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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	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 - Outcome of the European Parliament's first reading (Strasbourg, 15 to 18 April 2019)

I. INTRODUCTION

The rapporteur, Cecilia WIKSTRÖM (ALDE, SE), presented a report on the proposal for a Regulation on behalf of the Committee on Civil Liberties, Justice and Home Affairs. The report contained amendments (amendments number 1-91) to the proposal.

II. VOTE

When it voted on 16 April 2019, the plenary adopted amendments in a single vote with 492 votes in favour, 109 votes against and 35 abstentions (amendments 1-91) to the proposal for a Regulation.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto¹.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text.

Community statistics on migration and international protection *I**

European Parliament legislative resolution of 16 April 2019 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 (COM(2018)0307 – C8-0182/2018 – 2018/0154(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0307),
 - having regard to Article 294(2) and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0182/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the position in the form of amendments of the Committee on Women's Rights and Gender Equality (A8-0395/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) To respond to new needs within the Union for statistics on ***asylum*** and ***managed migration***, and whereas the characteristics of ***migration*** are subject to rapid change, there is a need for a framework allowing quick response to changing needs as regards statistics on ***asylum*** and ***managed migration***.

Amendment

(2) To respond to new needs within the Union for statistics on ***migration*** and ***international protection***, and whereas the characteristics of ***migratory movements*** are subject to rapid change, there is a need for a framework allowing quick response to changing needs as regards statistics on ***migration*** and ***international protection***.

Amendment 2

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) 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.

Amendment 3

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) To support the Union in responding effectively to the challenges posed by migration, there is a need for sub-annual frequency data on asylum and managed migration.

Amendment

(3) To support the Union in responding effectively to the challenges posed by migration ***and in developing gender-responsive and human-rights based policies***, there is a need for sub-annual frequency data on asylum and managed migration.

Amendment 4

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Asylum and managed migration statistics are fundamental for the study, definition and evaluation of a wide range of policies, particularly as regards responses to the arrival of persons seeking protection in Europe.

Amendment

(4) Asylum and managed migration statistics are fundamental for the study, definition and evaluation of a wide range of policies, particularly as regards responses to the arrival of persons seeking protection in Europe, ***with the aim of achieving the best solutions.***

Amendment 5

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Statistics on migration and international protection are essential for having an overview of migratory movements within the Union and for Member States to be able to apply Union law properly in accordance with fundamental rights as laid down in the Charter of Fundamental Rights of the European Union and the Convention for

Amendment 6

**Proposal for a regulation
Recital 4 b (new)**

Text proposed by the Commission

Amendment

(4b) Persecution on the ground of gender constitutes a ground for seeking and being granted international protection. The national and Union statistical authorities should collect the statistics on applications for international protection based on the grounds of gender, including gender-based violence.

Amendment 7

**Proposal for a regulation
Recital 9 a (new)**

Text proposed by the Commission

Amendment

(9a) In order to achieve the objectives of Regulation (EC) No 862/2007, sufficient financial resources should be allocated for the collection, analysis and dissemination of high quality national and Union statistics on migration and international protection, in particular by supporting actions in that regard in accordance with the Regulation (EU) No 516/2014 of the European Parliament and of the Council^{1a}.

^{1a} ***Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund,***

amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

Amendment 8

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) This Regulation guarantees the right to respect for private and family life **and** to the protection of personal data, as set out in Articles 7 **and** 8 of the Charter of Fundamental Rights of the European Union.

Amendment

(10) This Regulation guarantees the right to respect for private and family life, to the protection of personal data, **non-discrimination and gender equality** as set out in Articles 7, 8, 21 **and** 23 of the Charter of Fundamental Rights of the European Union **and in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a}.**

^{1a} **Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).**

Amendment 9

Proposal for a regulation Recital 10 a (new)

(10a) The collection of gender-disaggregated data should allow for the identification and analysis of specific vulnerabilities and capacities of women and men, revealing gaps and inequalities. Gender-responsive data on migration have the potential to promote greater equality and offer opportunities for disadvantaged groups. 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.

Amendment 10

Proposal for a regulation Recital 11

(11) **To** ensure uniform conditions for the implementation of this **regulation**, implementing powers should be conferred on the Commission in respect of **specifying disaggregations**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽²⁵⁾.

(11) **In order to** ensure uniform conditions for the implementation of this **Regulation**, implementing powers should be conferred on the Commission in respect of **laying down the rules on the appropriate formats for the transmission of data**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

²⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

²⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 11

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In order to adapt Regulation (EC) No 862/2007 to technological and economic developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Regulation (EC) No 862/2007 to update certain definitions and of supplementing it to determine the groupings of data and additional disaggregations and to lay down rules on accuracy and quality standards. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making^{1a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

^{1a} OJ L 123, 12.5.2016, p. 1.

Amendment 12

Proposal for a regulation Recital 11 b (new)

(11b) The effective monitoring of the application of Regulation (EC) No 862/2007 requires that it be evaluated at regular intervals. The Commission should 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.

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)

Regulation (EC) No 862/2007

Article 1 – paragraph 1 – point c

Present text

(c) administrative and judicial procedures and processes in the Member States relating to immigration, granting of permission to reside, citizenship, asylum and other forms of international protection ***and the prevention of illegal immigration.***

Amendment

(-1) in Article 1, point (c) is replaced by the following:

"(c) administrative and judicial procedures and processes in the Member States relating to immigration, granting of permission to reside, citizenship, asylum and other forms of international protection, irregular entry and stay and returns."

(<https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=celex%3A32013L0033>)

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point a (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point j

Present text

(j) ‘application for international protection’ means application for international protection as defined in Article 2(g) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted ⁽²⁾;

² OJ L 304, 30.9.2004, p. 12.

Amendment

(-1a) Article 2 is amended as follows:

(a) in paragraph 1, point (j) is replaced by the following:

"(j) ‘application for international protection’ means application for international protection as defined in Article 2(h) of Directive 2011/95/EU of the European Parliament and of the Council²;

² Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9)."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point b (new)

Present text

(k) 'refugee status' means refugee status as defined in Article 2(d) of Directive 2004/83/EC;

Amendment

(b) in paragraph 1, point (k) is replaced by the following:

"(k) 'refugee status' means refugee status as defined in Article 2(e) of Directive 2011/95/EU; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point c (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point l

Present text

(l) 'subsidiary protection status' means subsidiary protection status as defined in Article 2(f) of Directive 2004/83/EC;

Amendment

(c) in paragraph 1, point (l) is replaced by the following:

"(l) 'subsidiary protection status' means subsidiary protection status as defined in Article 2(g) of Directive 2011/95/EU; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point d (new)

Present text

(m) ‘family members’ means family members as defined in Article 2(i) of **Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national** ⁽³⁾;

³ **OJ L 50, 25.2.2003, p. 1.**

Amendment

(d) in paragraph 1, point (m) is replaced by the following:

"(m) ‘family members’ means family members as defined in Article 2(g) of **Regulation (EU) No 604/2013 of the European Parliament and of the Council**³;

³ **Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31)."**

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point e (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point o

Present text

Amendment

(d) in paragraph 1, point (o) is replaced

(o) ‘unaccompanied minor’ means an unaccompanied minor as defined in Article **2(i)** of Directive **2004/83/EC**;

by the following:

"(o) ‘unaccompanied minor’ means an unaccompanied minor as defined in Article **2(l)** of Directive **2011/95/EU**; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point f (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point p

Present text

(p) ‘external borders’ means external borders as defined in Article 2(2) of Regulation (**EC**) **No 562/2006** of the European Parliament and of the Council *of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)* ⁽¹²⁾;

⁵ **OJ L 105, 13.4.2006, p. 1.**

Amendment

(f) in paragraph 1, point (p) is replaced by the following:

"(p) ‘external borders’ means external borders as defined in Article 2(2) of Regulation (**EU**) **2016/399 of the European Parliament and of the Council**⁵;

⁵ **Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 77, 23.3.2016, p. 1)."**

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point g (new)

Present text

(q) ‘third-country nationals refused entry’ means third-country nationals who are refused entry at the external border because they do not fulfil all the entry conditions laid down in Article 5(1) of Regulation **(EC) No 562/2006** and do not belong to the categories of persons referred to in Article **5(4)** of that Regulation;

Amendment

(g) in paragraph 1, point (q) is replaced by the following:

"(q) ‘third-country nationals refused entry’ means third-country nationals who are refused entry at the external border because they do not fulfil all the entry conditions laid down in Article 5(1) of Regulation **(EU) 2016/399** and do not belong to the categories of persons referred to in Article **5(2)** of that Regulation; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point h (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point s a (new)

Text proposed by the Commission

Amendment

(h) in paragraph 1 the following point is added:

“(sa) ‘removal’ means removal as defined in Article 3(5) of Directive 2008/115/EC of the European Parliament and of the Council*;

*** Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-**

country nationals (OJ L 348, 24.12.2008, p. 98).”

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point i (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point s b (new)

Text proposed by the Commission

Amendment

(i) in paragraph 1 the following point is added:

“(sb) ‘voluntary departure’ means voluntary departure as defined in Article 3(8) of Directive 2008/115/EC;”

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point j (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 1 – point s c (new)

Text proposed by the Commission

Amendment

(j) in paragraph 1 the following point is added:

“(sc) ‘assisted voluntary return’ means voluntary departure as defined in Article 3(8) of Directive 2008/115/EC supported by logistical, financial or other material assistance.”

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new) – point k (new)

Regulation (EC) No 862/2007

Article 2 – paragraph 3

Text proposed by the Commission

Amendment

(k) Paragraph 3 is deleted.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point -1 b (new)

Regulation (EC) No 862/2007

Article 3

Present text

Amendment

(-1b) Article 3 is replaced by the following:

Article 3

"Article 3

Statistics on international migration, usually resident population and acquisition of citizenship

Statistics on international migration, usually resident population and acquisition of citizenship

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:
 - (a) immigrants moving to the territory of the Member State, disaggregated as follows:
 - (i) groups of citizenship by age and **sex**;

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:
 - (a) immigrants moving to the territory of the Member State, disaggregated as follows:
 - (i) groups of citizenship by age and **gender**;

- (ii) groups of country of birth by age and **sex**;
- (iii) groups of country of previous usual residence by age and **sex**;
- (b) emigrants moving from the territory of the Member State disaggregated as follows:
 - (i) groups of citizenships;
 - (ii) age;
 - (iii) **sex**;
 - (iv) groups of countries of next usual residence;
- (c) persons having their usual residence in the Member State at the end of the reference period, disaggregated as follows:
 - (i) groups of citizenship by age and **sex**;
 - (ii) groups of country of birth by age and **sex**;
 - (d) persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been stateless, disaggregated by age and **sex**, and by the former citizenship of the persons concerned and by whether the person was formerly stateless.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within 12 months of the end of the reference year. The first reference year shall be **2008**.

- (ii) groups of country of birth by age and **gender**;
- (iii) groups of country of previous usual residence by age and **gender**;
- (b) emigrants moving from the territory of the Member State disaggregated as follows:
 - (i) groups of citizenships;
 - (ii) age;
 - (iii) **gender**;
 - (iv) groups of countries of next usual residence;
- (c) persons having their usual residence in the Member State at the end of the reference period, disaggregated as follows:
 - (i) groups of citizenship by age and **gender**;
 - (ii) groups of country of birth by age and **gender**;
 - (d) persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been stateless, disaggregated by age and **gender**, and by the former citizenship of the persons concerned and by whether the person was formerly stateless. "

(da) 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.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within 12 months of the end of the reference year. The first reference year shall be **2020**."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1538559664710&uri=CELEX:32007R0862>)

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point -a (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point c

Present text

(c) applications for international protection having been withdrawn during the reference period.

Amendment

(-a) In paragraph 1, point (c) is replaced by the following:

"(c) applications for international protection having been withdrawn during the reference period, **disaggregated by type of withdrawal**;"

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) persons having submitted an application for international protection or having been included in such an application as a family member and having had their applications processed under the accelerated procedure referred to in Article 31(8) of Directive 2013/32/EU of the European Parliament and of the Council*

**** Directive 2013/32/EU of the European Parliament and of the Council***

of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) persons having submitted an application for international protection or having been included in such an application as a family member and having had their applications processed under the border procedures referred to in Article 43 of Directive 2013/32/EU during the reference period;

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d c (new)

Text proposed by the Commission

Amendment

(dc) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period and who are

exempted from the accelerated procedure or the border procedure in accordance with Articles 24(3) and 25(6) of Directive 2013/32/EU;

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d d (new)

Text proposed by the Commission

Amendment

(dd) persons having submitted an application for international protection without having been registered in Eurodac as referred to in Article 14 of Regulation (EU) No 603/2003 of the European Parliament and of the Council;*

** Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (OJ L 180, 29.6.2013, p. 1).*

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d e (new)

Text proposed by the Commission

Amendment

(de) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period who are able to present documentary evidence which can aid in the establishment of their identity;

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d f (new)

Text proposed by the Commission

Amendment

(df) persons having submitted a subsequent application for international protection as referred to in Article 40 of Directive 2013/32/EU or having been included in such an application as a family member during the reference period;

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d g (new)

Text proposed by the Commission

Amendment

(dg) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period and who were in detention in accordance with Directive 2013/33/EU of the European Parliament and of the Council* at the end of the reference period, disaggregated by the month those persons were placed in detention and the grounds for the detention;

**** Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96).***

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d h (new)

Text proposed by the Commission

Amendment

(dh) persons having submitted an application for international protection or

having been included in such an application as a family member and who were subject to an administrative or judicial decision or act ordering their detention in accordance with Directive 2013/33/EU during the reference period;

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d i (new)

Text proposed by the Commission

Amendment

(di) persons having submitted an application for international protection or having been included in such an application as a family member and who were subject to an administrative or judicial decision or act ordering an alternative to detention in accordance with Directive 2013/33/EU during the reference period, disaggregated by type of alternative as follows:

(i) reporting;

(ii) deposit of a financial guarantee;

(iii) obligation to stay at an assigned place;

(iv) other type of alternative to detention;

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d j (new)

(dj) persons having submitted an application for international protection or having been included in such an application as a family member during the reference period and who were subject to an administrative or judicial decision or act ordering an alternative to detention in accordance with Directive 2013/33/EU at the end of the reference period, disaggregated by the month, the administrative or judicial decision or act was issued against those persons, and further disaggregated by type of alternatives as follows:

(i) reporting;

(ii) deposit of a financial guarantee;

(iii) obligation to stay at an assigned place;

(iv) other type of alternative to detention;

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d k (new)

(dk) persons having submitted an application for international protection and who have undergone an age assessment during the reference period;

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d l (new)

Text proposed by the Commission

Amendment

(dl) decisions on age assessments of applicants, disaggregated as follows:

(i) assessments concluding that the applicant is a minor;

(ii) assessments concluding that the applicant is an adult;

(iii) inconclusive or abandoned assessments;

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d m (new)

Text proposed by the Commission

Amendment

(dm) persons having submitted an application for international protection or having been included in such an application as a family member and having been identified as being in need of special procedural guarantees in accordance with Article 24 of Directive 2013/32/EU or as applicants with special reception needs within the meaning of point (k) of Article 2 of Directive 2013/33/EU during the reference period;

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d n (new)

Text proposed by the Commission

Amendment

(dn) persons having submitted an application for international protection or having been included in such an application as a family member and having benefited from free legal assistance under Article 20 of Directive 2013/32/EU during the reference period, disaggregated by procedures at first and second instance;

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d o (new)

Text proposed by the Commission

Amendment

(do) persons having submitted an application for international protection or having been included in such an application as a family member and having benefited from material reception conditions providing an adequate standard of living for applicants, in accordance with Article 17 of Directive 2013/33/EU, at the end of the reference

period;

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d p (new)

Text proposed by the Commission

Amendment

(dp) persons having submitted an application for international protection as unaccompanied minors and to whom a representative has been appointed in accordance with Article 25 of Directive 2013/32/EU during the reference period;

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d q (new)

Text proposed by the Commission

Amendment

(dq) persons having submitted an application for international protection having been recognised as unaccompanied minors and having been granted access to the education system in accordance with Article 14 of Directive 2013/33/EU during the reference period;

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d r (new)

Text proposed by the Commission

Amendment

(dr) persons having submitted an application for international protection, having been recognised as unaccompanied minors and having been placed in accordance with Article 31(3) of Directive 2011/95/EU during the reference period, disaggregated by the grounds for placement;

Amendment 45

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EC) No 862/2007

Article 4 – paragraph 1 – point d s (new)

Text proposed by the Commission

Amendment

(ds) the average number of unaccompanied minors per guardian during the reference period;

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b

Article 4 – paragraph 1 – last subparagraph

Text proposed by the Commission

These statistics shall be disaggregated by age and **sex** and by the citizenship of the persons concerned, and by unaccompanied minors. They shall relate to reference periods of one calendar month and shall be supplied to the Commission (Eurostat) within two months of the end of the reference month. The first reference month shall be January 2020.

Amendment

These statistics shall be disaggregated by age and **gender** and by the citizenship of the persons concerned, and by unaccompanied minors. They shall relate to reference periods of one calendar month and shall be supplied to the Commission (Eurostat) within two months of the end of the reference month. The first reference month shall be January 2020.

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b a (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 2 – point a

Present text

(a) persons covered by first instance decisions rejecting applications for international protection, ***such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period;***

Amendment

(ba) In paragraph 2, point (a) is replaced by the following:

"(a) persons covered by first instance decisions rejecting applications for international protection taken by administrative or judicial bodies during the reference period, ***disaggregated as follows:***

(i) decisions considering applications to be inadmissible, further disaggregated by ground for inadmissibility;

(ii) decisions rejecting applications as unfounded;

(iii) decisions rejecting applications as manifestly unfounded under the regular procedure, further disaggregated by ground for rejection;

(iv) decisions rejecting applications as manifestly unfounded under the accelerated procedure, further disaggregated by ground for acceleration and ground for rejection;

(v) decisions rejecting applications on the ground that the applicant is eligible for protection within his or her country of origin in accordance with Article 8 of Directive 2011/95/EU; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b b (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 2 – point b

Present text

(b) persons covered by first instance decisions ***granting or withdrawing refugee status, taken by administrative or judicial bodies during the reference period;***

Amendment

(bb) In paragraph 2, point (b) is replaced by the following:

"(b) persons covered by first instance decisions, taken by administrative or judicial bodies during the reference period, granting, revoking, ending or refusing to renew refugee status based on cessation, exclusion or other grounds; decisions taken on cessation or exclusion shall be further disaggregated by the specific ground on which cessation or exclusion is based; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b c (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 2 – point c

Present text

(c) persons covered by first instance decisions ***granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during the reference period;***

Amendment

(bc) In paragraph 2, point (c) is replaced by the following:

"(c) persons covered by first instance decisions, taken by administrative or judicial bodies during the reference period, granting, revoking, ending or refusing to renew subsidiary protection status based on cessation, exclusion or other grounds; decisions taken on cessation or exclusion shall be further disaggregated by the specific ground on which cessation or exclusion is based; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b d (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(bd) In paragraph 2, the following point is added:

“(ea) persons covered by first instance decisions reducing or withdrawing material reception conditions, taken by administrative or judicial bodies during

the reference period, disaggregated by type of decision, duration of reduction or withdrawal and by ground.”

Amendment 51

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point c

Regulation (EC) No 862/2007

Article 4 – paragraph 2 – last subparagraph

Text proposed by the Commission

These statistics shall be disaggregated by age and **sex** and by the citizenship of the persons concerned, and by unaccompanied minors. They shall relate to reference periods of three calendar months and shall be supplied to the Commission (Eurostat) within two months of the end of the reference period. The first reference period shall be January-March 2020.

Amendment

These statistics shall be disaggregated by age and **gender**, and by the citizenship of the persons concerned, and by unaccompanied minors. They shall relate to reference periods of three calendar months and shall be supplied to the Commission (Eurostat) within two months of the end of the reference period. The first reference period shall be January-March 2020.

These statistics shall be further disaggregated by decisions taken following a personal interview and decisions taken without a personal interview. Statistics on decisions taken following a personal interview shall be further disaggregated by personal interviews where the applicant received the services of an interpreter and personal interviews where the applicant did not receive the services of an interpreter.

Amendment 52

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point d a (new)

Present text

(b) persons covered by final decisions rejecting applications for international protection, ***such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures***, taken by administrative or judicial bodies in appeal or review during the reference period;

Amendment

(da) In paragraph 3, point (b) is replaced by the following:

"(b) persons covered by final decisions rejecting applications for international protection taken by administrative or judicial bodies in appeal or review during the reference period, ***disaggregated as follows:***

(i) decisions considering applications to be inadmissible, further disaggregated by ground for inadmissibility;

(ii) decisions rejecting applications as unfounded;

(iii) decisions rejecting applications as manifestly unfounded under the regular procedure, further disaggregated by ground for rejection;

(iv) decisions rejecting applications as manifestly unfounded under the accelerated procedure, further disaggregated by ground for acceleration and ground for rejection;

(v) decisions rejecting applications on the ground that the applicant is eligible for protection within his or her country of origin in accordance with Article 8 of Directive 2011/95/EU; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 53

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point d b (new)

Present text

(c) persons covered by final decisions ***granting or withdrawing refugee status*** taken by administrative or judicial bodies ***in appeal or review*** during the reference period;

Amendment

(db) In paragraph 3, point (c) is replaced by the following:

"(c) persons covered by final decisions, taken by administrative or judicial bodies during the reference period, ***granting, revoking, ending or refusing to renew refugee status based on cessation, exclusion or other grounds; decisions taken on cessation or exclusion shall be further disaggregated by the specific ground on which cessation or exclusion is based; "***

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 54

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point d c (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 3 – point d

Present text

(d) persons covered by final decisions ***granting or withdrawing subsidiary protection status*** taken by administrative or judicial bodies ***in appeal or review*** during the reference period;

Amendment

(dc) In paragraph 3, point (d) is replaced by the following:

"(d) persons covered by final decisions, taken by administrative or judicial bodies during the reference period, ***granting, revoking, ending or refusing to renew subsidiary protection status based on cessation, exclusion or other grounds; decisions taken on cessation or exclusion shall be further disaggregated by the specific ground on which cessation or***

exclusion is based; "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 55

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point d d (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(dd) In paragraph 3, the following point is added:

“(ga) persons covered by final decisions reducing or withdrawing material reception conditions, taken by administrative or judicial bodies during the reference period, disaggregated by type of decision, duration of reduction or withdrawal and by ground.”

Amendment 56

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point e

Regulation (EC) No 862/2007

Article 4 – paragraph 3 – last subparagraph

Text proposed by the Commission

Amendment

Statistics under points (b), (c), (d), (e), (f) and (g) shall be disaggregated by age and **sex** and by the citizenship of the persons concerned, and by unaccompanied minors. In addition, for point (g), statistics shall be

Statistics under points (b), (c), (d), (e), (f) and (g) shall be disaggregated by age and **gender** and by the citizenship of the persons concerned, and by unaccompanied minors. In addition, for point (g), statistics

disaggregated by the country of residence and by the type of asylum decision. They shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2020.

shall be disaggregated by the country of residence and by the type of asylum decision. They shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2020.

Amendment 57

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point e a (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(ea) The following paragraph is inserted:

“3a. Member States shall supply to the Commission (Eurostat) statistics on the duration of appeals, in calendar days, from the time that the appeal is lodged until the time that there is a first instance decision on the appeal.”

Amendment 58

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point e

Regulation (EC) No 862/2007

Article 4 – paragraph 4 – last subparagraph

Text proposed by the Commission

These statistics shall relate to reference periods of one calendar **year** and shall be

Amendment

These statistics shall be disaggregated by age and gender, and by the citizenship of

supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference *year* shall be 2020.

the persons concerned, and by unaccompanied minors. These statistics shall relate to reference periods of one calendar *month* and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference *period* shall be *January* 2020.

Amendment 59

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point h a (new)

Regulation (EC) No 862/2007

Article 4 – paragraph 4 (new)

Text proposed by the Commission

Amendment

(ha) The following paragraph is added:

“4a. The statistics referred to in paragraphs 1 to 4 shall be disaggregated by month of submission of the application.”

Amendment 60

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new) – point a (new)

Regulation (EC) No 862/2007

Article 5 – title

Present text

Amendment

(1 a) Article 5 is amended as follows:

(a) The title is replaced by the following:

Statistics on the prevention of *illegal* entry and stay

"Statistics on the prevention of *irregular* entry and stay"

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 61

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new) – point b (new)

Regulation (EC) No 862/2007

Article 5 – paragraph 1 – point a

Present text

(a) third-country nationals refused entry to the Member State's territory at the external border;

Amendment

(b) In paragraph 1, point (a) is replaced by the following:

“(a) third-country nationals refused entry to the Member State's territory at the external border, **disaggregated by age, gender and citizenship**; ”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 62

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new) – point c (new)

Regulation (EC) No 862/2007

Article 5 – paragraph 1 – point b

Present text

(b) third-country nationals found to be **illegally** present in the Member State's territory under national laws relating to

Amendment

(c) In paragraph 1, point (b) is replaced by the following:

“(b) third-country nationals found to be **irregularly** present in the Member State's territory under national laws relating to

immigration.

immigration.”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 63

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new) – point d (new)

Regulation (EC) No 862/2007

Article 5 – paragraph 1 – subparagraph 3

Present text

The statistics under point (b) shall be disaggregated by age and **sex, and by** citizenship of the persons concerned.

Amendment

(b) The third subparagraph of paragraph 1 is replaced by the following:

“The statistics under point (b) shall be disaggregated by age and **gender**, citizenship of the persons concerned, **grounds for their apprehension and place of apprehension.**”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 64

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) the number of applications for first-time residence permits made by third-country nationals, disaggregated by citizenship, by the reason for the permit being requested, by age and by gender;

Amendment 65

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point -a a (new)

Text proposed by the Commission

Amendment

(-aa) the number of rejected applications for first-time residence permits made by third-country nationals, disaggregated by citizenship, by the reason for which the permit was requested, by age and by gender;

Amendment 66

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point -a b (new)

Text proposed by the Commission

Amendment

(-ab) the number of applications for a residence permit changing immigration status or reason for stay refused during the reference period, disaggregated by citizenship, by the reason for the permit being refused, by age and by gender;

Amendment 67

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point a – point i

Text proposed by the Commission

(i) permits issued during the reference period whereby the person is being granted permission to reside for the first time, disaggregated by citizenship, by the reason for the permit being issued, by the length of validity of the permit, by age and by **sex**;

Amendment

(i) permits issued during the reference period whereby the person is being granted permission to reside for the first time, disaggregated by citizenship, by the reason for the permit being issued, by the length of validity of the permit, by age and by **gender**;

Amendment 68

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) permits issued during the reference period and granted on the occasion of a person changing immigration status or reason for stay, disaggregated by citizenship, by the reason for the permit being issued, by the length of validity of the permit, by age and by **sex**;

Amendment

(ii) permits issued during the reference period and granted on the occasion of a person changing immigration status or reason for stay, disaggregated by citizenship, by the reason for the permit being issued, by the length of validity of the permit, by age and by **gender**;

Amendment 69

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Text proposed by the Commission

(iii) valid permits at the end of the reference period (number of permits issued, not withdrawn and not expired), disaggregated by citizenship, by the reason for the issue of the permit, by the length of validity of the permit, by age and by **sex**;

Amendment

(iii) valid permits at the end of the reference period (number of permits issued, not withdrawn and not expired), disaggregated by citizenship, by the reason for the issue of the permit, by the length of validity of the permit, by age and by **gender**;

Amendment 70

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) the number of long-term residents at the end of the reference period, disaggregated by citizenship, by type of long-term status, by age and by **sex**.

Amendment

(b) the number of long-term residents at the end of the reference period, disaggregated by citizenship, by type of long-term status, by age and by **gender**.

Amendment 71

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a

Regulation (EC) No 862/2007

Article 6 – paragraph 1 – subparagraph 1 a (new)

For statistics under points (-a), (-aa) and (a), permits issued for family reasons shall be further disaggregated by reason and by status of the sponsor of the third-country national.

Amendment 72

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a

Present text

(a) the number of third-country nationals found to be illegally present in the territory of the Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State, disaggregated by citizenship of the persons concerned;

Amendment

(-a) In paragraph 1, point (a) is replaced by the following:

"(a) the number of third-country nationals found to be ***in an irregular situation*** in the territory of the Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is ***irregular*** and imposing an obligation to leave the territory of the Member State, disaggregated by citizenship of the persons concerned ***and the reasons for the decision;*** "

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 73

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a a (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(-aa) In paragraph 1, the following is inserted:

“(aa) the number of third-country nationals referred to in point (a) of this paragraph who were subject to an administrative or judicial entry-ban decision or act as referred to in Article 11 of Directive 2008/115/EC at the end of the reference period, disaggregated by citizenship of the persons concerned;”

Amendment 74

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a b (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(-ab) In paragraph 1, the following point is inserted:

“(ab) the number of third-country nationals who were subject to an administrative or judicial decision or act ordering their detention in accordance with Directive 2008/115/EC of the European Parliament and of the Council*, during the reference period;”

Amendment 75

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a c (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a c (new)

Text proposed by the Commission

Amendment

(-ac) In paragraph 1, the following point is inserted:

“(ac) the number of third-country nationals who were subject to an administrative or judicial decision or act ordering their detention in accordance with Directive 2008/115/EC at the end of the reference period, disaggregated by the month those third-country nationals were placed in detention;”

Amendment 76

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a d (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a d (new)

Text proposed by the Commission

Amendment

(-ad) In paragraph 1 the following point is inserted:

“(ad) the number of third-country nationals who were subject to an administrative or judicial decision or act ordering an alternative to detention in accordance with Directive 2008/115/EC during the reference period, disaggregated by type of alternative as follows:

- (i) reporting;*
- (ii) deposit of a financial guarantee;*
- (iii) obligation to stay at an assigned place;*
- (iv) other type of alternative to detention;”*

Amendment 77

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a e (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a e (new)

Text proposed by the Commission

Amendment

(-ae) In paragraph 1, the following point is inserted:

“(ae) the number of third-country nationals who were subject to an administrative or judicial decision or act ordering an alternative to detention in accordance with Directive 2008/115/EC at the end of the reference period, disaggregated by the month the administrative or judicial decision or act was issued against those persons, and further disaggregated by type of alternative as follows:

- (i) reporting;*
- (ii) deposit of a financial guarantee;*
- (iii) obligation to stay at an assigned place;*
- (iv) other type of alternative to detention;”*

Amendment 78

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a f (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a f (new)

Text proposed by the Commission

Amendment

(-af) In paragraph 1, the following point is inserted:

“(af) the number of third-country nationals having been subject to a postponement of removal in accordance with Article 9 of Directive 2008/115/EC during the reference period, disaggregated by ground for postponement and citizenship of the persons concerned;”

Amendment 79

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point -a g (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point a g (new)

Text proposed by the Commission

Amendment

(-ag) In paragraph 1, the following is inserted:

“(ag) the number of third-country nationals having been subject to an administrative or judicial decision or act ordering their detention and having taken judicial review proceedings as referred to in Article 15(2) of Directive 2008/115/EC during the reference period;”

Amendment 80

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) the number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision or act, as referred to in point (a), disaggregated by the citizenship of the persons returned, by the type of return and assistance received, and by the destination country.

Amendment

(b) the number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision or act, as referred to in point (a), disaggregated by the citizenship of the persons returned, by the type of return and assistance received, and by the destination country ***further disaggregated by returns to the country of origin of the third-country national;***.

Amendment 81

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a a (new)

Regulation (EC) No 862/2007

Article 7 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(aa) In paragraph 1, the following point is added:

“(ba) the number of third-country nationals who have left the territory of the Member State following an administrative or judicial decision or act, disaggregated by the type of decision or act as follows:

(i) in accordance with a formal Union readmission agreement;

(ii) in accordance with an informal Union readmission arrangement;

(iii) in accordance with a national readmission agreement;

These statistics shall be further disaggregated by country of destination and the nationality of the person concerned.”

Amendment 82

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point b

Regulation (EC) No 862/2007

Article 7 – paragraph 2

Text proposed by the Commission

2. The statistics referred to in paragraph 1 shall relate to reference periods of *three* calendar *months* and shall be supplied to the Commission (Eurostat) within two *months* of the end of the reference period. The first reference period shall be January *to March* 2020.

Amendment

2. The statistics referred to in paragraph 1 shall *be disaggregated by age and gender of the person concerned, and by unaccompanied minors. They shall* relate to reference periods of *one* calendar *month* and shall be supplied to the Commission (Eurostat) within two *weeks* of the end of the reference period. The first reference period shall be *January* 2020.

Amendment 83

Proposal for a regulation

Article 1 – paragraph 1 – point 4 a (new)

Regulation (EC) No 862/2007

Article 9 – paragraph 2

Present text

2. Member States shall report to the Commission (Eurostat) on the data sources used, the reasons for the selection of these sources and the effects of the selected data sources on the quality of the statistics, and on the estimation methods used, and shall keep the Commission (Eurostat) informed of changes thereto.

Amendment

(4a) In Article 9, paragraph 2 is replaced by the following:

"2. Member States shall report to the Commission (Eurostat) on the data sources used, the reasons for the selection of these sources and the effects of the selected data sources on the quality of the statistics, ***the mechanisms used to ensure protection of personal data*** and on the estimation methods used, and shall keep the Commission (Eurostat) informed of changes thereto."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 84

Proposal for a regulation

Article 1 – paragraph 1 – point 4 b (new)

Regulation (EC) No 862/2007

Article 9 a (new)

Text proposed by the Commission

Amendment

(4b) The following article is inserted:

"Article 9a

Delegated acts

The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the definitions set out in Article 2(1).

The Commission is empowered to adopt delegated acts in accordance with Article 10a amending this Regulation by:

(a) defining the categories of groups of country of birth, groups of country of

previous and next usual residence and groups of citizenship as provided for in Article 3(1);

(b) defining the categories of the reasons for the issuance of residence permits as provided for in Article 6(1)(a);

(c) defining additional disaggregations;

(d) laying down the rules on accuracy and quality standards.”

Amendment 85

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point a

Regulation (EC) No 862/2007

Article 10 – paragraph 1

Text proposed by the Commission

The Commission shall ***be empowered to*** adopt implementing acts ***for the purpose of specifying disaggregations in line with Articles 4, 5, 6 and 7 and*** laying down the rules on the appropriate formats for the transmission of data as provided for in Article 9.

Amendment

The Commission shall adopt implementing acts laying down the rules on the appropriate formats for the transmission of data as provided for in Article 9. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(2).***

Amendment 86

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point b

Regulation (EC) No 862/2007

Article 10 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(b) ***In paragraph 2, point (d)*** is deleted.

(b) ***Paragraph 2*** is deleted.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 87

Proposal for a regulation

Article 1 – paragraph 1 – point 5 a (new)

Regulation (EC) No 862/2007

Article 10 a (new)

Text proposed by the Commission

Amendment

(5a) The following article is inserted:

“Article 10a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 9a shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this amending Regulation].

3. The delegation of power referred to in Article 9a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the

Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 9a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.”

Amendment 88

Proposal for a regulation

Article 1 – paragraph 1 – point 5 b (new) – point a (new)

Regulation (EC) No 862/2007

Article 11 – title

Present text

Amendment

(5b) Article 11 is amended as follows:

(a) The title is replaced by the following:

Committee

“Committee *procedure*”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 89

Proposal for a regulation

Article 1 – paragraph 1 – point 5 b (new) – point b (new)

Regulation (EC) No 862/2007

Article 11 – paragraph 1

Present text

1. *In adopting the implementing measures, the Commission shall be assisted by the Statistical Programme Committee, established by Decision 89/382/EEC, Euratom.*

Amendment

(b) paragraph 1 is replaced by the following:

“1. The Commission shall be assisted by the European Statistical System Committee, established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 90

Proposal for a regulation

Article 1 – paragraph 1 – point 5 b (new) – point c (new)

Regulation (EC) No 862/2007

Article 11 – paragraph 2

Present text

2. Where reference is made to this paragraph, Article 5 and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three

Amendment

(c) paragraph 2 is replaced by the following:

*“2. Where reference is made to this paragraph, Article 5 and **Article 10 of Regulation (EU) No 182/2011** shall apply, having regard to the provisions of **Article 11** thereof.”*

months.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)

Amendment 91

Proposal for a regulation

Article 1 – paragraph 1 – point 5 b – point d (new)

Regulation (EC) No 862/2007

Article 11 – paragraph 3

Text proposed by the Commission

Amendment

(d) paragraph 3 is deleted.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=EN>)
