

FORM FOR TABLING PARLIAMENTARY QUESTIONS

To the: COUNCIL
COMMISSION

ORAL QUESTIONS	WRITTEN QUESTIONS
Oral Question with debate (Rule 42) <input checked="" type="checkbox"/> Question Time (Rule 43) <input type="checkbox"/>	Written Question (Rule 44) <input checked="" type="checkbox"/> Priority Written Question (Rule 44 (4)) <input type="checkbox"/>
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SUBJECT: Roma databases and discrimination in France and in the EU (please specify)	
TEXT:	
<p>On 29/09/2010 the Commission stated it would have issued "a letter of formal notice to France requesting the full transposition of the (free movement) directive, unless draft transposition measures and a detailed transposition schedule are provided by 15 October 2010" and another one "with detailed questions regarding the practical application of the political assurances provided" by the French authorities on the fact that they "fully ensure an effective and non-discriminatory application of EU law in line with the Treaties and the EU Charter of Fundamental Rights"¹, including in the period of application of the 5 August circular explicitly targeting Roma for expulsion - notwithstanding the fact that NGOs had provided the Commission with evidence on the ethnic and racial nature of the expulsions and the EP called the Commission to act against the French authorities also on the basis of discrimination. According to recent media information, the French <i>gendarmerie</i> runs a database called "MENS"² and targeting Roma. NGOs have tabled a complaint for the creation of an illegal and non-declared database for the storage of "personal data related to racial and ethnic origin" and announced further appeals to the CNIL³ and the HALDE⁴, while French authorities deny the existence of such database. The Immigration Minister had also previously announced the insertion of biometric data of expelled Roma in the OSCAR⁵ database, EDVIGE/EDVIRSP⁶ is in the process of being created, while also the Netherlands and other EU countries are reported to register ethnical and racial data and Italy is denying Roma access to public housing. Against this background, the Council is discussing draft Conclusions to target "mobile (itinerant) criminal groups" where ambiguous terms are used and without the EP being informed and profiling seems to become a widespread law enforcement practice in Member States and in the EU. Has the Commission received the requested information by the French authorities, as well as on the existence of such databases, of their nature, purpose, use and consequences, by virtue of the principle of loyal cooperation? Which initiatives will it take in relation to further evidence of Roma discrimination and violation of national and European data protection rules and on the information received from NGOs on the discriminatory treatment and expulsion of Roma in France and other Member States? Which further proofs does the Commission need to take action also on the violation of the prohibition of discrimination based on race and ethnicity? Can it provide information on initiatives on Roma by EU and European institutions?</p>	
Signature(s):	Date: 08.10.2010

1 <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1207>

2 "Non-Sedentary Ethnic Minorities", held by the Central Office against the itinerant delinquency (OCLDI).

3 National data protection commission

4 High authority against discriminations and for equality

5 Tool for Repatriation Aid Statistics and Control - "Outil de Statistiques et de Contrôle de l'Aide au Retour" in French - storing a digital photograph and 10 fingerprints; another database (STIC-Canonge) collecting data on ethnicity and race had been revealed in 2009 in a parliamentary report.

6 Exploitation documentaire et valorisation de l'information générale / Exploitation documentaire et valorisation de l'information relative à la sécurité publique databases.