of information, opinions and conclusions with EU institutions, Member States, national and international organisations and the public.

Data collection in 2004 encompassing all 25 EU Member States focused on discrimination, racism, xenophobia, anti-Semitism and Islamophobia in employment, education and housing, as well as on legislative developments and racist violence and crime.

In 2004 the EUMC continued its efforts to develop scientific research tools enhancing data comparability. In view of the lack of official statistical data, since most Member States have no adequate data collection mechanisms in place to record manifestations of racism and xenophobia, the EUMC is actively pursuing a policy of developing the necessary methods and tools to be able to collect data on racist violence and crime directly using a common methodology for all Member States.

Furthermore, the EUMC set up an active approach for the identification of the needs of its stakeholders. The EUMC has developed a communication strategy with the aim of delivering the right products at the right time to specific target groups in order to support policy development and awareness raising in line with its overall goal.

In 2004 the EUMC published major comparative reports on education and legislation together with 15 relevant national reports drafted by the national focal points. On the basis of data and information supplied by the RAXEN national focal points regarding manifestations of anti-Semitism in the EU-15 for 2002 and 2003, the EUMC produced a major report on anti-Semitism in the EU in early 2004.

Regarding the European Commission's communication on the extension of the EUMC's mandate into a Fundamental Rights Agency, the EUMC's preliminary remarks were guided by two factors, namely to support the development of an effective and adequately resourced Fundamental Rights Agency and to ensure that the focus on the fight against racism and xenophobia remained central to the work. In regard to these developments the EUMC held its fifth European round table in December where key actors discussed the extension of the mandate.

We would like to thank our Management Board, the staff and also the RAXEN national focal points for their work and commitment, which has enabled the EUMC once again to strengthen its work against all forms of racism and xenophobia in Europe.

Anastasia Crickley
Chairperson

Beate Winkler
Director

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1. Operational activities

1.1. The European Racism and Xenophobia Information Network (RAXEN)

In accordance with its founding regulation, the EUMC created in 2000 the European racism and xenophobia network (RAXEN). This is a unique network composed of civil society actors that constantly monitor in all Member States the situation regarding the phenomena of racism, xenophobia and anti-Semitism assisting the EUMC in its 'early warning' function and in the collection of reliable and objective data and information. By involving directly civil society the EUMC contributes positively in the improvement of democracy and transparency of European institutions.

The RAXEN is the central data and information collection tool providing the EUMC with the necessary material in order to compile for the European Union and its Member States comparative reports at European level on the phenomena of racism, xenophobia and anti-Semitism. Since May 2004, the RAXEN has been composed of 25 national focal points (NFPs), one in each Member State. They represent the entry points of the EUMC at a national level regarding data and information collection. In 2004 the issues and themes for data collection within the RAXEN were chosen in accordance with EU priorities. In particular, the RAXEN focused its data collection in 2004 on the implementation process regarding the EU anti-discrimination directives in the Member States.

1.1.1. Developments in 2004

Two thousand-and-four was the fifth year of the RAXEN and was characterised by the implementation of a new strategic approach focusing on the identification of our target groups' needs, and following this up with an integrated approach in response to these needs. Parallel to this process, the RAXEN was extended, via an open call for tender, to encompass 25 NFPs. This enlargement process was assisted in 2004 by a specific Phare project which started in 2003, and was finalised in February 2004.

NFPs represent different types of organisations: in some countries they are a research institution or a specialised body, whereas in others an NGO is the leading organisation. Today many of the 25 NFPs represent partnerships of organisations — see the EUMC website at:

<http://eumc.eu.int>

Belgium	Centre for Equal Opportunities and Opposition to Racism (CEOOR)
Czech Republic	People in Need
Denmark	Documentation and Advisory Centre on Racial Discrimination (DACORD)
Germany	European Forum for Migration Studies (EFMS)
Estonia	Legal Information Centre for Human Rights (LICHR)
Greece	Antigone — Information and Documentation Centre on Racism, Ecology, Peace and Non-Violence
Spain	Movement for Peace and Liberty (MPDL)
France	Agency for the Development of Intercultural Relations (ADRI)
Ireland	National Consultative Commission on Racism and Interculturalism (NCCRI) plus Equality Authority (EA)
Italy	Cooperation for the Development of Emerging Countries (COSPE)
Cyprus	Cyprus Labour Institute (INEK/PEO)
Latvia	Latvian Centre for Human Rights and Ethnic Studies (LCHRES)
Lithuania	Institute for Social Research (ISR)
Luxembourg	Centre d'études de populations, de pauvreté et de politiques socio-économiques/ International network for studies in technology, environment, alternatives, development (CEPS/Instead)
Hungary	Centre of Migration and Refugee Studies, Institute of Ethnic and Minority Studies of the Hungarian Academy of Sciences (CMRS)
Malta	Jesuit Centre for Faith and Justice (JCFJ)
The Netherlands	Dutch Monitoring Centre on Racism and Xenophobia (DUMC)
Austria	Ludwig Boltzmann Institute of Human Rights plus Department of Linguistics at the University of Vienna plus Institute of Conflict Research
Portugal	Númena — Research Centre on Human and Social Sciences
Poland	Helsinki Foundation for Human Rights (HFHR)
Slovenia	Peace Institute — Institute for Contemporary Social and Political Studies
Slovakia	People Against Racism (PAR) plus Institute for Public Affairs
Finland	Finnish League for Human Rights
Sweden	Expo Foundation
United Kingdom	Commission for Racial Equality (CRE)

1.1.2. Tasks of the national focal points

The NFPs are the entry points for the EUMC at a national level regarding the collection of data and information, including good practices in the field of racism, xenophobia and anti-Semitism. Many NFPs are well recognised in the national context, as they have set up an informal national information network cooperating with the main actors in the field of racism, xenophobia and anti-Semitism, being either governmental institutions, NGOs, research bodies, specialised bodies or social partners.

During 2004 the 25 NFPs fulfilled the following main tasks:

- administering the NFP network;
- updating and improving the EUMC RAXEN database;
- developing with the EUMC the country info-sheets;
- submitting a national contribution to the EUMC Annual Report 2003;
- submitting the national report;
- submitting a special study;
- fulfilling the rapid response function;
- fulfilling the referee function.

1.1.2.1. Administer the national focal point network

The NFPs act as coordinating centres at national level for the collection of data. In order to fulfil this task they are required to interact and liaise regularly with public authorities, research and other institutions, such as non-governmental organisations (NGOs) who are key actors in the field of racism, xenophobia and anti-Semitism. The EUMC facilitated this interaction via several instruments.

Outcome: Three quarterly reports to the EUMC in regard to their networking activities, to their data collection or to other issues.

1.1.2.2. Update and improve the EUMC RAXEN database

Data were added to or were corrected in the national Excel workbook distributed to the NFPs by the EUMC. The workbook contains three worksheets: 'Organisations', 'Activities' and 'Publications' accompanied by a detailed description and guidelines. The data collection activity had therefore two dimensions in 2004:

- an update of the EUMC RAXEN database with new data from 1 December 2003 onwards according to the criteria specified by the EUMC;

- a quality control of the existing entries in the EUMC RAXEN database according to standards developed by the EUMC.

Outcome: Updated improved EUMC RAXEN database and updated RAXEN 4 analytical reports.

1.1.2.3. Country info-sheets

This task was introduced as one of the new elements during RAXEN 5. The EUMC developed a webpage as a model frame for the most essential country-specific information on racism, xenophobia and discrimination including statistics, brief descriptions of anti-discrimination bodies, good practices, legal provisions, and so on. NFPs were required to provide such information according to specific guidelines provided by the EUMC via a special web-tool. The NFPs received specific training in the use of this web-tool. The NFP contributions in 2004 focused on demographic data and migration statistics.

Outcome: Sets of data in 25 country info-sheets.

1.1.2.4. National contribution to the EUMC Annual Report 2003/04

These national contributions by the RAXEN became the major source of information for the EUMC Annual Report 2003/04. The NFPs presented the situation during 2003 in a text prepared specifically for the EUMC Annual Report on the basis of detailed guidelines covering the five main areas of EUMC monitoring (education, legislation, racist violence and crimes, employment and housing) with a specific focus on education.

Outcome: Twenty-five national contributions to the EUMC Annual Report 2003/04.

1.1.2.5. National report, 2004

The national reports covered also the five thematic areas and were linked to entries in the EUMC RAXEN database. Apart from a description of the most important developments in the five areas the NFPs concentrated their presentation on good practices in combating all forms of discrimination and racism with a special focus on EU initiatives in their countries.

Outcome: Twenty-five national reports.

1.1.2.6. Special study

With the special study the EUMC introduced a new instrument during the RAXEN 5 period. The EUMC asked NFPs to conduct an indepth study of an issue of particular interest to the EUMC and to the European audience. After enlarge-

ment the EUMC selected the topic ‘Roma, Sinti, gypsies and travellers in public education.’ The study required secondary research and a high level of analysis aimed at providing the reader with a deeper understanding of this issue. The EUMC developed specific guidelines following a thorough consultation process that involved NFPs, experts in the field from several European countries, representatives from international and European organisations and Roma associations. The 25 special studies will be complemented in 2005 by a comparative analysis.

Outcome: Twenty-five special studies.

1.1.2.7. Rapid response

The rapid response function enables the EUMC to investigate urgent issues on the European agenda within a short timeframe. It allows the EUMC to act as an early warning mechanism at European level on matters of concern to the EU, to react quickly to specific and relevant requests and support data collection gaps in information already collected but requiring immediate updates. The EUMC used this function in 2004 as follows.

RAPID RESPONSE 1: IMPLEMENTATION OF EUMC RECOMMENDATIONS IN THE EU MEMBER STATES

Outcome: Implementation of a new procedure for follow-up of recommendation.

For this first rapid response the EUMC asked the 25 NFPs to report on the relevant competent bodies or authorities in their country responsible for the implementation of the proposals and recommendations of the EUMC presented in its Annual Report 2002, and of those recommendations which were published in the reports ‘Manifestations of anti-Semitism in the EU 2002–03’. The information prepared by the NFPs will be used for contacting these authorities and for requesting data on implementation and related issues.

RAPID RESPONSE 2: POLICING RACIST CRIME AND VIOLENCE

Based on a specific questionnaire the EUMC asked the NFPs to report on activities in their countries regarding (a) the police responses to racist crime and violence, (b) specific training activities, and (c) the incorporation of civil society. The results will be accompanied in 2005 by a comparative analysis.

RAPID RESPONSE 3: CURRENT DEVELOPMENTS IN THE NETHERLANDS REGARDING THE MURDER OF VAN GOGH AND ATTACKS ON RELIGIOUS BUILDINGS

As the EUMC was particularly concerned about the events in the Netherlands, it requested in November the Dutch NFP to report on the developing situation after the murder of Van Gogh and the attacks on religious buildings. The Dutch NFP

presented a chronological description of the events including the murder, the following interethnic tensions and attacks on religious buildings and a brief analysis of the developing situation and trends regarding Muslims and the influence of especially Islamophobic discourses in Dutch society. This rapid response was assisted by a survey directed to the other 24 NFPs on whether there were any follow-up reactions in the form of an increase in Islamophobic, anti-Muslim or anti-immigrant incidents.

RAPID RESPONSE 4: UPDATE OF THE NATIONAL REPORTS

Finally, the EUMC asked the NFPs in December to provide information updating their national reports covering the period from January to October 2004. Since the EUMC reporting timeframe is the full calendar year, NFPs were required to supplement the information and data provided in their national reports up to 31 December 2004.

1.1.2.8. Referee function

The NFPs performed a referee function in relation to EUMC products referring to their countries before they are published. In 2004 the NFPs reviewed two comparative studies prepared for the EUMC, the 'Comparative report: Migrants, minorities and legislation: Documenting legal measures and remedies against discrimination in 15 Member States of the European Union' and the 'Comparison of the reports on national strategies for minority schooling prepared by the national focal points of the central and east European candidate countries (CEECs)' regarding country-specific information.

1.1.2.9. Preparation of the RAXEN 6 phase in 2004

The RAXEN is a continuing learning process. Since data collection through such a network, and especially now in 25 EU Member States, has never been attempted in the past, the guidelines, processes and products of the RAXEN are constantly improved through interaction between the NFPs, the EUMC, its main target groups and other experts. The EUMC's work has become much more focused on the needs of its main target groups.

Not least the reactions and public discourses in the aftermath of the interethnic tensions in the Netherlands elucidated during the reporting period the importance of a European discourse on combating racism and discrimination for which a reliable stock of facts is absolutely necessary. The EUMC will contribute to such a Europe-wide discourse with its RAXEN and especially with two new or improved instruments:

- a rapid response — as demonstrated with the rapid response for the Dutch NFP — will be requested by the EUMC at short notice from a single NFP or a group of NFPs on specific issues;

- with the RAXEN 6 reporting period the EUMC will introduce a bi-monthly RAXEN bulletin. NFPs will report on significant issues regarding racism, xenophobia, anti-Semitism and Islamophobia or discrimination against immigrants, refugees or asylum seekers and minorities that are publicly debated in the national context during the reporting period.

1.1.3. Phare RAXEN_CC project

On 29 February 2004 the EUMC completed its project 'RAXEN_CC — Information network on racism and xenophobia in the central and east European candidate countries (CEECs)' supported by the European Phare multi-beneficiary programme on 'Participation of the central and east European candidate countries (CEECs) in Community agencies in 2003'. The overall objective was to prepare the CEECs for participation in the future work of the EUMC. More specifically, the project aimed to take the first steps in building up a racism and xenophobia information network (RAXEN_CC) in these countries and thereby enlarging the RAXEN to 25. This aim was successfully fulfilled during 2004 and the RAXEN was extended to 25 NFPs. Four of the eight NFPs selected during the RAXEN_CC period applied successfully also for the RAXEN 5 period. In addition, national focal points were selected for Cyprus and Malta. The integration of the candidate countries for the next round of enlargement, Romania and Bulgaria, is in preparation for 2005 with the assistance of a second Phare multi-beneficiary programme.

The Phare RAXEN_CC became a decisive step forward towards the integration of the new Member States into the EUMC framework. The mapping exercise prepared during the RAXEN_CC period forms today a major basis of the EUMC contacts to civil society actors in these countries. A specific mapping exercise and a report on national strategies for minority schooling in the CEECs became one of the major sources for the specific chapter 'Minorities and the education sector in the 10 accession countries' of the EUMC's Annual Report 2003/04 — Part 2 — 'Racism and xenophobia in the EU Member States trends, developments and good practice'. The RAXEN_CC 'Evaluation of available data on anti-Semitism in the 10 candidate countries of east and central Europe (CEECs)' offered an overview of important actors in the field of combating anti-Semitism and identified specific legislative and institutional mechanisms and developments to be utilised for future EUMC activities in combating anti-Semitism in the 25 EU Member States.

1.2. Round tables

1.2.1. Main objectives of national round tables

The main objectives of the national round tables are to:

- engage the representatives of civil society and the public authorities in a dialogue and to encourage their cooperation;
- identify 'key issues' and specific aspects in the Member States;
- inform about developments in the area of racism and xenophobia;
- exchange information on 'good practice' in the Member States;
- communicate their work to the EUMC, other national round tables and members of the RAXEN;
- emphasise the participation of a diverse range of communities, in particular migrant and ethnic minority groups, as well as the European Commission Against Racism and the European network against racism;
- assume a consultative role and propose recommendations for the EUMC work programme and Annual Report.

The round table meetings focus on the analysis and assessment of the situation related to racism in the Member State. They discuss and exchange information on good practices in the Member State to fight racism. They are focused on present and future developments and intend to develop a joint strategy with the key players in the field.

Round tables at the national level have differed in their organisation and structure. This takes into account the particular situation in each Member State and the working philosophy of not duplicating already existing structures.

National round tables facilitate the exchange of information (e.g. good practice) between local, national and EU level. This enables the use of the knowledge gained from the meetings to be applied to the EUMC's recommendations in specific fields and in its Annual Report on developments in the Member States.

The round table meetings are a forum for bringing together key organisations and individuals working in the areas of racism, xenophobia and anti-Semitism. They enable the EUMC to engage with thinking and action ranging from the grass-roots level to government departments. Round tables add a European dimension to the discussions and support network building among participants — many of whom would not otherwise have access to EU level dialogues.

1.2.2. National round table meetings in 2004

National round tables were held throughout the year and they addressed a variety of issues, some specific to the field of activities of the EUMC and others on the subject of the extension of the mandate of the EUMC into the field of human rights.

Ireland: on 9 June the round table in Dublin was incorporated into the framework of the activities of the Irish Presidency. It discussed the development of a more inclusive, multicultural Europe through policy and practice.

Austria: on 5 November the round table was held in Graz and discussed the issue of the extension of the EUMC mandate into the field of human rights.

Germany: 23 November in Berlin (key topics: EUMC presentation on extension of its mandate into the field of fundamental/human rights, draft German immigration law, update on national action plan to follow up on the Durban World Conference Against Racism).

Finland: 10 December in Helsinki (key topics: situation of Roma in Europe and in Finland, minorities inside minorities — multiple discrimination, diversity thinking in ideological organisations, equality in civic awareness).

The principal recommendation of the round table on the situation of Roma in Europe and in Finland was to strengthen the structures for activism of the Romani grassroots to facilitate action at the local level. The EUMC highlighted its mission in the Finnish context and informed the participants about the use of its RAXEN and data collection methodology. In addition, it provided information on the extension of its mandate into human rights/fundamental rights.

1.2.3. European round table conference, 2004

The fifth European round table conference (ERTC) was held on 16 and 17 December 2004 in Vienna. The ERTC in 2004 addressed specific issues related to the extension of the EUMC's mandate into the field of human/fundamental rights. The conference gathered 58 participants from 18 EU Member States and aimed at contributing to the ongoing consultation on the EU Fundamental Rights Agency. Main focus was how to develop a wider fundamental rights scope without downgrading the EUMC's activities to combat racism and xenophobia.

The ERTC was an opportunity for the EUMC to hear the views of a variety of stakeholders including a large number of Member State government representatives (16 national liaison officers) and civil society organisations. Keynote speakers included representatives of the European Commission, European Parliament, national human rights institutions and the European network against racism (ENAR). The presentations gave perspectives on how to develop the agency's

work in the fundamental rights area and particularly on how to add value to national institutions, international treaty bodies and civil society.

The presentations were followed by working group sessions which were operational in outcome. Some of the main themes emerging out of the working group sessions were the following.

- The agency should be given a broad mandate within which racism, xenophobia and anti-Semitism is to remain a core focus. Priority setting in other areas of the agency's mandate should be the subject of strategic direction by the Management Board.
- The agency should primarily focus on the EU Member States. However, there was no consensus whether, beyond this, it should have a mandate for accession countries and third countries.
- Monitoring (data collection and analysis) should remain a key task for the agency and include impact assessments on legislation, policy and practice. Similarly to the EUMC, the agency should disseminate good practices and make recommendations to the Community and Member States.
- These tasks could be complemented by a role in human rights education and training/technical cooperation with national bodies.
- The agency could play a role in supporting the monitoring of implementation of policy and practice, bring a greater focus to impact assessment of legislative initiatives, policy and practice and support the work in developing indicators, benchmarks and mainstreaming of fundamental rights across a variety of policy areas.
- Mechanisms for strong interinstitutional cooperation (including Council of Europe, OSCE and UN) should be developed.
- There was consensus that the new agency needs significant additional resources to fulfil an additional mandate.
- Independence of the Management Board should be ensured and in particular civil society needs to be incorporated.

As many of the organisations present were preparing independent submissions to the public consultation on the agency, these conclusions did not represent an official position of the ERTC but were widely shared as 'food for thought' with the European Commission, European Parliament and Member States.

1.3. Documentation and library

1.3.1. Electronic archive and EUMC web database

The EUMC database, which is freely available to the public via the EUMC website (<http://eumc.eu.int>), contains general information on organisations involved in activities against racism, xenophobia and anti-Semitism in all Member States, information about 'good practices' and other activities, like fieldwork projects, campaigns, studies, and so on, and references of relevant publications and audio-visual material. One of the main sources of information offered is the result of the RAXEN mapping exercises and of the RAXEN data collection in the fields of employment, racist violence, education, legislation and housing.

In 2004 the EUMC extended the data collection to data on the new EU Member States and continued to improve the mainly virtual documentation archive. Data have been updated and revised, and new data that have been collected during the RAXEN 5 period, have been migrated to the database.

With the country info-sheets a new database became operational during 2004. The EUMC info-sheets provide an overview and information on the general situation of racism, xenophobia and on cultural, religious and ethnic discrimination in the Member States and the accession countries. During the reporting period the RAXEN NFPs collected especially statistical demographical data (including ethnic/national minorities, foreigners, religious groups) and figures on immigration and asylum. The EUMC developed a user manual and organised training for NFPs.

1.3.2. Library

The stock of the library has been extended, especially by purchasing official national and EU statistics, dictionaries and recent standard literature and relevant scientific journals in the fields of racism, xenophobia, anti-Semitism and Islamophobia. A growing number of online journals in the thematic and related fields were subscribed.

1.4. EUMC Research Projects

In addition to collecting existing data via the RAXEN, the EUMC initiates research projects which contribute to the analysis and understanding of the various phenomena and manifestations of racism, xenophobia and anti-Semitism, as well as identifying examples of good practice in dealing with them. In 2004 the EUMC finalised six studies, published five reports and initiated eight new studies. The EUMC publishes the final reports on its website (<http://eumc.eu.int>). Reports are also available by mail.

1.4.1. Migrants' experiences of racism and discrimination

The EUMC has continued its research project, 'Migrants' experiences of racism and racial discrimination', which was initiated in 2001. The aim of the project is to develop comparable data on migrant and minority groups with regard to their subjective experiences of racism and discrimination in their everyday life by using, as far as possible, a similar methodology for data collection and data analysis. A survey previously conducted in Sweden (similar to surveys carried out in Denmark and Finland) was used as a model for the project. In 2002 and 2003 the EUMC completed studies in Italy, the Netherlands, Belgium, Spain, Austria and the United Kingdom. EUMC studies in Germany and Greece of these were delivered in November 2004. Finally, in mid-2004 the EUMC commissioned four more studies — France, Ireland, Luxembourg and Portugal — and these complete the coverage of the EU-15. Also in 2004 the EUMC commissioned an external contractor to write a synthesis study covering all 15 of the national studies, to produce a comparative European overview of the findings, and to draw out the implications for comparability. The final four studies, and the synthesis report, will be completed by the end of 2005.

1.4.2. Comparative studies

The RAXEN NFPs in each of the EU-15 Member States (before May 2004) have produced for the EUMC national reports on the themes of employment, education, legislation and racist violence and crimes. The EUMC has commissioned experts in the fields to bring together this material in the form of comparative reports, adding new theoretical material and relevant additional literature of their own, describing common themes, identifying national differences, and pointing out gaps in the data. The first of the four to be published, in report form as well as on the EUMC's website, was the report on employment, published at the end of 2003.

COMPARATIVE STUDY 'MIGRANTS, MINORITIES AND EDUCATION: DOCUMENTING DISCRIMINATION AND INTEGRATION IN 15 MEMBER STATES OF THE EUROPEAN UNION'

During 2004 the EUMC published two more comparative reports, one on education and one on legislation. The report on education brings together evidence on various forms of discrimination and disadvantage experienced by migrants and minorities in the education sector. The evidence shows that in spite of endeavours to improve the educational attainment of migrants and minorities, for the most part their educational achievements lag behind those of the majority groups. As well as documenting inequality, discrimination and processes of exclusion, the report also compiles examples of good practices in the field of education, and finishes with selected recommendations for the EU and its Member States.

COMPARATIVE STUDY 'MIGRANTS, MINORITIES AND LEGISLATION: DOCUMENTING LEGAL MEASURES AND REMEDIES AGAINST DISCRIMINATION IN 15 MEMBER STATES OF THE EUROPEAN UNION'

The report on legislation analyses the existing and currently developing legal measures and remedies against discrimination against migrants and minorities, especially within the framework of the two European Council anti-discrimination directives and their implementation through national legislation. This overview shows that the Member States' legislation and integration policies vary widely, not least due to differing historical experiences with immigration. Countries with a colonial past and resulting long-term residence of minority population tend to have adopted systematic concepts of anti-discrimination policies, whereas countries of more recent immigration often have not done so. The report concludes with specific proposals for the EU and its Member States.

COMPARATIVE STUDY ON RACIST VIOLENCE

The final comparative report on racist violence outlines the different data collection mechanisms in 15 Member States, and presents available information on the extent and nature of racist violence and crime since 2001. The report contextualises this information against the background of political and criminal justice developments in each Member State, and goes on to offer suggestions for the establishment of 'good practices' in the area of data collection. The report is scheduled to be published early in 2005.

COMPARATIVE STUDY 'COMPARISON OF THE REPORTS ON NATIONAL STRATEGIES FOR MINORITY SCHOOLING PREPARED BY THE NATIONAL FOCAL POINTS OF THE CENTRAL AND EAST EUROPEAN CANDIDATE COUNTRIES (CEECS)'

In the framework of the RAXEN_CC project the EUMC produced 10 studies on minority schooling covering the candidate countries of east and central Europe. A comparative study entitled 'Comparison of the reports on national strategies for minority schooling prepared by the national focal points of the central and east European candidate countries (CEECS)' summarised their results and demonstrated the major differences of minority-oriented discourses in these countries in comparison with intercultural education concepts and approaches in the 'old' EU Member States. The comparative analysis recommended, therefore, strengthening research, dialogue, and exchange of ideas across countries towards a better understanding of the current standard of knowledge regarding the educational situation of ethnic minorities in different EU Member States and of successful measures to improve the situation of the most vulnerable groups.

1.4.3. The majority population's attitudes to migrants and minorities

In 2000 the EUMC participated in the Eurobarometer survey to measure the attitudes of the majority population to migrants and minorities in all Member States, and in 2003 the EUMC's participation in the same exercise was repeated. One extra aspect of the 2003 participation was the addition to the Eurobarometer survey of the 13 candidate countries, namely Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey.

In 2003 the EUMC commissioned a major analysis of the data from these surveys, including a comparison of the data from the candidate countries and the existing Member States, and a comparison of the standard Eurobarometer data with the same battery of questions from the earlier Eurobarometer surveys of 2000 and 1997. Added to this was an analysis of data from the spring 2003 European social survey, which contains selected questions on xenophobic attitudes and experiences of discrimination. The analysis of data from this survey includes comparisons with the previous European social survey.

In 2004 the final reports from this exercise were delivered. These consisted of four separate reports: the Eurobarometer survey of the EU Member States, the Eurobarometer survey of the candidate countries, the European social survey of the EU Member States, and an overview report linking all three surveys. These reports will be published early in 2005.

1.4.4. Manifestations of anti-Semitism in the EU, 2002–03

In spring 2004 the EUMC published the results of a major investigation into anti-Semitism in Europe. The main report, 'Manifestations of anti-Semitism in the EU 2002–03', consists of the most reliable national data available (according to 10 categories) gathered by the RAXEN, which was then evaluated and validated by an independent academic, in order to assess the quality and availability of the data and identify problem areas and gaps in each country. The second report, 'Perceptions of anti-Semitism in the European Union', consists of the results of interviews with 35 prominent members of the Jewish community in eight Member States, providing a personal insight into their viewpoints and experiences and acting as a complementary dimension to the material in the main report. The report was prepared by a special working group.

The reports demonstrate clearly that Europe has a problem with anti-Semitism, manifestations of which have been getting more frequent in some parts of the EU over the last two or three years. These manifestations vary in frequency and severity from country to country, but they are enough to cause great distress to many of Europe's 1.2 million Jews. However, some authorities still do not seem to recognise this as a problem because there are no official data reflecting this development. In many cases, State authorities do not monitor anti-Semitic incidents, but this work is carried out only by NGOs.

On the other hand, there are positive messages too. There are EU countries where there are relatively few incidents and where the local Jewish population does not see anti-Semitism as a problem, and there are countries where anti-Semitic attitudes in the general population have been shown to be decreasing, especially among young people. There is also increasing evidence of good initiatives to combat anti-Semitism, such as programmes for children in early school years, initiatives of cooperation between Jewish, Muslim and Christian groups, and in some Member States, the introduction of tougher legislation against anti-Semitism and its perpetrators.

The report was presented to the European Parliament and to the European press together with the European Jewish Congress. The report has been also presented to other organisations like the American Jewish Committee and members of the US Congress and Senate. In addition, in the framework of the RAXEN_CC project, an 'Evaluation of available data on anti-Semitism in the 10 candidate countries of east and central Europe (CEECs)', was finalised and published on the website of the EUMC. The report identifies the main actors in the field in eight of the new Member States (Estonia, Latvia, Lithuania, Poland, Hungary, the Czech Republic, Slovakia and Slovenia) and in the candidate countries Bulgaria and Romania.

1.5. EUMC Workshops

In addition to the meetings organised under the round table umbrella (see Section 1.2), the EUMC initiates workshops which provide fora for discussion and debate by external experts on issues of concern to the EUMC in its development of projects, methodology, strategies and recommendations. The minutes and information about the workshops are available on the EUMC website (<http://eumc.eu.int>).

1.5.1. Thematic network workshop

The aim of this meeting of European networks was to identify common projects, activities and priority areas within the fields of racism and xenophobia as well as diversity, and to develop cooperation in fields of common interest. The EUMC held a workshop in February 2004 which was attended by a number of NGOs and other organisations concerned with the European dimension of racism, discrimination and xenophobia. One aim of the workshop was to ensure that the networks do not unnecessarily duplicate their activities. Another was to exchange information, contacts and publications in an arrangement of mutual benefit, as well as generating further names from the organisations for the EUMC's 'list of experts' database.

1.5.2. Metropolis workshop

The eighth annual metropolis conference was held in Vienna from 15 to 19 September 2004. In this framework, the EUMC organised a workshop on ‘the role of NGOs and civil society actors in combating discrimination and promoting diversity — a European comparative perspective’, as a way of displaying to the international research and NGO community the operation of its RAXEN. There were five presentations, one by the EUMC, three from members of the RAXEN NFPs, and one representing the ENAR, the European network against racism. The presenters described the character of their activities with regard to immigrants and ethnic minorities, and in doing this showed how the work of NGOs in this field varies across the EU according to differences of national context, for example, differences in the recognition of discrimination as a problem, in the recording of incidents of discrimination, in the laws and institutions against discrimination, in the nature of political discourse on minorities and cultural diversity, in the way NGOs are funded, in the character of the relationship between NGOs and government bodies, and so on. The aim was to present contrasting approaches in very different national contexts, showing examples of success and highlighting problems and difficulties, so others could draw practical lessons from this international exchange of experience.

1.5.3. RAXEN meetings

The EUMC held three meetings with the RAXEN NFPs in 2004. The aim was to coordinate their ongoing work, clarify guidelines, discuss problems encountered in data collection and report writing, and foster a common understanding of tasks. The future of the RAXEN was also widely discussed during these meetings. The NFPs identified the main strong and weak points of the RAXEN and formulated proposals for the future.

1.5.4. Phare meetings

To foster cooperation between the RAXEN_CC and the EUMC within the Phare programme, two meetings took place in 2004. The first meeting of the RAXEN_CC network was held on 14 and 15 October in Vienna. The meeting discussed the first results of the mapping exercise and provided training in the new EU Circa software, which is being tested by the NFPs as a future model of communication for the enlarged RAXEN. The second meeting was organised as an ‘enlarged’ RAXEN meeting of the 25 NFPs on 10 and 11 November.

1.5.5. Coordination Committee on Human Rights Documentation

In May 2004, the EUMC hosted the 26th European Coordination Committee on Human Rights Documentation (ECCHRD) meeting, consisting of professionals

working in the field of human rights documentation. The meeting was held to discuss appropriate and compatible methods and techniques of information handling and to build up cooperation between the different documentation centres.

1.5.6. Local communities

The EUMC and a representative of the Committee of the Regions held meetings and discussed with other possible partners and participants on the way to take forward the work on local communities. Consensus developed on the need to return to addressing issues related to the situation of the Muslim communities in the European Union and follow up the EUMC report on the situation of the Islamic community in five European cities, published in November 2001.

1.5.7. Racism in sport

The EUMC cooperated with the EU Committee of the Regions in the hosting of the conference on fighting racism and xenophobia through sport held in Braga on 19 May. The conference was held in association with the Union of European Football Associations (UEFA) and the city of Braga. It addressed issues ranging from fighting racism through sport to sport as part of the integration process. The conference also drew attention to the European Commission's European Year of Education through Sport. The conference ended with the adoption of the Braga declaration which set out key recommendations for local and regional authorities in the fight against racism and the support of integration.

The EUMC co-hosted a reception in support of the Football Against Racism in Europe network (FARE) on 12 June in Porto at the launch of the UEFA's EURO 2004 football competition. The reception brought together Pat Cox, President of the European Parliament, the Chair of the organising committee for EURO 2004, representatives of the UEFA and the Portuguese Players Union and former football players. The speakers at the reception highlighted the importance of raising awareness of the issue, continuing the vigilance, further developing initiatives and tackling manifestations when they occurred either on the field of play or within the stadiums.

It was also decided that it was important to ensure that the focus on racism and football was maintained over the 2005–08 period when Germany would host the International Federation of Association Football (FIFA) World Cup tournament and Austria/Switzerland would co-host EURO 2008.

1.6. Cooperation with EU institutions, international organisations and Member States

1.6.1. Cooperation with EU institutions

The EUMC continues to cooperate actively with the EU institutions, in particular, the European Commission, the European Parliament and the European Commission advisory bodies: the Committee of the Regions and the European Economic and Social Committee. Cooperation takes the form of participation in conferences, events and working groups as an expert advisory facility for the Community and its Member States. The cooperation follows the objectives of providing support for EU policy options and courses of action through the EUMC's activities in data collection, research and study, cooperation with inter-governmental organisations and civil society and analytical work. In addition, the EUMC has developed an early warning and rapid response mechanism through its NFPs which has the aim of alerting the Community to the European impact of key events and drawing attention to potential areas of concern which may require concerted action. The EUMC focuses on the EU policy areas in the employment and social affairs, education, sport and justice and home affairs fields. The EUMC supports also the EU enlargement technical assistance programme by providing information and expertise related to racism aimed at national parliamentarians of accession States. The EUMC participates specifically in European Commission working groups addressing implementation of the Council directives on racial equality (2000/43/EC) and employment equality (2000/78/EC) and data collection.

In 2004, the EUMC had the additional task of developing a response to the Council decision of 13 December 2003 to extend its mandate into the area of human rights. In this the EUMC worked closely with the European Commission in the discussions to extend its mandate into the area of human rights/fundamental rights. The EUMC participated, at the invitation of the Commission, in meetings with civil society organisations which formed part of the Commission's public discussion activities. In December, the EUMC produced its preliminary remarks paper in response to the Commission's communication paper on building on the work of the EUMC to establish a fundamental rights agency.

In 2004, it was also announced that as part of the reorganisation of portfolios in the Commission the administrative responsibility between the EUMC and the EC would be transferred from the Employment, Social Affairs and Equal Opportunities DG to the Justice, Freedom and Security DG at the beginning of 2005. This development was in line with the decision to extend the EUMC's mandate into the human rights/fundamental rights field and reflects a gradual shift to address racism issues within a rights-based approach in addition to the welfare approach. It also brings consistency to the location of the EUMC within the EU

architecture as the EU develops its legal base and policy in the fundamental rights area. The EUMC was already located within the European Parliament's justice and freedom portfolio and was contributing to the European Parliament's Annual Report on fundamental rights.

1.6.2. Cooperation with the European Commission

DIRECTORATE-GENERAL FOR EMPLOYMENT, SOCIAL AFFAIRS AND EQUAL OPPORTUNITIES

The EUMC continued to make contributions to conferences and events hosted or supported by the DG for Employment, Social Affairs and Equal Opportunities, in particular related to racial discrimination and Roma issues. At the technical level, the EUMC participated in the final meeting of the European Commission's working group examining implementation of the racial equality directive and the employment equality framework directive and the working group on data collection.

The EUMC made a presentation at the conference on Roma in an enlarged European Union organised by the European Commission. The EUMC focused in particular on its report on Roma women and access to healthcare.

The EUMC provided a position paper on the Commission's Green Paper on equality and non-discrimination in an enlarged European Union. The paper drew attention to a variety of issues including extending the scope of the racial equality directive to all the grounds in Article 13 of the EC Treaty.

LEGAL WORKING GROUP TO PREPARE THE IMPLEMENTATION OF DIRECTIVES 2000/43/EC AND 2000/78/EC ON NON-DISCRIMINATION INTO NATIONAL LAW

The working group held its final meeting on 4 June one month after the accession of the 10 new Member States and after the expiry of the deadlines for all 25 Member States of the European Union to transpose the directives into national legislation. The working group considered its work completed in the preparation phase and the next phase on monitoring and assessing implementation would be the task of the European Commission. The final meeting focused on providing an update and discussion on the state of affairs of transposition in the Member States, the state of play regarding infringements and an explanation of the procedure and a specific discussion on the issue of harassment. The Commission's independent expert groups (race and religion, disability and sexual orientation) presented their final reports.

WORKING GROUP ON DATA COLLECTION

The EUMC has been represented on the Commission's working group on data to measure the extent and impact of discrimination since its inception in 2003. The objective of the working group is to define quantitative and qualitative indicators

to measure the extent and impact of discrimination and anti-discrimination legislation, and enable judgements to be made on policy and legislation successes or failures over time, particularly in the light of the two EU directives. The working group met twice in 2004 and was the initiator of a major European conference, held in Helsinki in December 2004, on 'Data to promote equality'. The aim of the conference was to contribute practical suggestions to improve the quality and extent of data collection at an EU level and in Member States. A member of EUMC staff presented an opening plenary speech at this conference on the subject of 'The measurement of discrimination: Problems and solutions', drawing on the EUMC's experiences in data collection. During 2004, researchers commissioned by the working group visited the EUMC and drew on the experience of the RAXEN when formulating their recommendations to the Commission regarding the collection of data on discrimination.

DIRECTORATE-GENERAL FOR JUSTICE, FREEDOM AND SECURITY

In 2004, the EUMC enhanced its cooperation with the Justice, Freedom and Security DG in addition to discussions with regard to the ongoing development of extending its mandate into the area of human rights/fundamental rights. The EUMC provided information and data on the Europe-wide impact, particularly on the Muslim community, of the murder of Theo van Gogh in the Netherlands. It provided the initial results of its work on policing racist violence which provided an overview of policy on treating racist crimes by the police in the Union Member States.

DIRECTORATE FOR EXTERNAL RELATIONS

The main focus of work involved coordinating replies, providing advice, input and support on the issues of racism, anti-Semitism and the impact of security measures on specific communities. The work on racism and anti-Semitism was primarily directed at the activities in the Organisation for Security and Cooperation in Europe (OSCE) where the EUMC's report on anti-Semitism was made available and the EUMC provided advice and input on developments, trends and its future activities. The EUMC also supported the Commission in its work in the OSCE working groups on the issue.

The EUMC provided input into the Commission's paper on terrorism drawing attention to the possible impact on the human rights of members of specific communities or individuals associated with those communities. In addition, the consequences for community cohesion were highlighted.

DIRECTORATE FOR ENLARGEMENT

The EUMC participated in two meetings organised by the technical assistance and information exchange programme (TAIEX) of the Enlargement DG. The seminars aim to provide an overview of EU work in the fundamental rights area, including racism and xenophobia, freedom of religion and non-discrimination.

The first seminar was aimed at members of national parliaments of Romania, and the EUMC made a presentation on its activities including its work on Roma and took questions drawing attention to the situation on racism but also how its work supports the Community and Member States in a balanced way by highlighting examples of good practice at the national level. The second seminar was aimed at members of the Slovak Parliament, the Committee for Human Rights, Minorities and the Status of Women and the EUMC presented its activities and provided answers on racism-related issues in the Union. The issue of the Roma community was again highlighted.

1.6.3. Cooperation with the European Parliament

The EUMC participated in various events at the European Parliament (EP) and held a number of informative meetings with individual Members of European Parliament (MEPs).

The EUMC contributed actively to the fundamental rights report and gave a presentation at the public hearing on 25 January. In addition, the anti-Semitism reports were launched on 31 March with the support of the EP and its President, Pat Cox, at the European Parliament in Strasbourg. After the press conference, the Parliament, together with the EUMC, organised a public hearing concerning the results. The European Parliament, along with the EUMC and the European Jewish Congress and members of the Jewish community, expressed its deep concern about the increase in anti-Semitism in five European Member States, as well as the presence of dangerous public discourse in other Member States. The public hearing and the publication of the report in the European Parliament raised awareness about anti-Semitism, and also focused on the need for implementation of effective strategies to combat anti-Semitism.

On 11 May, the EUMC was visited by the Vice-President of the European Parliament, Mr Gerhard Schmid, in order to strengthen cooperation between the European Parliament and the EUMC.

On 29 July, the EUMC received the general rapporteur for the EU budget, Mr Jan Mulder, and discussed the work of the EUMC with respect to budget issues.

The Annual Report 2003 — Part 1 was distributed to the EP and presented to them in September, following the European parliamentary elections.

The Annual Report 2003/04 — Part 2 was submitted to the EP on 1 December 2004. The hearing in the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs took place on 19 January 2005.

The EUMC attended the relaunch of the anti-racism and diversity intergroup. The intergroup is to serve as a platform where MEPs, political groups, NGOs and other stakeholders can work together in order to contribute to the EU's action to

promote racial equality and combat discrimination. The intergroup will regularly request the input of the EUMC to its work. Cooperation started immediately with the intergroup's president being a keynote speaker at the EUMC European round table conference in 2004.

In view of making a contribution to the 2004 EP report on 'The situation of fundamental rights in the EU', the EUMC established contact with the responsible rapporteur and will provide input as in previous years.

The EUMC continued to respond to a variety of information requests from individual MEPs, which included, for instance, information on Islamophobia in the aftermath of the murder of Dutch filmmaker Theo van Gogh. The information provided by the EUMC is aimed at supporting the MEPs in their work by providing an EU overview and a comprehensive assessment of the situation based on data available.

1.6.4. Cooperation with the Committee of the Regions

Cooperation with the Committee of the Regions was principally through the racism and sport project, but in addition the EUMC began to cooperate through the preparation of follow up to its report on the situation of Islamic communities in five European cities.

1.6.5. Cooperation with the Council of the European Union

The EUMC contributed to the work of the High Representative for the common foreign and security policy in his reply to questions on work of the Union in the field of anti-Semitism.

1.7. Cooperation with International Organisations

The EUMC has continued to develop its inter-agency work with a view to identifying synergies, avoiding duplication and undertaking complementary actions where they add value to the general work of intergovernmental organisations. It participated in three inter-agency meetings in 2004, two in the framework of the OSCE conferences and another in September in Vienna. The organisations participating include the Council of Europe's ECRI, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) and the UN's CERD secretariat and anti-discrimination unit. The meetings provide the opportunity to share and exchange information and experience and develop issues of common concern. A particular focus of the current inter-agency work is the development of a core set of indicators on racism.

1.7.1. Cooperation with the Council of Europe — European Commission Against Racism and Intolerance (ECRI), Migration and Roma/Gypsies Division

The EUMC took part in the ECRI round table in Greece in November 2004, dedicated to the follow up discussion on the ECRI's report on Greece, racism and xenophobia in public discourse and in the public sphere and national legislation to combat racism and racial discrimination — the challenges ahead. The EUMC Management Board members took part in the ECRI plenary session. Operational cooperation between the EUMC and the ECRI is maintained also at the level of inter-agency cooperation, which examines among other things the identification of core indicators used for measuring racism.

Other work with the Council of Europe was undertaken with the Migration and Roma/Gypsies Division in the context of the Roma women and access to health-care. The EUMC held discussions with the members of the international Roma women network and the Migration and Roma/Gypsies Division on a practical follow up and further support of the international Roma women network. Synergies are sought in particular in the context of Council of Europe preparation of the Committee of Ministers recommendation on Roma's access to healthcare services in Europe.

1.7.2. Cooperation with the Organisation for Security and Cooperation in Europe (OSCE)

The EUMC remained involved in the OSCE's work on tolerance and non-discrimination. The EUMC reacted positively to the request from the OSCE's ODIHR for support in data collection methodology, organisation and activities. Several meetings were held with the ODIHR particularly to examine ways to avoid duplication and complement activities to ensure consistency in standards and effectiveness in outcome. The EUMC participated in the three OSCE conferences: one on anti-Semitism in Berlin, another on the relationship between racist, xenophobic and anti-Semitic propaganda on the Internet and hate crimes in Paris and another on tolerance and the fight against racism, xenophobia and discrimination in Brussels. At the OSCE conference in Berlin, the EUMC made available its report on anti-Semitism within the EU and used side events to prepare for greater inter-agency cooperation on racism and xenophobia. The conference issued a Berlin declaration which sets out steps which participating States can take to tackle anti-Semitism. At the Paris meeting the scale and nature of the issues related to racism and xenophobia on the Internet were addressed and the work of organisations monitoring hate on the Internet were presented. The EUMC director moderated the session on the nature and extent of the relationship between racist, xenophobic and anti-Semitic propaganda on the Internet and hate crime. At the Brussels conference, the chairperson of the Management Board of the EUMC chaired a session on 'Promoting tolerance, respect for diversity and

non-discrimination through education and media, particularly among the younger generation.' At the same conference, the EUMC participated in a common presentation with inter-agency partners (the OSCE, Council of Europe and UN) about their work, alongside the ODIHR's comparative study on international action against racism, xenophobia, anti-Semitism and intolerance in the OSCE region. The conference issued a declaration outlining key steps to combat racism, intolerance and discrimination.

1.7.3. Cooperation with the United Nations (UN) system

The EUMC received a visit from the UN Special Rapporteur on Contemporary Forms of Racism in October 2004. The meeting provided an opportunity to assess common areas of work, agree complimentary activities and examine ways to avoid duplication and build on each other's work for greater effectiveness. The special rapporteur underscored the importance of the EUMC's data collection activities and the continuing need for objective and reliable information in this area. The EUMC participated in the special rapporteur's seminars on anti-Semitism, Islamophobia and Christianophobia held in Barcelona. In addition, the EUMC participated in a high-level expert meeting on 17 July for the UN.

INTERNATIONAL LABOUR OFFICE

The EUMC cooperated with the ILO in a workshop at the ninth international metropolis conference in Geneva in September 2004. The metropolis conference is an international forum for bringing together researchers, NGOs, practitioners and policy-makers in migration-related fields. A representative of the EUMC participated in a workshop organised by the ILO called 'The impact of discrimination research and new actions to combat discrimination in Europe', presenting a paper called 'What follows situation testing? The need for qualitative research', and drawing on data produced by the EUMC's RAXEN.

UNESCO

The EUMC participated in the first human rights forum organised by Unesco, and gave presentations about its work. The EUMC participated in Unesco's conference on cities against racism and xenophobia. The project aims to raise awareness of the issues, share and exchange good practice and use a network to maintain ongoing focus.

1.8. Cooperation with Member States

1.8.1. Relations with governments of EU Member States

The EUMC hosted two meetings with its government liaison contacts during 2004. Its fifth meeting in March discussed a variety of issues including modalities for

replying to information requests from the OSCE on racism and anti-Semitism, the presentation of the EUMC's anti-Semitism report, a discussion on the withdrawal of the Commission's recast paper on the EUMC's mandate due to the decision to extend the EUMC's mandate into human rights and the subsequent impact on the liaison network. The March meeting looked forward to the enlargement of the EU and the liaison network, and provided feedback on government activities with regard to national action plans to combat racism and the status of implementation of the Article 13 directives. The EUMC provided feedback on the development of the RAXEN into 25 Member States and the timeframe for its annual reports. The EUMC raised the issue of the need for adoption of the proposal for a Council framework decision on racism and xenophobia. The UK representative also made a presentation on its public duty to promote equality policy.

At its sixth meeting in September, the EUMC welcomed the representatives from the new accession States. Participants were informed of the new administrative arrangements between the EUMC and the European Commission. The issues discussed included the extension of the EUMC's mandate, the Eurobarometer survey on attitudes towards migrants and minorities, RAXEN development and the EUMC's request for feedback on the status of government activities related to its opinions and conclusions. The EUMC also used the opportunity to receive feedback on suggestions for its future priorities and activities. In addition, the EUMC gave presentations and specific information to Member States at a number of events; for example the 'Innenausschuss des Deutschen Bundestages' on 11 February, the Irish Presidency conference on 9 and 10 June, and workshops on racism and anti-Semitism organised by the Pompidou Centre on 28 October.

1.9. Cooperation with civil society organisations

1.9.1. Cooperation with the European network against racism

The EUMC attended the relaunch of the European Parliament's Anti-Racism and Diversity Intergroup co-organised by the ENAR as the Intergroup's Secretariat. The ENAR's president and vice-president participated in the EUMC European round table conference in 2004 and made a strong contribution to the conference conclusions by highlighting how the Fundamental Rights Agency could cooperate with civil society (see also 1.2.3).

The EUMC provided the input of a 'master class' of three lectures on the subject of 'Racism in Europe' for the European Masters Degree in Human Rights and Democratisation, organised by the European Inter-University Centre for Human Rights and Democratisation, in Venice, in November 2004.

1.9.2. National human rights institutions

In November 2004, the director of the EUMC participated in the third round table of national human rights institutions (NHRIs) co-organised by the Council of Europe's Commissioner for Human Rights and the German Institute for Human Rights and the fifth European meeting of national human rights institutions for the promotion and protection of human rights. The director together with a representative from the European Commission exchanged views with participants on the cooperation of NHRIs and the future EU Human Rights Agency. The NHRIs broadly welcomed the development and the opportunities for cooperation with the agency.

1.10. Information, public relations and media

1.10.1. Annual Report 2003/04 — Part 2

The Annual Report — Part 2 is compiled from information sent to the EUMC from its RAXEN national focal points (NFPs) in each Member State of the EU. The sixth Annual Report was submitted to the European Parliament on 1 December 2004. It covered a year which brought about decisive developments for the European Union. Two-thousand and three was the year when the two European Council anti-discrimination directives were due to be transposed into the Member States' national legislation. The enlargement of the EU to embrace 10 central, east and southern European countries in May 2004 had a significant influence on both the political work within EU institutions and on public discourse. Both developments were strongly reflected in the EUMC's report.

As in the previous years, legislative initiatives constituted a major theme of monitoring and reporting. The Annual Report focused on the Member States' achievements in adopting their laws, regulations and administrative provisions as necessary according to the two Council Directives. The deadline for the transposition of Council Directive 2000/43/EC (implementing the principle of equal treatment between persons irrespective of racial or ethnic origin) was 19 July 2003, and for Council Directive 2000/78/EC (establishing a general framework for equal treatment in employment and occupation) it was 2 December 2003.

Discrimination in the area of education, and initiatives on how to prevent it, also formed a major theme of the report. Information was drawn from each Member State on direct and indirect discrimination in the education sector. With regard to the new EU Member States, although they were still accession countries in 2003, the EUMC decided to include them in the report through a special chapter which introduced an overview of issues in their education sectors. This allowed a first comparison of issues between them and the EU-15.

Outside the field of education, the Annual Report looked at national developments in the areas of racist and xenophobic violence and crimes, and discrimination in the sectors of employment and, for the first time, housing. As in the previous years, the EUMC was also able to highlight an increasing range of examples of good practices against racism and discrimination across the EU.

A wealth of information, on new and established themes, can be drawn from the Annual Report 2003/04. Several important and topical themes were extracted that are of particular note, including, for example, examples of discrimination against the Roma in education, housing and employment, new developments in legislation, and actions concerning the wearing of headscarves.

The findings of the Annual Report were shared with the main target audience — European Commission, European Parliament and Member States — and made available to a wider public through a media and website launch and a summary in *Equal Voices*.

1.10.2. *Equal Voices* and EUMC Newsletter

The EUMC published one issue of its magazine *Equal Voices* and two newsletters in 2004. *Equal Voices* provides a forum for in-depth topical articles related to racism and xenophobia. The December issue of *Equal Voices* included articles on recent activities of two key international partners of the EUMC, the UN Special Rapporteur on Contemporary Forms of Racism and the OSCE's ODIHR. Also, the highlights of the Annual Report were summarised in order for its main findings to reach a wider audience. The two EUMC *Newsletter* issues covered a variety of subjects and provided a snapshot of developments inside the EUMC and in the EU Member States and the Union.

1.10.3. Media

To raise awareness on good practice in the media, the EUMC, together with the European Parliament, the European Broadcasting Union and large European public channels like the WDR and others, supported the CIVIS Europe Media Prize for Cultural Diversity and Integration. The media prize honours radio and television programmes which are suitable for the promotion of multicultural coexistence and intercultural understanding in the EU. The 2004 record figure of 244 entries from all 25 EU Member States was testament of the high interest throughout Europe. The prize was awarded on 19 November 2004 in Vienna, at an event attended by the Austrian president. As none of the entries dealt with the situation of Roma in the EU, the EUMC suggested to the organisers, the German television network ARD, to have a special focus on the integration of Roma. In 2005, a special prize will be awarded for the first time.

To communicate the results of its work to a wider public, the EUMC issued several media releases and responded to numerous information and interview

requests from print and electronic media from across the EU. By providing the media with objective and reliable information, the EUMC helps in ensuring more and better reporting on the situation of migrants and minorities in the European Union. At the same time, the public is made aware of causes and consequences of racism and xenophobia.

1.10.4. EUMC publications

The EUMC focus on publications was a combination of specific work on anti-Semitism, producing comparative reports from national level RAXEN information and data and publishing its Annual Report in two parts. The EUMC published the following documents in 2004 and they are available online from the EUMC's website or on order from the EUMC.

Annual Report 2003/04

Part 1: Activities of the EUMC (September 2004) (11 languages)

Part 2: Racism and xenophobia in the EU Member States — Trends, developments and good practice (December 2004) (EN, FR, DE)

15 RAXEN 3 national employment reports

Migrants, minorities and employment — Exclusion, discrimination and anti-discrimination (published on the web, November 2004) (EN)

15 RAXEN 4 national legislation reports

15 RAXEN 4 national education reports

Comparative report legislation

Migrants, minorities and legislation: Documenting legal measures and remedies against discrimination in 15 Member States of the European Union

(published on the web, December 2004) (EN)

Comparative report education (November 2004) (EN)

Migrants, minorities and education: Documenting discrimination and integration in 15 Member States of the European Union

Manifestations of anti-Semitism in the EU 2002–03 (March 2004) (EN)

Based on information by the national focal points of the RAXEN

Perceptions of anti-Semitism in the European Union (March 2004) (EN)

Equal Voices

Issue 15: (Published on the web, December 2004) (EN)

Newsletter

Issue 20: (November 2004) (EN)

Issue 19: (December 2004) (EN)

1.10.5. EUMC website

In the beginning of 2004 the EUMC improved the design and interactivity of its website based on comments and proposals raised by the users of the site.

The website was used continuously in 2004 to deliver news and information about the EUMC, its work and output. While the main language of the EUMC website is English, information translated into German and French is increasingly provided. Selected publications and important information are also available in other official languages. The website provides information on all major projects and publications of the EUMC. Beside this, a special area is devoted to the RAXEN, the EUMC network, and another area provides administrative information such as calls for tender and job vacancies.

In 2004 the EUMC website was visited by a daily average of 700 visitors. The site was visited by around 237 000 visitors in 2004, an increase of 32.5 % over 2003.

2. The management and executive boards

2.1. Members and tasks of the boards

2.1.1. Management Board (MB)

Before the enlargement of the EU on 1 May 2004, the EUMC's Management Board (MB) was composed of 18 independent members: one member nominated by each Member State, one representative appointed each by the European Parliament, the Council of Europe and the European Commission. Following enlargement the number of members increased to 28.

On 8 March 2004 the mandate of the MB appointed in 2001 came to an end, and a new MB of 28 members was appointed in May 2004. The new MB held its first meeting on 28 and 29 June 2004, when Ms Anastasia Crickley, the Chair of the MB and Ms Ilze Brands Kehris, the Vice-Chair of the MB and Mr Ioannis Ktistakis, the member for the EB, were elected.

Each MB member has a deputy appointed on a similar basis. Their term of office is three years, which can be renewed once.

The MB takes decisions necessary for the operation of the EUMC. Each member, or in his/her absence, his/her deputy, has one vote. Decisions are taken by a two-thirds majority of the votes cast.

In particular, the MB is required to

- determine the EUMC's annual work programme;
- adopt the EUMC's Annual Report and its conclusions and opinions;
- adopt the EUMC's annual draft and final budgets;
- approve the accounts of the EUMC;
- appoint the EUMC's director.

The newly appointed MB, which met twice in 2004, has the following members:

Country/Organisation	Member	Deputy
Belgium	Eliane DEPROOST	Jozef DE WITTE
Czech Republic (*)	Petr UHL	Zuzana GÁBOROVÁ
Denmark	Niels Johan PETERSEN	Mads Bryde ANDERSEN
Germany	Claudia ROTH	Claus Henning SCHAPPER
Estonia	Mati LUIK	Nomination pending
Greece	Ioannis KTISTAKIS	Nomination pending
Spain	Rosa APARICIO GÓMEZ	Lorenzo CACHÓN RODRÍGUEZ
France	Guy BRAIBANT	Jean-Marie COULON
Ireland	Anastasia CRICKLEY	Rory O'DONNELL
Italy	Beniamino CARAVITA DI TORITTO	Massimiliano MONNANNI
Cyprus	Eliana NICOLAOU	Aristos TSIARTAS
Latvia	Ilze BRANDS KEHRIS	Gita FELDHÜNE
Lithuania	Arvydas Virgilijus MATULIONIS	Mr Šarūnas LIEKIS
Luxemburg	Victor WEITZEL	Anne HENNIQUI
Hungary	András KÁDÁR	Katalin PÉCSI
Malta	Duncan BORG MYATT	Claire ZARB
The Netherlands	Jenny E. GOLDSCHMIDT	Nomination pending
Austria	Helmut STROBL	Peter J. SCHEER
Poland	Piotr MOCHNACZEWSKI	Danuta GŁOWACKA-MAZUR
Portugal	Nomination pending	Nomination pending
Slovenia	Vera KLOPČIČ	Tatjana STROJAN
Slovakia	Miroslav KUSÝ	Tibor PICHLER
Finland	Mikko PUUMALAINEN	Kristina STENMAN
Sweden	Hans YTTERBERG	Anna-Karin JOHANSSON
United Kingdom	Naina PATEL	Nomination pending
European Parliament	Ludwig STEINER	No nomination
Council of Europe	Gün KUT	Maja SERSIC
European Commission	Bernhard JANSEN	Alain BRUN

(*) In November 2004, Mr Jiří KOPAL was nominated as new Czech deputy member, after the resignation of Ms Gáborová.

Observers from Bulgaria, Romania and Turkey are invited to participate at Management Board meetings.

Country	Observer
Bulgaria	Nomination pending
Romania	Monica VLAD
Turkey	Ioanna KUÇURAD

2.1.2. Executive Board (EB)

The EB is composed of the chair and vice-chair of the Management Board, and a maximum of three other members of the MB, including the person appointed by the Council of Europe and the European Commission representative as *ex officio* members. The MB elects the third member.

The EB supervises and monitors the work of the EUMC and prepares the meetings of the MB in cooperation with the director of the EUMC.

In addition, it deals with all matters delegated to it by the MB in accordance with its rules of procedure.

The Executive Board that operated under the Management Board mandate 2001–04, met twice in 2004.

The first meeting of the newly appointed MB in June 2004, established the new EB, which met twice in 2004, and has the following members.

Position	Name
Chairperson	Anastasia CRICKLEY
Vice-Chairperson	Ilze BRANDS KEHRIS
Member	Ioannis KTISTAKIS
Member	Bernhard JANSEN/Alain BRUN
Member	Gün KUT

3. Personnel, organisational and financial information

3.1. Staff information

3.1.1. Administrative information

In June 2004 the EUMC's Management Board decided, with retroactive effect from 1 May 2004, to adopt all of the Commission's implementing rules for the application of the amended staff regulations which are of relevance to EU agencies.

The director will evaluate whether or not any of the aforementioned implementing rules of the new staff regulations require adaptation, taking into consideration the specific needs of the EUMC.

3.2. Internal organisation

At the end of 2004, the centre was organised into four units as follows (posts occupied at 31 December 2004).

Directorate	
Director	A
Secretariat	2 C
Audit capabilities	A
Legal Adviser	A
Work Programme and Coordination	DNE (*)

Administration	
Head of Unit	A
Recruitment and Career Guidance	C
Administrative Support	C
Budget Administrator	A
Accountant	B
Human Resources	B
Information Technology	B
Materials and Resources	C

Research and Data Collection	
Head of Unit	A
Secretariat	C
Data Collection Sector	
Head of Sector	A
RAXEN Assistant	B
Data Collection Assistant	B
Documentation Assistant	B
Research and Analysis Sector	
Head of Sector	A
Research Administrator	A
Scientific Editor	B
Annual and Special Reports	DNE*
Workshop Organiser	C

Communication and External Relations	
Research and Data Collection	
Head of Unit	A
Secretariat	C
Communication and External Relations	2A
Webmaster	B
Relations with Clients	C
Conferences, Events and Meetings	B

(*) DNE — detached national expert.

3.3 Budget and financial affairs

Table 1 — Distribution by titles and transfers between titles for 2004 and 2003

EUR	Budget, 2004	Transfers, 2004	Budget, 2003	Transfers, 2003
Title 1	3 316 000	—	2 820 000	—
Title 2	746 000	—	555 000	—
Title 3	3 838 000	—	3 200 000	—
Phare project	169 000		676 000	
Total budget	8 069 000	0	7 251 000	0

The presentation of revenue and expenditure is as follows.

3.3.1. Revenue

The EUMC's principal source of revenue is a subsidy paid from the general budget of the European Community. The EUMC's initial EU subsidy for 2004 was EUR 6 800 000. The EUMC received a further EUR 1 000 000 on 1 May 2004 so as to facilitate the EU enlargement process.

The EUMC receives some financial support from the Austrian authorities in the form of the reimbursement of 50 % of the net cost of the rent paid in respect of the EUMC's premises.

3.3.2. Expenditure

3.3.2.1. Title 1: Staff

Table 2 — Evolution of staff numbers

Year	2001		2002		2003		2004	
	6	12	6	12	6	12	6	12
A	9	9	9	10	11	9	9	12
B	7	8	8	8	9	9	10	9
C	6	6	6	8	8	8	9	9
D	1	1	1	1	—	—	—	—
Temporary agents	23	24	24	27	28	26	28	30
Auxiliary C	—	—	—	—	—	—	—	—
DNE	1	1	1	1	1	2	1	2
Interim C	2	2	3	4	2	2	2	3
Total	26	27	28	32	31	30	31	35

Overall expenditure in Title 1 in 2004 was in line with the previous year.

3.3.2.2. Title 2: Administrative overhead expenditure

Overall expenditure in Title 2 in 2004 was in line with the previous year.

3.3.2.3. Title 3: Operational activities

In 2004 the amount committed increased by 11 % whilst the level of payments increased by 35 %. This reflects the EUMC's continued focus on prudent budget implementation, especially with regards to the principle of annuality.

The budget implementation and the draft unaudited financial statements are as follows.

(Any discrepancies in totals are due to the effect of rounding.)

Table 3 — EUMC — Balance sheet as at 31 December 2004 and at 31 December 2003

<i>(EUR 1 000)</i>					
Assets	2004	2003	Liabilities	2004	2003
Fixed assets			Fixed capital		
Fixed assets	57	108	Own capital	57	108
			Balance of the year	- 748	98
Sub-total	57	108	Sub-total	- 691	206
Current assets			Current liabilities		
Advances on salaries	0	1	Automatic carry-overs of appropriations	867	1 277
Recoverable VAT	158	456	Liabilities on earmarked revenue	510	694
Sundry accounts receivable	25	268	VAT/Other taxes	522	454
			Sundry accounts payable	315	275
Sub-total	183	725	Sub-total	2 214	2 700
Cash accounts			Transitional accounts		
Bank account(s)	1 282	2 073	Re-use		
Sub-total	1 282	2 073	Sub-total		
Total assets	1 523	2 906	Total liabilities	1 523	2 906

Source: Table drawn up by the Court of Auditors on the basis of data compiled by the centre.

Table 4 — Implementation of the budget for the financial year 2004 — EUMC (provisional)*(million EUR)*

Title	Appropriations (a)	Commitments (b)	Payments (c)	% (d = c/b)	Carry-overs (f)	Cancellations (g = a-c-f)	% (h = g/a)
I — Staff							
Budget, 2004	3.3	2.7	2.6	96.3	0.1	0.6	18.2
Carry-overs, 2003	0	0	0	N/A	0	0	N/A
Total	3.3	2.7	2.6	96.3	0.1	0.6	18.2
II — Administration							
Budget, 2004	0.8	0.5	0.5	100.0	0.0	0.3	37.5
Carry-overs, 2003	0	0	0	N/A	0	0.0	N/A
Total	0.8	0.5	0.5	100.0	0.0	0.3	37.5
III — Operations							
Budget, 2004	3.8	3.1	2.3	74.2	0.8	0.7	18.4
Carry-overs, 2003	1.2	1.2	1.0	83.3	0	0.2	16.7
Total	5.0	4.3	3.3	76.7	0.9	0.9	18.0
X — Reserve							
Budget, 2004	7.9	6.3	5.4	85.7	0.9	1.6	21.0
Carry-overs, 2003	1.2	1.2	1.0	83.3	0	0.2	16.7
Total	9.1	7.5	6.4	85.3	0.9	1.8	19.8

Table 5 — EUMC — Revenue and expenditure accounts for the financial years 2004 and 2003

<i>(Provisional)</i>	<i>(EUR 1 000)</i>	
	2004	2003
Revenue		
Commission subsidy	5 675	7 318
Earmarked revenue	123	676
Sundry revenue	416	374
Miscellaneous revenue (bank interest)	20	21
Total revenue	6 234	8 389
Expenditure		
Staff — Title I of the budget		
Payments	2 645	2 618
Appropriations carried over	85	64
Administration — Title II of the budget		
Payments	447	411
Appropriations carried over	37	51
Operating expenditure — Title III of the budget		
Payments	2 352	1 678
Appropriations carried over	745	1 162
Earmarked — Titles II and III		
Payments	539	377
Appropriations carried over	492	693
Total expenditure	7 342	7 055
Out-turn for the financial year	1 108	1 334
Out-turn carried over from the previous financial year	98	1 579
Appropriations carried over cancelled	241	339
Re-used cancelled		
Repayment to the Commission		
Exchange rate differences/exceptional charges	21	5
Balance for the financial year	748	98

Source: Table drawn up by the Court of Auditors on the basis of data compiled by the centre.

European Monitoring Centre on Racism and Xenophobia

**Activities of the European Monitoring Centre on Racism and Xenophobia –
Annual report 2004/2005 – Part I**

Luxembourg: Office for Official Publications of the European Communities

2005 – 45 pp. – 21 x 29.7 cm

ISBN 92-95008-72-3

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EUMC Mission Statement

The EUMC is a thinking, acting and challenging network organisation, working in all sectors of society for equality and diversity, and against racism and xenophobia in the European Union – as a network of knowledge, a bridge-builder and a service organisation.

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TK-AB-05-001-EN-C

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