

Proposal for a Regulation amending Regulation (EC) No 862/2007 on Community statistics on migration and international protection

- Migration Statistics Regulation

COM(2018)0307, 2018/0154(COD)

Stages in the procedure:

European Commission

Adoption	16.05.2018
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Council of the European Union

Proposal received	17.05.2018
Working Party meetings	11.07.2018 - presentation 03.09.2018 26.09.2018 05.12.2018 31.01.2019 26.09.2019 31.10.2019
COREPER	31.10.2018 20.11.2019 04.12.2019 15. 01.2020 04.03.2020 18.03.2020
Council	27.01.2020 - adoption of political agreement 20.03.2020 - adoption of the position at the first reading

European Parliament

Proposal received	17.05.2018
Committee responsible	LIBE
Rapporteur	2014–2019 EP Cecilia Wikström (ALDE) 2019–2024 EP Jan-Christoph Oetjen (Renew Europe)
Vote in LIBE Committee	20.11.2018 09.12.2019 25.05.2020 - second reading
Committee report tabled for plenary	26.11.2018 02.06.2020 - second reading
Plenary vote	16.04.2019 17.06.2020 - adoption of the position at the second reading

Trilogues

Trilogue meetings	04.12.2018
	22.01.2019
	31.01.2019
	28.11.2019

Finalization

Co-signing	18.06.2020
Publication in OJ	22.06.2020

Summary

The objective of this proposal is to revise and complete the existing common rules for the collection and compilation of European statistics on migration and international protection. The proposal aims at improving completeness of the Member States' data collections while taking into account the new European needs on statistics on asylum and managed migration.

At the meeting of the Council Working Party on Statistics chaired by the Austrian Presidency on 11 July 2018, Eurostat delivered their presentation of the Commission proposal, already addressing some concerns that the Member States had raised and answering the questions posed in the meeting. The main issues raised by the Member States were the empowerment of the Commission to adopt implementing acts and related need for safeguard clauses, existence of multiple channels for data collection and difficulties with adhering to deadlines, which resulted in the Member States requesting a postponement of the first reference year and derogations. Nevertheless, at the Council Working Party meeting it was concluded that a postponement would not be an optimal solution in case of such urgent data needs but Eurostat agreed that derogations could be granted to Member States if necessary.

At the Council Working Party meeting on 3 September 2018, Presidency compromise text was discussed. On a basis of discussion, a revised compromise text was issued. This compromise was scrutinized and preliminary agreed on at the meeting on 26 September 2018 resulting in an update of the compromise text. The Member States confirmed this updated compromise through silence procedure. A mandate to start negotiations with the European Parliament was given by Coreper on 31 October 2018.

On 4 December 2018, the first trilogue took place, followed by a technical meeting on 6 December 2018. The meetings were a general exchange of views covering reasoning of the European Parliament behind specified amendments and explanations on how introduction of feasibility studies and quality checks influence acceptability of those amendments to the Council. The Austrian Presidency also explained to the European Parliament the budgetary constraints related to additional data needs, which was understood. A solution in the form of additional funding was promised to be found.

At that stage, the file was handed over to the Romanian Presidency.

The Romanian Presidency continued an intensive schedule of political and technical meetings with the European Parliament and the Commission finalising the compromise at the political trilogue held on 31 January 2019. Although the Romanian Presidency made every effort to find an agreement with the Member States, based on the compromise endorsed in trilogue, it proved to be difficult to reconcile divergent views.

On 16 April 2019 the European Parliament adopted the position at the first reading, on the basis of the LIBE report.

The file was handed over to the Finnish Presidency.

On 12 July 2019 the Finnish Presidency launched a written consultation on the Migration statistics file, based on the revised Romanian Presidency compromise proposal (contained in document 7935/19 issued on 1 April 2019). At the meeting of the Council Working Party on Statistics on 26 September 2019, remaining issues of the Member States with that proposal were discussed.

After communication with the new European Parliament has been established, the first technical meeting was held on 4 October 2019. At the meeting the last compromise of the Romanian Presidency was confirmed as a starting point for negotiations. The European Parliament also explained their view on the file stating that only minor structural changes compared to the last Romanian Presidency proposal could be accepted by the European Parliament.

Based on views of the Member States, the first compromise proposal of the Finnish Presidency was prepared. It took into account the main concerns of the Member States which could have been met by changing the structure of the proposed provisions, adding non-substantial elements and making editorial improvements on the text, as well as providing additional information on some of the provisions of the Regulation. This proposal was discussed at a meeting of the Council Working Party on Statistics on 31 October 2019, but did not achieve necessary support from the Member States.

The second proposal of the Finnish Presidency containing more substantial changes, such as substituting obligatory collection of the two most problematic sets of data with voluntary pilot studies, achieved support by majority of the Member States. Consequently, negotiation mandate was updated by Coreper on 20 November 2019.

Political trilogue on the 28 November 2019 showed that the Presidency compromise proposal was mostly acceptable to the European Parliament. However, the European Parliament insisted that additional concession is made in exchange for their acceptance of removal of variables from mandatory requirements to pilot studies. This was achieved by adding a sentence introducing prioritisation among variables to be piloted to one of the existing recitals.

As this concession was acceptable to most Member States, Coreper approved the achieved compromise on 4 December 2019. The LIBE committee of the European Parliament voted and approved the compromise at its meeting on 9 December 2019. Information on the early second reading agreement was submitted, in a form of a letter, by LIBE Committee to Coreper.

At this stage, the file was handed over to the Croatian Presidency.

Upon reception of the LIBE letter, political agreement on the compromise was considered by Coreper, as a non-discussion item, on 15 January 2020. Based on approval by Coreper, the political agreement was adopted by the Council on 27 January 2020.

Following the legal-linguistic revision, on 4 March 2020 Coreper suggested to the Council to adopt the text as the Council's position at the first reading.

Due to the exceptional circumstances caused by the COVID-19 pandemic, with a view to ensure continuity of the Council decision-making, Coreper (18 March 2020) decided to launch the written procedure for the adoption of the Council's position at the first reading and of the Council's reasons. Based on the written procedure carried out, the Council's position at the first reading together with the statement of the Council's reasons were adopted by the Council on 20 March 2020 and transmitted to the European Parliament on 8 April 2020.

The Council's position at the first reading was announced at the April extraordinary European Parliament Plenary session (17 April 2020).

In line with recommendation of LIBE Committee, European Parliament adopted Council's position as its second reading position on 17 June 2020 Plenary and final act was co-signed on 18 June 2020.

Regulation (EU) 2020/851 of the European Parliament and of the Council of 18 June 2020 amending Regulation (EC) No 862/2007 on Community statistics on migration and international protection was published in Official Journal on 22 June 2020 - [link](#).