



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.05.1997
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96/ 0298 (CNS)

Amended proposal for a
COUNCIL REGULATION (EC)

establishing a European Monitoring Centre for Racism and Xenophobia

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

Explanatory memorandum

On 27 November 1996 the Commission presented a proposal for a Council regulation establishing a European Monitoring Centre for Racism and Xenophobia. This proposal aims to establish a European Monitoring Centre for Racism and Xenophobia which will place the results of its work at the disposal of the Community and the Member States.

The Economic and Social Committee and the European Parliament have been consulted on the basis of Article 235 of the Treaty, the legal basis of the proposal.

On 19 March 1997 the Economic and Social Committee adopted an Opinion in which it proposed a number of amendments of which one has been accepted by the Commission and integrated in this amended proposal.

The European Parliament, in its session of April 1997, made several amendments to the Commission's text. The Commission was unable to accept all the amendments since some aimed to change standard articles applied to monitoring centres functioning under the Community's aegis and others aimed to extend the field of activity of the Centre beyond what could be conferred under the EC Treaty.

However, the Commission did accept some amendments.

Consequently, it proposes, on the basis of Article 189(a)(2) of the EC Treaty to modify its initial proposal to take account of certain amendments proposed by the European Parliament in its legislative resolution.

Comment on proposed modifications

- 1 and 2 Amendments consisting in the addition of 2 new recitals.
The amendments contain useful clarifications which supplement the recitals already proposed.
- 3 Amendment consisting in the addition of the words "in the Member States" to the fourteenth recital.
The addition of a reference to the organisations in the Member States usefully supplements the reference to national and international organisations.
- 4 Amendment concerning Article 2,(2) - Objective and tasks of the Centre.
The amendment proposed contains useful clarifications.
- 5 Amendment concerning the title of Article 7.
This consists in the addition of organisations in the Member States to national or international organisations (see point 3).
- 6 Amendment concerning Article 7(1).
This amendment is on all fours with point 5 (supra). It also aims to oblige the Centre to cooperate with the organisations referred to.
- 7 Amendment concerning Article 10, paragraph 3.
This amendment is a clarification.
- 8 Amendment concerning Article 11,2,2.
This amendment reflects the addition of the organisations in the Member States in Article 7.
- 9 Amendment concerning Article 13.
This amendment adds an Article 13a and states that the translation services required are provided by the Translation Centre to bodies of the European Union.

<p>Proposal for a Council</p> <p>regulation establishing a European Monitoring Centre for Racism and Xenophobia</p> <p>Old version</p> <p>presented by the Commission on 27 November 1996</p>	<p>Amended proposal for a Council</p> <p>Regulation establishing a European Monitoring Centre for Racism and Xenophobia</p> <p>New version</p> <p>taking into account certain amendments of the European Parliament</p>
<p style="text-align: center;">Proposal for a COUNCIL REGULATION (EC)</p> <p>establishing a European Monitoring Centre for Racism and Xenophobia</p> <p style="text-align: center;">THE COUNCIL OF THE EUROPEAN UNION</p> <p>Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,</p>	
<p>Having regard to the proposal from the Commission¹,</p>	<p style="text-align: center;">Unchanged</p>
<p>Having regard to the opinion of the European Parliament²,</p>	<p style="text-align: center;">Unchanged</p>
<p>Having regard to the opinion of the Economic and Social Committee³,</p>	<p style="text-align: center;">Unchanged</p>
<p>Having regard to the opinion of the Committee of the Regions⁴,</p>	<p style="text-align: center;">Unchanged</p>

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<p>Whereas, in the preamble to the Single European Act, the Member States stress the need to "work together to promote democracy on the basis of the fundamental rights recognized in the constitutions and laws of the Member States, in the Convention for the Protection of Human Rights and Fundamental Freedoms and the European Social Charter, notably freedom, equality and social justice";</p>	<p>Unchanged</p>
<p>Whereas Article F(2) of the Treaty on European Union states that the Union is to "respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law";</p>	<p>Unchanged</p>
<p>Whereas racism, xenophobia and antisemitism seriously impinge on fundamental rights;</p>	<p>Unchanged</p>
<p>Whereas the Community must respect fundamental rights in formulating and applying its policies; whereas, in particular, compliance with human rights constitutes a condition of the legality of Community acts;</p>	<p>Unchanged</p>
<p>Whereas on 11 June 1986, the European Parliament, the Council, the representatives of the Member States meeting within the Council and the Commission adopted a joint declaration on racism and xenophobia stressing the "importance of adequate and objective information and of making all citizens aware of the dangers of racism and xenophobia, and the need to ensure that all acts or forms of discrimination are prevented or curbed"⁵;</p>	<p>Unchanged</p>

⁵ OJ No C 158, 25.6.1986, p. 1.

<p>Whereas the European Council meeting in Corfu on 24 and 25 June 1994 determined to step up efforts to define, at European Union level, a global strategy aimed at combating acts of racist and xenophobic violence; whereas to this end it set up a Consultative Commission charged with making recommendations on combating racism and xenophobia;</p>	<p>Unchanged</p>
<p>Whereas the European Council meeting in Cannes on 26 and 27 June 1995 called on the Consultative Commission to extend its work in order to study, in close cooperation with the Council of Europe, the feasibility of a European Monitoring Centre on Racism and Xenophobia;</p>	<p>Unchanged</p>
<p>Whereas the conclusions of this feasibility study were put to the European Council meeting in Florence on 21 and 22 June 1996;</p>	<p>Unchanged</p>
<p>Whereas the European Council meeting in Florence reaffirmed the Union's determination to combat racism and xenophobia with the utmost resolve and approved the principle underlying the establishment of a European Monitoring Centre;</p>	<p>Unchanged</p>
<p>Whereas the collection, recording, analysis and publication of objective, reliable and comparable information on racist and xenophobic acts and attitudes are necessary at European level to provide full information in the Community on the problem of racism and xenophobia so as to enable the Community to meet its obligation to respect fundamental rights and to take account of them in formulating and applying whatever policies and acts it adopts in its sphere of competence;</p>	<p>Unchanged</p>
<p>Whereas racism and xenophobia are phenomena which manifest themselves at all levels within the Community: local, regional, national and Community;</p>	<p>Unchanged</p>

<p>Whereas the information which is collected, recorded and analysed at Community level can also be useful to the Member States' authorities in formulating and applying measures at local, regional and national level in their own spheres of competence;</p>	<p>Unchanged</p>
	<p>Whereas, in the Member States, there are numerous outstanding organizations which study racism and xenophobia;</p>
	<p>Whereas the harmonisation of research and the creation of a network of organizations will enhance the usefulness and effectiveness of such work;</p>
<p>Whereas it is therefore appropriate to set up a European Monitoring Centre for Racism and Xenophobia which will make the results of its work available to both the Community and the Member States;</p>	<p>Unchanged</p>
<p>Whereas the tasks assigned to the Centre presuppose cooperation with other national and international organizations, and particularly with the Council of Europe, which has considerable experience in this field;</p>	<p>Whereas the tasks assigned to the Centre presuppose cooperation with other organizations in the Member States and international organizations, and particularly with the Council of Europe, which has considerable experience in this field;</p>
<p>Whereas the protection of personal data must be assured in accordance with Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁶;</p>	<p>Unchanged</p>
<p>Whereas the Centre must enjoy maximum legal and political autonomy, while maintaining close links with the Community institutions;</p>	<p>Unchanged</p>

⁶ OJ No L 281, 23.11.1995, p. 31.

<p>Whereas this Regulation might, where appropriate, be adapted on expiry of a three-year period, with a view to deciding whether or not to modify or extend the Centre's tasks, more especially depending on any changes in Community powers;</p>	<p>Unchanged</p>
<p>Whereas the Treaty does not, for the purpose of adoption of this Regulation, provide for any powers of action other than those laid down in Article 235,</p>	<p>Unchanged</p>
<p>HAS ADOPTED THIS REGULATION:</p> <p style="text-align: center;">Article 1</p> <p>A European Monitoring Centre for Racism and Xenophobia (hereinafter referred to as "the Centre") is hereby established.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 2 Objective and tasks</p> <p>1. The prime objective of the Centre shall be to provide the Community and its Member States, more especially within the fields referred to in Article 3(3), with objective, reliable and comparable data at European level on the phenomena of racism, xenophobia and antisemitism in order to help them when they take measures or formulate courses of action within their respective spheres of competence</p>	<p>Unchanged</p>
<p>2. The Centre shall study the extent and development of the phenomena and manifestations of racism, xenophobia and antisemitism, analyse their causes, consequences and effects and examine examples of good practice in dealing with them. To these ends, the Centre shall:</p>	<p>Unchanged</p>
<p>(a) collect, record and analyse information and data, including data resulting from scientific research, communicated to it by the Member States, the Community institutions, international organizations - particularly those referred to in Article 4(1) - and non-governmental organizations;</p>	<p>(a) collect, record and analyse information and data, including data resulting from scientific research, communicated to it by research centres, the Member States, the Community institutions, international organizations - particularly those referred to in Article 4(1) - and non-governmental organizations;</p>

<p>(b) build up cooperation between the suppliers of information and develop a policy for concerted use of their data bases in order to foster, where appropriate at the request of the European Parliament, the Council or the Commission, the wide distribution of their information;</p>	<p>Unchanged</p>
<p>(c) carry out scientific research and surveys, preparatory studies and feasibility studies, where appropriate at the request of the European Parliament, the Council or the Commission. It shall also organize meetings of experts and, whenever necessary, set up ad hoc working parties;</p>	<p>Unchanged</p>
<p>(d) set up documentation resources open to the public, encourage the promotion of information activities and stimulate scientific research;</p>	<p>(d) support the setting up and linking of documentation resources open to the public, assist in the promotion of information activities and stimulate scientific research;</p>
<p>(e) formulate conclusions and recommendations for the Community and its Member States;</p>	<p>Unchanged</p>
<p>(f) publish an annual report on the situation regarding racism and xenophobia in the Community, also highlighting examples of good practice, and on the Centre's own activities;</p>	<p>Unchanged</p>
<p>(g) set up and coordinate a "European Racism and Xenophobia Information Network" (Raxen) consisting of the Centre's own central unit, which shall cooperate with national university research centres, non-governmental organizations and specialist centres set up by national or international organizations referred to in Article 7;</p>	<p>(g) set up and coordinate a "European Racism and Xenophobia Information Network" (Raxen) consisting of the Centre's own central unit, which shall cooperate with national university research centres, non-governmental organizations and specialist centres set up by organizations in the Member States or international organizations referred to in Article 7;</p>

<p>(h) facilitate and encourage the organization of regular round-table discussions or meetings of other existing, standing advisory bodies within the Member States, with the participation of the social partners, research centres and representatives of competent public authorities and other persons or bodies involved in dealing with racism and xenophobia. The Centre shall take the findings of the national round-table discussions or of other existing, standing advisory bodies into account in its annual report on the situation regarding racism and xenophobia in the European Community.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 3</p> <p>Working methods and areas of activity</p> <p>1. The Centre shall carry out its tasks in the light of the objectives adopted in its annual programme and with due regard to the available budgetary resources.</p>	<p>Unchanged</p>
<p>2. In pursuing its activities, the Centre shall, in order to avoid duplication, take account of activities already carried out by the Community institutions and by other institutions, bodies and competent international organizations, particularly the Council of Europe, and shall ensure that it provides added-value.</p>	<p>Unchanged</p>
<p>3. The information and data to be collected and processed, the scientific research, surveys and studies to be conducted or encouraged shall be concerned with the extent, development, causes and effects of the phenomena of racism and xenophobia, particularly in the following fields:</p>	<p>Unchanged</p>

<p>(a) free movement of persons within the Community;</p> <p>(b) employment;</p> <p>(c) the media and other means of communication;</p> <p>(d) education, vocational training and youth;</p> <p>(e) social exclusion;</p> <p>(f) free movement of goods;</p> <p>(g) culture.</p>	<p>Unchanged</p>
<p>Article 4 European Racism and Xenophobia Information Network (Raxen)</p> <p>1. To enable the network provided for in Article 2(2)(g) to be established as rapidly and efficiently as possible, the Member States shall forward to the Centre a list of the centres and organizations referred to in that Article.</p>	<p>Unchanged</p>
<p>2. The Centre's Management Board shall designate the bodies which are to be parties to Raxen. The decision of the Management Board shall be subject to a favourable opinion from the Scientific Committee referred to in Article 11.</p>	<p>Unchanged</p>
<p>3. The Centre may enter into contractual relations, in particular subcontracting arrangements, with the bodies referred to in paragraph 2, in order to accomplish any tasks which it may entrust to them.</p>	<p>Unchanged</p>
<p>The Centre may also enter into contractual relations, on an ad hoc basis and for specific tasks, with bodies which are not part of Raxen.</p>	<p>Unchanged</p>
<p>The allocation of such tasks shall appear in the Centre's annual programme</p>	<p>Unchanged</p>

<p style="text-align: center;">Article 5 Protection and confidentiality of personal data</p> <p>1. The Centre shall apply to its processing of personal data under this Regulation the provisions laid down in Directive 95/46/EC. To this effect, the Management Board shall adopt rules implementing these provisions, in particular concerning the rights of the individuals concerned, the confidentiality and security of processing, suitable safeguards for rendering data anonymous before disclosure, and the internal supervision of processing.</p>	<p style="text-align: center;">Unchanged</p>
<p>2. The Centre shall transmit the implementing rules referred to in paragraph 1 to the Commission for publication in the Official Journal of the European Communities. The Centre may not process personal data before the entry into force of those rules.</p>	<p style="text-align: center;">Unchanged</p>
<p>3. Where, under the provisions of this Regulation, the Member States transmit or receive personal data, they shall apply their respective national data-protection laws to the processing of such data in accordance with the provisions of Directive 95/46/EC.</p>	<p style="text-align: center;">Unchanged</p>
<p>4. Where personal data are forwarded to the Centre pursuant to this Regulation and in accordance with national law, such data may be used only for the purposes stated and under the conditions prescribed by the forwarding authority. This provision shall apply <i>mutatis mutandis</i> where personal data are communicated by the Centre to the competent authorities of the Member States or to international organizations and other Community bodies. The Centre shall refrain from any activity which concerns specific and named cases.</p>	<p style="text-align: center;">Unchanged</p>
<p>5. Data on racist, xenophobic and antisemitic violence supplied to and communicated by the Centre may be published subject to compliance with the Community and national rules on information dissemination and confidentiality.</p>	<p style="text-align: center;">Unchanged</p>

<p>6. Member States and national bodies cooperating with the Centre shall be under no obligation to provide information classified as confidential under their national law.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 6 Legal personality and capacity</p> <p>The Centre shall have legal personality. It shall enjoy, in each of the Member States, the most extensive legal capacity accorded to legal persons under their laws. In particular, it may acquire or dispose of movable and immovable property and may be a party to legal proceedings.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 7 Cooperation with national and international organizations</p> <p>1. To help it carry out its tasks, the Centre may cooperate with national or international, governmental or non-governmental organizations competent in the field of racist and xenophobic phenomena.</p>	<p style="text-align: center;">Article 7 Cooperation with organizations in the Member States and international organizations</p> <p>1. To help it carry out its tasks, the Centre shall cooperate with organizations in the Member States or international, governmental or non-governmental organizations competent in the field of racist and xenophobic phenomena.</p>
<p>2. The arrangements for the cooperation referred to in paragraph 1 shall be subject to the approval of the Management Board.</p>	<p>Unchanged</p>
<p>3. The Centre shall coordinate its activities with those of the Council of Europe, particularly with regard to its programme of work. To this end, the Community shall enter into an agreement, on behalf of the Centre, with the Council of Europe for the purpose of establishing close cooperation between the latter and the Centre. This agreement shall include the appointment of a person nominated by the Council of Europe to sit on the Centre's Management Board</p>	<p>Unchanged</p>

<p style="text-align: center;">Article 8 Management Board</p> <p>1. The Centre's Management Board shall be composed of one independent person appointed by each Member State, one independent person appointed by the European Parliament, one independent person appointed by the Council of Europe pursuant to Article 7(3), and a representative of the Commission.</p> <p>Each member shall have a deputy appointed on a similar basis.</p>	<p>Unchanged</p>
<p>2. The names of the members and deputy members of the Management Board shall be notified to the European Commission for publication in the Official Journal of the European Communities. Their term of office shall be three years, which shall be renewable once. The Management Board shall elect its Chairman and Vice-Chairman and the other members of the Executive Board referred to in Article 9.</p> <p>Each member of the Management Board, or in his absence, his deputy, shall have one vote. Decisions shall be taken by a two-thirds majority of the votes cast. The Chairman shall vote.</p>	<p>Unchanged</p>
<p>3. The Management Board shall take the decisions necessary for the operation of the Centre. In particular, it shall:</p>	<p>Unchanged</p>
<p>(a) determine the Centre's annual programme of activities in accordance with the budget and the available resources and after consulting the Scientific Committee; this programme may be reviewed when necessary during the year;</p> <p>(b) adopt the Centre's annual report and its conclusions and recommendations and forward them to the European Parliament, the Council, the Commission, the Economic and Social Committee and the Committee of the Regions; it shall have the annual report published;</p>	<p>Unchanged</p>

<p>(c) appoint the Centre's Director</p> <p>(d) adopt the Centre's annual draft and final budgets</p> <p>(e) approve the accounts and give the Director discharge.</p>	<p>Unchanged</p>
<p>4. The Management Board shall adopt its rules of procedure. The Board shall meet, as convened by its Chairman, at least twice a year.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 9 Executive Board</p> <p>1. The Executive Board shall be composed of the Chairman of the Management Board, the Vice-Chairman and a maximum of three other members of the Management Board, including the person appointed by the Council of Europe and the Commission representative.</p>	<p>Unchanged</p>
<p>2. The Executive Board shall supervise the work of the Centre, monitor the preparation and execution of programmes and prepare the meetings of the Management Board with the assistance of the Centre's Director. The Executive Board shall also perform any task entrusted to it by the Management Board, in accordance with the latter's rules of procedure.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 10 Director</p> <p>1. The Centre shall be headed by a Director appointed by the Management Board on a proposal from the Commission for a period of four years, which shall be renewable.</p>	<p>Unchanged</p>
<p>2. The Director shall be responsible for:</p>	<p>Unchanged</p>

<p>(a) performance of the tasks referred to in Article 2(2),</p> <p>(b) preparing and implementing the Centre's annual work programme;</p> <p>(c) preparing reports, conclusions and recommendations as referred to in this Regulation</p> <p>(d) all staff matters and matters of day-to-day administration.</p>	<p>Unchanged</p>
<p>3. The Director shall be accountable for these activities to the Management Board and shall attend its meetings and the meetings of the Executive Board.</p>	<p>3. The Director shall be accountable for his activities to the Management Board and shall attend its meetings and the meetings of the Executive Board.</p>
<p>4. The Director shall be the Centre's legal representative.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 11 Scientific Committee</p> <p>1. The management Board and the Director shall be assisted by a Scientific Committee charged with giving its opinion on any scientific question relating to the Centre's activities which the Management Board or the Director put to it.</p> <p>The Scientific Committee shall adopt its opinions by a simple majority of the votes cast, each member having one vote. Divergent views shall be notified to the Management Board.</p>	<p>Unchanged</p>
<p>2. The Scientific Committee shall be composed of up to nine experts, preferably from different States, who are particularly qualified or experienced in analysing racist and xenophobic phenomena.</p> <p>These experts shall be appointed by the Management Board on the basis of proposals from the Member States, the Commission, and the national and international organizations associated with the Centre's work as referred to in Article 7</p> <p>The Management Board shall ensure that the Scientific Committee is multidisciplinary in its composition</p>	<p>These experts shall be appointed by the Management Board on the basis of proposals from the Member States, the Commission, and the various organizations associated with the Centre's work as referred to in Article 7</p>

<p>3. The term of office of the members of the Scientific Committee shall be three years. It shall be renewable once.</p>	<p>Unchanged</p>
<p>4. The Scientific Committee shall elect its Chairman and Vice-Chairman.</p>	<p>Unchanged</p>
<p>5. The Scientific Committee shall be convened by its Chairman at least twice a year</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 12 Staff</p> <p>1. The staff of the Centre shall be subject to the regulations and rules applicable to officials and other servants of the European Communities.</p>	<p>Unchanged</p>
<p>2. The Centre shall exercise in respect of its staff the powers devolved to the appointing authority</p>	<p>Unchanged</p>
<p>3. The Management Board shall, in agreement with the Commission, adopt the appropriate implementing rules.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 13 Budget</p> <p>1. Estimates shall be drawn up of all the Centre's revenue and expenditure for each financial year, which shall correspond to the calendar year, and shall be entered in the Centre's budget.</p>	<p>Unchanged</p>
<p>2. By 15 February each year at the latest, the Director shall draw up the preliminary draft budget for the following financial year. The preliminary draft budget shall cover the operating expenditure and programme of work scheduled for the following financial year. The Director shall submit the preliminary draft, together with an establishment plan, to the Management Board.</p>	<p>Unchanged</p>
<p>3. The revenue and expenditure shown in the budget shall be in balance.</p>	<p>Unchanged</p>

<p>4. The revenue of the Centre shall, without prejudice to other resources, comprise</p>	<p>Unchanged</p>
<p>(a) subsidy from the Community, entered under a specific heading in the general budget of the European Communities ("Commission" section);</p> <p>(b) payments received for services rendered;</p> <p>(c) any financial contributions from the organizations referred to in Article 7.</p>	<p>Unchanged</p>
<p>5. The Centre's expenditure shall include staff remuneration, administrative and infrastructure expenses, operating costs and expenditure relating to contracts concluded with institutions or bodies party to Raxen and with third parties.</p>	<p>Unchanged</p>
<p>6. The Management Board shall adopt the draft budget and forward it to the Commission. On this basis, the Commission shall determine the corresponding subsidy estimates to be entered in the preliminary draft general budget of the European Communities, which it places before the Council pursuant to Article 203 of the Treaty.</p>	<p>Unchanged</p>
<p>7. The Management Board shall adopt the Centre's final budget before the beginning of the financial year, adjusting it where necessary to the Community subsidy and the Centre's other resources.</p>	<p>Unchanged</p>
<p>8. The Director shall implement the Centre's budget.</p>	<p>Unchanged</p>
<p>9. Monitoring of the commitment and payment of all the Centre's expenditure and of the establishment and recovery of all the Centre's revenue shall be carried out by the Commission's Financial Controller.</p>	<p>Unchanged</p>

<p>10. By 31 March each year at the latest, the Director shall send the Commission, the Management Board and the Court of Auditors the accounts for all the Centre's revenue and expenditure in respect of the preceding financial year.</p> <p>The Court of Auditors shall examine these accounts in accordance with Article 188c of the Treaty.</p>	<p>Unchanged</p>
<p>11. The Management Board shall give a discharge to the Director in respect of the implementation of the budget</p>	<p>Unchanged</p>
<p>12. The Management Board shall, after consulting the Commission and the Court of Auditors, adopt the internal financial provisions specifying in particular the arrangements for establishing and implementing the Centre's budget.</p>	<p>Unchanged</p>
	<p>New Article 13a</p> <p>The translation service required by the operation of the Centre shall be provided by the Translation Centre for bodies of the European Union established by Regulation (EC)No2965/94</p>
<p>Article 14 Privileges and immunities</p> <p>The Protocol on the Privileges and Immunities of the European Communities shall apply to the Centre.</p>	<p>Unchanged</p>
<p>Article 15 Liability</p> <p>1 The contractual liability of the Centre shall be governed by the law applicable to the contract in question.</p> <p>The Court of Justice shall have jurisdiction pursuant to an arbitration clause contained in a contract concluded by the Centre.</p>	<p>Unchanged</p>

<p>2. In the case of non-contractual liability, the Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by the Centre or its servants in the performance of their duties.</p> <p>The Court of Justice shall have jurisdiction in disputes relating to compensation for any such damage.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 16 Reporting arrangements</p> <p>During the third year following the entry into force of this Regulation, the Commission shall forward to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions a progress report on the Centre's activities, together with proposals, if appropriate, to modify or extend its tasks, taking into account, in particular, the development of Community powers in the field of racism and xenophobia.</p>	<p>Unchanged</p>
<p style="text-align: center;">Article 17 Entry into force</p> <p>This Regulation shall enter into force on the day following the date of the decision by the competent authorities on where the seat of the Centre should be located.</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p> <p>Done at Brussels, For the Council</p> <p style="text-align: center;">The President</p>	<p>Unchanged</p>

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