**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament 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**

**1. Rapporteur:** Cecilia WIKSTRÖM (ALDE / SE)

**2. Reference numbers:** 2018/0154 (COD) / A8-0395/2018 / P8\_TA-PROV(2019)0359

**3. Date of adoption of the resolution:** 16 April 2019

**4. Legal basis:** Article 338(1) of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)

**6. Commission's position:**

The Commission takes note of the position of the European Parliament**.**

The Commission reserves its position in view of the future negotiations with the new European Parliament and the Council in second reading.

Nevertheless, the Commission would like to highlight, as examples, certain amendments that, in its opinion, could lead to undesirable effects.

**Amendments concerning the replacement of the statistical term 'sex' by the term 'gender' or introducing new disaggregations using ‘gender’ instead of ‘sex’** could be problematic notably in terms of feasibility and comparability, as the term 'sex' is a standard and internationally recognised concept defined in demographic statistics. This concept is commonly used for collection of population and migration statistics in Eurostat and in the statistical system of the United Nations.

**Amendments replacing the term 'illegal' with the term 'irregular'** could generate a consistency issue with the terminology used in the EU law, in particular Directive 2008/115/EC (Return Directive).

The production or quality of **additional statistics or disaggregations** requested by the European Parliament could be hampered by differences in definitions between countries, or could significantly increase the burden on the Member States.

**Amendments related to Commission empowerments** need to ensurethe alignment of provisions providing for Regulatory procedure with scrutiny (RPS) to the system of delegated and implementing acts introduced by the Treaty of Lisbon.