

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2018/0154(COD) Procedure completed
Community statistics on migration and international protection Amending Regulation (EC) No 862/2007	2005/0156(COD)
Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF) 7.10.08 Migration policy 8.60 European statistical legislation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 OETJEN Jan-Christoph	04/09/2019
		Shadow rapporteur	
		 ZDECHOVSKÝ Tomáš	
		 BARTOLO Pietro	
		 WIŚNIEWSKA Jadwiga	
		 STRIK Tineke	
	Former committee responsible		
	 Civil Liberties, Justice and Home Affairs		11/06/2018
		 WIKSTRÖM Cecilia	
	Former committee for opinion		
	 Foreign Affairs	The committee decided not to give an opinion.	
	 Development	The committee decided not to give an opinion.	
	 Employment and Social Affairs	The committee decided not to give an opinion.	
	 Women's Rights and Gender Equality		20/06/2018
		 MLINAR Angelika	

Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	3756	13/03/2020
European Commission	Commission DG	Commissioner	
	Eurostat	THYSSEN Marianne	

Key events			
16/05/2018	Legislative proposal published	COM(2018)0307	Summary
31/05/2018	Committee referral announced in Parliament, 1st reading		
20/11/2018	Vote in committee, 1st reading		
20/11/2018	Committee decision to open interinstitutional negotiations with report adopted in committee		
26/11/2018	Committee report tabled for plenary, 1st reading	A8-0395/2018	Summary
28/11/2018	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
10/12/2018	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
16/04/2019	Results of vote in Parliament		
16/04/2019	Decision by Parliament, 1st reading	T8-0359/2019	Summary
24/09/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
09/12/2019	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations		
08/04/2020	Council position published	15300/1/2019	Summary
17/04/2020	Committee referral announced in Parliament, 2nd reading		
18/05/2020	Vote in committee, 2nd reading		
02/06/2020	Committee recommendation tabled for plenary, 2nd reading	A9-0108/2020	
18/06/2020	Decision by Parliament, 2nd reading	T9-0131/2020	Summary
18/06/2020	Final act signed		
19/06/2020	End of procedure in Parliament		
22/06/2020	Final act published in Official Journal		

Technical information	
Procedure reference	2018/0154(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 862/2007 2005/0156(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 338-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/01280

Documentation gateway

Legislative proposal		COM(2018)0307	16/05/2018	EC	Summary
Committee draft report		PE627.746	13/09/2018	EP	
Committee opinion	FEMM	PE628.430	02/10/2018	EP	
Amendments tabled in committee		PE628.612	12/10/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0395/2018	26/11/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0359/2019	16/04/2019	EP	Summary
Commission response to text adopted in plenary		SP(2019)440	08/08/2019	EC	
Council statement on its position		01901/2020	07/04/2020	CSL	
Council position		15300/2019	08/04/2020	CSL	
Commission communication on Council's position		COM(2020)0153	15/04/2020	EC	
Committee draft report		PE650.522	29/04/2020	EP	
Committee recommendation tabled for plenary, 2nd reading		A9-0108/2020	02/06/2020	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0131/2020	18/06/2020	EP	Summary
Draft final act		00019/2020/LEX	18/06/2020	CSL	

Final act

[Regulation 2020/851](#)
[OJ L 198 22.06.2020, p. 0001](#)

Community statistics on migration and international protection

PURPOSE: to revise and complete the existing common rules for the collection and compilation of European statistics on migration and international protection.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Regulation \(EC\) No 862/2007](#) of the European Parliament and of the Council establishes a common and comparable legal framework for European statistics on migration and international protection.

To respond to new needs within the Union for statistics on asylum and managed migration, and the rapidly changing characteristics of migration, the Commission considers that there is a need for a framework allowing quick response to changing needs as regards statistics on asylum and managed migration.

The Commission has regularly acknowledged the need to improve the collection of statistics, particularly as regards the figures on the return of third-country nationals staying illegally in the EU, and as regards children.

CONTENT: the main purpose of this initiative is to amend Regulation (EC) No 862/2007 so as to provide a legal basis for existing voluntary data collections already conducted by most national authorities, while providing the necessary flexibility to adapt to future data needs.

On the basis of information provided by stakeholders and taking into account immediate priorities to address the most serious shortcomings, it is proposed to:

- increase the frequency of statistics on returns and obligations to leave from annual to quarterly, while introducing additional disaggregations;
- introduce new disaggregations of asylum statistics by unaccompanied minors;
- add new disaggregations of resettlement statistics;
- introduce statistics on first-time asylum applicants and new statistics on Dublin re-examination requests;
- introduce new disaggregations of statistics on residence permits.

In order to ensure a better availability of European statistics on asylum and managed migration and to introduce a flexibility mechanism, the Commission could adopt implementing acts for the purpose of giving effect to the provisions on disaggregations.

Community statistics on migration and international protection

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Cecilia WIKSTRÖM (ALDE, SE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows.

Statistics on international migration, usually resident population and acquisition of citizenship: Members believe that, due to the constant changing and diverse nature of current migratory flows, comprehensive and comparable gender-disaggregated statistical data on the migrant population are needed to understand the reality of the situation, identify vulnerabilities and inequalities, and provide policy makers with reliable data and information for the development of future public policies that take into account the gender dimension and are based on human rights.

Member States shall provide the Commission (Eurostat) with statistics on aspects such as the number of persons having their usual residence in the territory of the Member State and having acquired during the reference year a long-term residence permit, disaggregated by age and gender.

The first reference year shall be 2020.

The national and Union statistical authorities shall collect the statistics on applications for international protection based on the grounds of gender, including gender-based violence.

Migration statistics should also take account of variables such as gender identity and sexual orientation to collect data on LGBTIQ+ persons experiences and inequalities in migration and asylum processes.

Sufficient financial resources shall be allocated for the collection, analysis and dissemination of high quality national and Union statistics on migration and international protection.

Report: every three years, the European Commission shall report on the application of the Regulation. These reports shall follow a thorough assessment of implementation and consultation of key actors involved in data collection and analysis in the area of migration and international protection.

Community statistics on migration and international protection

The European Parliament adopted by 492 votes to 109, with 35 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows.

Statistics on international migration

Members considered due to the constant changing and diverse nature of current migratory flows, comprehensive and comparable gender-disaggregated statistical data on the migrant population are needed to understand the reality of the situation, identify vulnerabilities and inequalities, and provide policy makers with reliable data and information for the development of future public policies that take into account the gender dimension and are based on human rights.

Member States shall provide the Commission (Eurostat) with statistics on aspects such as the number of persons having their usual residence in the territory of the Member State and having acquired during the reference year a long-term residence permit, disaggregated by age and gender.

The first reference year shall be 2020.

The national and Union statistical authorities shall collect the statistics on applications for international protection based on the grounds of gender, including gender-based violence. Migration statistics should also take account of variables such as gender identity and sexual orientation to collect data on LGBTQI+ persons experiences and inequalities in migration and asylum processes.

Sufficient financial resources shall be allocated for the collection, analysis and dissemination of high quality national and Union statistics on migration and international protection.

Implementation

Members propose to confer implementing powers to establish rules on appropriate formats for data transmission. The Commission shall also be able to adopt delegated acts in order to update certain definitions and to supplement Regulation (EC) No 862/2007 in order to determine the groupings of data and additional disaggregations and to lay down rules on accuracy and quality standards.

Report

The Commission shall thoroughly assess the statistics compiled pursuant to Regulation (EC) No 862/2007, as well as their quality and timely provision, for the purpose of submitting reports to the European Parliament and to the Council. Close consultation should be held with all actors involved in asylum data collection, including United Nations agencies and other relevant international and non-governmental organisations.

Community statistics on migration and international protection

The Council adopted its position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection.

The objective of the revised Regulation is to ensure the availability of reliable, relevant and timely statistics in the area of migration and international protection, and thus to support the European Agenda on Migration.

The Council position at first reading reflects the compromise reached in the negotiations between the Council and the European Parliament. It includes the following main elements:

Purpose and definitions

The amended Regulation (EC) No 862/2007 shall put in place a framework to respond rapidly to the evolving needs for statistics on migration and international protection. It shall cover the collection of Community statistics on administrative and judicial procedures in the Member States relating to immigration, granting of residence permits, citizenship, asylum and other forms of international protection, illegal entry and stay, and returns.

To this end, the revised Regulation clarifies the terms of application for international protection, refugee status, subsidiary protection status, family members, external borders and third-country nationals who have been refused entry.

New data collections

The Council position considerably broadens the scope of the Regulation. Some of the new data collections shall be subject to immediate collection, while some of the new data collections shall first be tested in pilot studies.

The Commission (Eurostat) shall establish pilot studies, to be carried out on a voluntary basis by the Member States, in order to test the feasibility of new data collections or disaggregations within the scope of this Regulation, including the availability of appropriate data sources and production techniques, statistical quality and comparability and the costs and burdens involved.

Before launching each particular pilot study, the Commission (Eurostat) shall review relevant administrative sources at Union level and examine whether the required statistics could be based on those sources. Priority shall be given to the examination of the number of applications and the number of rejected applications for first-time residence permits.

Eurostat shall, in close cooperation with the Member States, evaluate the results of these pilot studies and make them available to the public. The introduction of new data collections in the Member States should only be considered if the evaluation of the results of the pilot studies is positive.

The Commission shall also consult the European Data Protection Supervisor under the conditions for legislative consultation laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council.

Derogations

If the application of the Regulation requires major adaptations to be made to the national statistical system of a Member State, the Commission may grant, by means of implementing acts, a derogation for the period requested by the Member State concerned, provided that this period does not exceed three years, with the possibility of extending it to a maximum of two additional years.

Financing

The Council position introduces an article on financing, in order to ensure that Member States can receive EU financial support for the implementation of the revised regulation on migration statistics. Member States may receive EU support both for the development of new methods for statistics (including participation in pilot studies) and for the development and/or implementation of new data collections.

Implementing powers

Implementing powers shall be conferred on the Commission in respect of setting out the practical arrangements for, and the content of, the quality reports; defining the appropriate formats for the transmission of data; specifying disaggregations; and determining, on the basis of the evaluation of the results of the pilot studies, new data collections and disaggregations.

Community statistics on migration and international protection

The European Parliament approved, in accordance with the ordinary legislative procedure, the Council's position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EC) No 862/2007 on Community statistics on migration and international protection.

The Council's position at first reading reflects the agreement reached between Parliament and the Council in the framework of the interinstitutional negotiations at early second reading stage.

The proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 862/2007 aims to improve European statistics on asylum and migration management by providing a legal basis for statistics that are currently collected on a voluntary basis, while at the same time providing the necessary flexibility to adapt to future data needs.

In particular, the revision of Regulation (EC) No 862/2007 shall ensure the production of statistics in areas where needs have been clearly expressed by stakeholders, such as asylum, returns (for which statistics shall be produced more frequently), resettlement, residence permits and migrant children.