II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 December 1998

relating to the conclusion of an Agreement between the European Community and the Council of Europe for the purpose of establishing, in accordance with Article 7(3) of Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia, close cooperation between the Centre and the Council of Europe

(1999/132/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1035/97 [1], and in particular Article 7(3) thereof, in conjunction with Article 228(2), second sentence, and (3), first subparagraph, of the EC Treaty,

Having regard to the proposal from the Commission [2],

Having regard to the opinion of the European Parliament [3],

Whereas the Agreement between the European Community and the Council of Europe for the purpose of establishing, in accordance with Article 7(3) of Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia, close cooperation between the Centre and the Council of Europe, should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Community and the Council of Europe provided for by Article 7(3) of Council Regulation (EC) No 1035/97 shall be approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community [4].

Article 3

This Decision shall be published in the *Official Journal of the European Communities.*

Done at Brussels, 21 December 1998.

For the Council

The President

M. BARTENSTEIN

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[1] OJ L 151, 15. 6. 1997, p. 1.
[2] OJ C 171, 5. 6. 1998, p. 10.
[3] OJ C 359, 23. 11. 1998.

[4] The date of the entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT

between the European Community and the Council of Europe for the purpose of establishing, in accordance with Article 7(3) of Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia, close cooperation between the Centre and the Council of Europe

THE EUROPEAN COMMUNITY AND THE COUNCIL OF EUROPE,

WHEREAS the Council of the European Union adopted, on 2 June 1997, Regulation (EC) No 1035/97 establishing a European Monitoring Centre on Racism and Xenophobia (hereinafter the 'Centre');

WHEREAS the objective of the Centre is to provide the Community and its Member States with objective, reliable and comparable data at European level on the phenomena of racism, xenophobia and anti-semitism;

WHEREAS the Council of Europe already has considerable experience in this field;

WHEREAS, in pursuing its activities, the Centre must take account of activities already carried out by the Council of Europe and thereby provide added value; whereas close links should now be established with the Council of Europe, and in particular with the European Commission against Racism and Intolerance (ECRI);

WHEREAS the Centre must, pursuant to Regulation (EC) No 1035/97, coordinate its activities with those of the Council of Europe, particularly with regard to its programme of activities;

WHEREAS it is for the Council of Europe to appoint one independent person as a member of the Centre's Management Board,

HAVE AGREED AS FOLLOWS:

I. Exchange of information and data

1. Regular contacts shall be established at the appropriate level between the Director of the Centre and the General Secretariat of the Council of Europe, in particular the Secretariat of the European Commission against Racism and Intolerance (hereinafter referred to as 'the ECRI').

2. The Centre and the ECRI shall provide each other with information and data collected in the course of their activities. This does not extend to confidential data and activities produced or undertaken by the two bodies.

3. Information and data provided to each other may be used by the Centre and the ECRI in the course of their respective activities.

4. The Centre and the ECRI shall ensure, through their networks, the widest possible dissemination of the results of their respective activities on a reciprocal basis.

5. The Centre and the ECRI shall ensure regular exchanges of information concerning activities proposed, under way or completed.

II. Cooperation

6. Regular consultations shall be held between the Centre and the ECRI, to coordinate their activities and in particular to draw up the Centre's work programme. The purpose of the consultations shall be to ensure that the programmes of the two bodies complement each other and to avoid, insofar as possible, unnecessary duplication.

7. Further, on the basis of such consultation, it may be agreed that the Centre and the ECRI should conduct joint and/or complementary activities on subjects of common interest. The aim of such cooperation shall be to optimise total resources available, notably as regards scientific research projects.

III. **Appointment by the Council of Europe of a prominent figure to serve on the Centre's Management Board**

8. The Secretary-General of the Council of Europe shall appoint an independent person from among the Members of the ECRI to serve on the Centre's Management Board, together with a deputy.

   This question shall be dealt with in the context of the regular contacts between the European Commission and the Secretary-General of the Council of Europe.

Hecho en Estrasburgo, el diez de febrero de mil novecientos noventa y nueve.

Udfærdiget i Strasbourg den tiende februar nitten hundrede og nioghalvfems.

Geschehen zu Straßburg am zehnten Februar neunzehnhundertneunundneunzig.

Έγινε στο Στρασβούργο, στις δέκα Φεβρουαρίου χίλια εννιακόσια ενενήντα εννέα.

Done at Strasbourg on the tenth day of February in the year one thousand nine hundred and ninety-nine.

Fait à Strasbourg, le dix février mil neuf cent quatre-vingt-dix-neuf.

Fatto a Strasburgo, addì dieci febbraio millenovecentonovantanove.

Gedaan te Straatsburg, de tiende februari negentienhonderd negenennegentig.

Feito em Estrasburgo, em dez de Fevereiro de mil novecentos e noventa e nove.

Tehty Strasbourgissa kymmenentenä päivänä helmikuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Strasbourg den tionde februari nittonhundranittionio.