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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	5588/23
No. prev. doc.:	9725/23
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on European statistics on population and housing, amending Regulation (EC) No 862/2007 and repealing Regulations (EC) No 763/2008 and (EU) 1260/2023 - Mandate for negotiations with the European Parliament

I. INTRODUCTION

1. On 20 January 2023, the Commission submitted a proposal for a Regulation on European statistics on population and housing, amending Regulation (EC) No 862/2007 and repealing Regulations (EC) No 763/2008 and (EU) 1260/2013[1].

2. The legal base of the proposal is Article 338(1) of the Treaty on the Functioning of the European Union therefore it is subject to the ordinary legislative procedure.

[1] Doc. 5588/23

3. Population statistics provide input for population projections for long-term EU economic and budgetary projections specifically and EU economic, social and cohesion policies generally. The EU institutions need accurate and comparable population figures for administrative and procedural purposes, *e.g.* for qualified majority voting in the Council. This Regulation aims at establishing a common legal framework for the design, production and dissemination of European statistics on population and housing and it is envisaged to be a core component of the modernisation of social statistics.

4. The aim of the proposal is to better respond to users' needs, and to enhance the relevance, harmonisation and coherence of European population statistics. This overarching goal can be broken down into four specific objectives, namely to:

   – ensure complete, coherent and comparable European statistics on population and housing;

   – ensure timely and frequent statistics to meet users' needs;

   – provide statistics that are sufficiently comprehensive in terms of relevant topics and sufficiently detailed in terms of characteristics and breakdowns;

   – promote legal and data collection frameworks that are sufficiently flexible to adapt datasets to evolving policy needs and opportunities emerging from new sources.

5. The National Parliament of ES as well as the IT and RO Senate submitted opinions on the Commission's proposal.[2]

6. The European Parliament has not yet adopted its position at first reading. Sandra Pereira (PT, The Left) has been appointed Rapporteur for this file.

7. The Economic and Social Committee decided at its plenary session of 27 April 2023, to issue an opinion endorsing the proposed text[3].

[2] Docs 7638/23, 8671/23 and 8727/23
[3] Doc. 9062/23

8. The Commission for Territorial Cohesion Policy and EU Budget of the Committee of the Regions decided at item meeting on 24 April 2023 not to issue an opinion.

9. The European Data Protection Supervisor issued formal comments[4] on 16 March 2023.

II. STATE OF PLAY

10. The Proposal and the relevant impact assessment were presented at the meeting of the Working Party on Statistics on 15 February 2023.

11. The Working Party on Statistics continued examining the Proposal on 15 March, 3 April, 11 May and 7 June 2023.

12. At its meeting on 7 June the Working Party agreed on the second Presidency compromise text as set out in document 10578/23.

III. MAIN CHANGES TO THE COMMISSION PROPOSAL

13. The presidency compromise includes safeguard clauses both for delegated and implementing acts to ensure necessary predictability for the Member States regarding additions of and changes in variables and detailed topics.

14. The proposal contained 23 detailed topics and the following two are deleted in the compromise:

- Persons who lost or gave up citizenship
- Energy related building characteristics

15. The transmission deadlines have been fixed according to geographical breakdowns and periodicity in a new annex (Annex 2).

16. The following periodicities are deleted:

- The 6 months statistics on person's basic characteristics
- Quarterly statistics on immigration

[4] Doc. 7646/23

17. Member States considered that the requirements for ad hoc statistics are too far reaching therefore Article 7 is deleted.

18. In light of the recommendations from the EDPS, the Presidency included references to compliance with safeguards relating to processing of data for statistical purposes; deleted references to specific data sources related to digital traces of individuals; clarified that only anonymised or pseudonymised data shall be used and shared for statistical purposes; clarified the access of data from the central repository for reporting and statistics by the Commission in Article 10; and specified the roles of the Commission and the Member States under data protection in relation to the secure infrastructure to be established in accordance with Article 13(2). With regard to the clarification of the categories of personal data that may be processed, the Presidency opted for a more general provision while personal data for statistical purposes are allowed according to Article 5 (GDPR) and concerning sensitive data Article 9(2) (GDPR).

IV. CONCLUSION

19. In view of the above, it is suggested that the Committee of Permanent Representatives:

- agree the negotiating mandate with regard to the proposed Regulation on European statistics on population and housing, amending Regulation (EC) No 862/2007 and repealing Regulations (EC) No 763/2008 and (EU) 1260/2013, as set out in document 10578/23;

- invite the Presidency to start negotiations with the European Parliament, on the basis of this mandate, with a view to reaching an agreement at first reading.

- unless objected by the Committee of Permanent Representatives, document 10578/23 (the negotiating mandate) will be made public by the General Secretariat of the Council after approval.

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