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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the implementation of Regulation (EC) No 862/2007 on Community statistics on migration and international protection

1. INTRODUCTION

Regulation (EC) No 862/2007 ([1]) ('the Regulation') establishes common rules for producing European statistics on migration and international protection in the EU. These cover, under Article 3, **statistics on international migration**, including migration flows, migrant stocks as well as acquisition of citizenship. They also cover, under Articles 4 to 7, **statistics on asylum and managed migration** that involve:

- asylum applications, including by unaccompanied minors, first instance decisions and appeal decisions that grant or withdraw various forms of international protection, and people resettled to the EU;
- statistics on Member States applying the Dublin III Regulation ([2]);
- non-EU nationals refused entry to the Member State at the external border or found to be illegally present under national law;
- residence permits issued to non-EU nationals, length of permit validity and reason for the permit being issued; and
- non-EU nationals ordered to leave the territory of a Member State or recorded as departing after an order was issued.

This is the fifth report on the implementation of the Regulation, as required by Article 12 and following reports in 2012 ([3]), 2015 ([4]), 2018 ([5]) and 2021 ([6]). It provides information on the progress made to implement the Regulation since 2021 and presents the next steps to further improve the quality of these statistics.

2. KEY DEVELOPMENTS SINCE 2021

After continued improvements leading up to the 2018 report, general data availability and quality have stabilised at a high level, as documented in the 2021 report. Several further technical improvements since 2021 have helped to maintain the high relevance of statistical outputs, as

([1]) Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection (OJ L 199, 31.7.2007, p. 23).

([2]) Regulation (EU) No 604/2013 of the European Parliament and of the Council 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).

([3]) COM(2012) 528

([4]) COM(2015) 374

([5]) COM(2018) 594

([6]) COM(2021) 489

well as make data validation and processing more efficient. Throughout the COVID-19 pandemic, Member States and Eurostat ensured that data transmissions and publications respected their release calendar.

On 4 March 2022, the Council introduced temporary protection for people fleeing Ukraine as a consequence of Russia's war of aggression against Ukraine ([7]). While the legal provisions under the Regulation provided for the collection of quarterly data on the granting of temporary protection, the need for additional and more frequent and timely statistics in this area became a priority. This resulted in the voluntary collection of monthly statistics on the granting of temporary protection as well as on the stock of beneficiaries of temporary protection status from all EU and EFTA countries.

However, due to the rapidly changing nature of social and demographic phenomena including migration, new needs have arisen for more timely and more detailed regular European statistics.

In 2020, the Regulation was amended ([8]) to update statistics on asylum and managed migration under Articles 4 to 7 in terms of new variables, more detailed breakdowns and more frequent data collections for reference periods from 2021 onwards. Eurostat regularly monitors the progress on necessary adaptations in national production systems in affected Member States. In line with Article 11a of the Regulation, the Commission granted temporary derogations ([9]) to 16 Member States, with a maximum expiration date set for 31 December 2023. By the end of 2023, 11 countries started to submit the data in line with requests before their derogations expired. Punctual non-compliance issues following the end of the derogation period were identified and are followed up bilaterally. As required by Article 9b of the Regulation, the Commission provides financial contributions from the general budget of the Union to support necessary development or implementation actions in Member States. The relevant instruments are grants provided by Eurostat and support under the Asylum, Migration and Integration Fund ([10]).

Furthermore, the Commission (Eurostat) has carried out pilot studies, as required by Article 9a of the Regulation, to test the feasibility of new data collections or disaggregations. It is evaluating the results in close cooperation with a dedicated task force on the pilot studies for new Asylum & Managed Migration Statistics. Depending on these results, the Commission may consider preparing implementing acts introducing legal obligation to transmit such statistics to the

([7]) Council Implementing Decision (EU) 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection (OJ L 71, 4.3.2022, p. 1).

([8]) Regulation (EU) 2020/851 of the European Parliament and of the Council amending Regulation (EC) No 862/2007 (OJ L 198, 22.6.2020, p. 1).

([9]) Commission Implementing Decision (EU) 2021/431 granting derogations to certain Member States from Regulation (EC) No 862/2007 (OJ L 86, 12.3.2021, p. 5).

([10]) Regulation (EU) 2021/1147 of the European Parliament and of the Council establishing the Asylum, Migration and Integration Fund (OJ L 251, 15.7.2021, p. 1).

Commission (Eurostat). The first report on progress with the pilot studies was published in 2022 ([11]).

Moreover, the Commission launched an initiative in 2021 to overhaul the legal framework for population and housing statistics. In this context, an evaluation of the current legal framework – including international migration statistics under Article 3 of the Regulation – pinpointed several significant gaps. The Commission therefore proposed a new integrated legal framework, for which the legislative procedure is ongoing (see Section 4).

3. QUALITY OF THE STATISTICS PRODUCED

To implement the Regulation, Eurostat continues to work closely with all relevant national authorities. National statistical institutes are the main suppliers of statistics on migration flows, acquisitions of citizenship and population stocks. Statistics on asylum and managed migration usually come directly from interior ministries, immigration services or police authorities.

To evaluate the quality of incoming data, Eurostat collects extensive metadata and quality information from Member States. The resulting national metadata reports serve for quality checks, evaluation and further improvements ([12]). They help users to interpret and use the statistics correctly. In the following sections, various quality dimensions are addressed.

3.1. Relevance

Statistics on migration and international protection are used for EU policies on migration, home affairs, employment, social affairs, justice, external relations and human rights. The Commission relies on the data to prepare regular reports, policy proposals and implementation reports required under EU legislation and carry out policy analysis.

In September 2020, the Commission proposed the Pact on Migration and Asylum ([13]). The package adopted in 2024 includes Regulation (EU) 2024/1351 on asylum and migration management ([14]), which requires the Commission to publish a *European Annual Asylum and Migration Report* assessing the asylum, reception and migratory situation over the previous 12-month period. This report must be based on relevant data and information provided by the Member States and various European bodies and agencies, including statistics under the Regulation.

Statistics under the Regulation are also used to determine budgetary allocations to Member States for some EU funds under the 2021-2027 multiannual financial framework. National funding

([11]) SWD(2022) 198

([12]) https://ec.europa.eu/eurostat/cache/metadata/en: demo_pop_esms.htm; migr_immi_esms.htm; migr_acqn_esms.htm; migr_asytp_esms.htm; migr_asyapp_esms.htm; migr_asydec_esms.htm; migr_dub_esms.htm; migr_eil_esms.htm; migr_res_esms.htm (English only).

([13]) Pact on Migration and Asylum - European Commission (europa.eu)

([14]) Regulation (EU) 2024/1351 of the European Parliament and of the Council on asylum and migration management (OJ L, 2024/1351, 22.5.2024).

allocations under the Asylum, Migration and Integration Fund and the Border Management and Visa Policy Instrument ([15]) rely on the latest annual statistics under the Regulation. These statistics also contribute to the evidence needed to focus on strategic priorities in the external dimension of the EU migration policies, including when deciding on funding allocations ([16]).

Statistics on migration and international protection are also used by migration-related EU agencies such as the European Border and Coast Guard Agency (Frontex) and the EU Asylum Agency, who Eurostat works closely with on data collection and statistical methodology.

Examples of relevant publications are the 2023 *Report on the impact of demographic change* ([17]), the 2024 *Ageing Report* ([18]), as well as publications from the Commission's Knowledge Centre on Migration and Demography ([19]) such as the *Atlas of Demography* ([20]) and the *Atlas of Migration* ([21]), and from the European Migration Network ([22]) such as the *Annual Report on Migration and Asylum 2022* ([23]). Eurostat is a leading statistics contributor to such publications.

Furthermore, regular users of statistics include national administrations, international organisations, academic researchers and civil society groups working on a wide range of topics. These topics include the integration of immigrants, the development and monitoring of national asylum and immigration procedures, and population and labour force projections.

3.2. Accuracy

Member States are constantly maintaining or improving statistical accuracy at a high level. Specific accuracy issues remain on international migration data. These relate both to under-coverage (when people do not register their place of residence) and over-coverage (when people do not deregister, as there is often no obligation or incentive to do so). To further improve accuracy in this domain, some Member States exchange data, and use estimation techniques and

([15]) Regulation (EU) 2021/1148 of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy (OJ L 251, 15.7.2021, p. 48).

([16]) Regulation (EU) 2021/947 of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe (OJ L 209, 14.6.2021, p. 1)

([17]) https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/new-push-european-democracy/impact-demographic-change-europe_en

([18]) https://economy-finance.ec.europa.eu/publications/2024-ageing-report-underlying-assumptions-and-projection-methodologies_en

([19]) https://knowledge4policy.ec.europa.eu/organisation/kcmd-knowledge-centre-migration-demography_en

([20]) https://knowledge4policy.ec.europa.eu/atlas-demography_en

([21]) https://migration-demography-tools.jrc.ec.europa.eu/atlas-migration

([22]) https://home-affairs.ec.europa.eu/networks/european-migration-network-emn_en

([23]) https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-publications/emn-annual-reports_en

additional administrative data sources. Freedom of movement within the EU and issues related to personal data protection constrain further improvements in the statistical quality, especially of intra-EU movements.

3.3. Timeliness and punctuality

Depending on the type of data, the deadline to supply data to Eurostat is between 2 and 12 months after the reference date or the end of the reference period. Automated extraction procedures at national level and regular monitoring by Eurostat aim to ensure the punctual provision of data. Transmission deadlines have been generally observed, with mostly constant or slightly improving trends since 2021. Other non-recurring issues remain rare, for instance isolated disruptions due to staff unavailability or computer system failures. The COVID-19 pandemic did not affect the implementation of the release calendar.

3.4. Accessibility

The statistical data and metadata are freely available on Eurostat's website under the theme *Migration and asylum* ([24]). Moreover, these statistics feature in regularly updated *Statistics Explained* articles ([25]) and in compendium publications like *Key figures on Europe* ([26]).

Statistics produced under the Regulation remain among the most widely consulted European statistics. Since 2021, thematic sections on migration and asylum statistics ([27]) have held top popularity ranks on the Eurostat website, showing high user interest. The Statistics Explained article on migration and migrant population statistics ([28]) is one of the most visited articles. Eurostat has regularly produced publications on asylum and managed migration, including a popular article on annual asylum statistics, which garnered significant attention ([29]). These statistics are also very visible in Eurostat's social media channels. A set of new indicators for international migration as well as for asylum and managed migration was released in 2023. A new interactive publication *Migration and asylum in Europe* ([30]) and a new *Migrant integration and inclusion dashboard* ([31]) were published in 2024.

([24]) https://ec.europa.eu/eurostat/web/migration-asylum (English, French and German).

([25]) https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migration_and_asylum (English only).

([26]) https://ec.europa.eu/eurostat/web/products-key-figures/w/ks-ei-23-001 (English, French and German).

([27]) https://ec.europa.eu/eurostat/web/migration-asylum

([28]) http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics

([29]) https://ec.europa.eu/eurostat/statistics-explained/index.php?oldid=599145

([30]) Migration and asylum in Europe – 2023 edition - Eurostat (europa.eu)

([31]) Migrant integration and inclusion dashboard (europa.eu)

3.5. Coherence and comparability

Methodological and compilation guidelines have long been in place and are regularly improved for all statistics under the Regulation. They help Member States to ensure comparability, in line with EU legislation and international recommendations.

International migration statistics continue to be highly consistent with the statistics covered by Regulation (EU) No 1260/2013 ([32]). To ensure comparability, Eurostat verifies whether the data received are consistent internally and over time, and whether they are comparable between regions and countries. On comparability between countries, the Regulation establishes harmonised definitions for migration flow data. Problems in applying specific definitions for statistics on migration flows and acquisition of citizenship have been among the hardest to address. Since the 2021 report, the data transmitted for statistics on international migration and acquisition of citizenship have generally remained highly compliant with the Regulation.

Statistics on asylum and managed migration generally have a good level of compliance with definitions in the Regulation. Some specific issues persist in a few Member States, but mostly at the level of breakdown sub-categories.

On the general population base definition, the Regulation allows Member States to define the migrant stock as being either usually resident or, by default, legally or registered resident. Regulation (EU) No 1260/2013 requires Member States to ensure that population stock data under Article 3 are consistent with stock data required under Article 3(1)(c) of the Regulation, as statisticians and demographers systematically use these stock data together. This ensures a fully consistent set of stock data at national level at the expense of reduced comparability between countries. Moreover, international migration flows are based on a harmonised concept of residence of at least 12 months. As a result, these flows are not always coherent with changes in the aforementioned stocks. These issues are crucial when wider harmonisation in population statistics as a whole – covering census, demography and international migration – is addressed more comprehensively at EU level (see Section 4).

Where comparisons are possible at international level, there is generally a high degree of consistency with data collected and published elsewhere by national and international organisations. Eurostat cooperates closely with the EU Asylum Agency and Frontex to ensure coherence of the methodology and the statistics with the methodologies applied and data collected by these agencies.

Eurostat also cooperates at international level to promote statistical coherence. It participates in the UN Expert Group on Refugee and Internally Displaced Persons Statistics ([33]) and is a member of its Steering Committee. Eurostat contributes to the group's work with methodological and written contributions to the various outputs, but also administratively and financially. The group's work led to the UN approving the *International Recommendations on Statelessness*

([32]) Regulation (EU) No 1260/2013 of the European Parliament and of the Council on European demographic statistics (OJ L 330, 10.12.2013, p. 39).

([33]) https://egrisstats.org/ (English only).

Statistics ([34]) in 2023. This recommendation, together with earlier recommendations on refugee and internally displaced persons statistics, set the global standard for producing statistics on forced displacement. For instance, they call for closing gaps and ensuring proper standards in statistics on forcibly displaced children, unaccompanied minors and people with a disability.

Since 2020, Eurostat has been an Advisory Board member of the International Data Alliance for Children on the Move ([35]), a cross-sectoral global initiative co-funded by the EU that aims to improve data and statistics and support evidence-based policymaking for migrant and displaced children. Eurostat contributes to the work of the group in areas like strengthening national data systems and capacities to protect migrant and forcibly displaced children, promoting and establishing methods for child-specific data, and improving data visibility, availability, accessibility and usability. Eurostat has also been a member of a new UN Economic Commission for Europe Task Force on Measuring Emigration ([36]) since 2023.

4. ONGOING WORK TO ADDRESS CURRENT AND EVOLVING POLICY NEEDS

4.1. Piloting new statistics on asylum and managed migration

Article 9a of the Regulation requires the Commission (Eurostat) to establish pilot studies. These are to be carried out on a voluntary basis by the Member States to test the feasibility of specific new data collections or disaggregations, including the availability of appropriate data sources and production techniques, statistical quality and comparability, and the cost and burden involved.

In 2021, Eurostat set up a task force on pilot studies. Until 2023, this task force had discussed and approved guidelines and templates proposed by Eurostat for relevant pilot data collections.

After two waves of data collections up to October 2023, out of 31 countries (27 Member States and 4 EFTA countries) invited, only between 2 and 9 countries have submitted data, depending on the domain and data set. Participation has therefore been extremely low so far and does not guarantee representativeness at EU level, as required by Article 9a for any regulatory action.

As a result, Eurostat proposed a form of prioritisation that aims to increase participation by focusing on the most promising data sets in terms of feasibility and policy relevance. Following this adjusted approach, Eurostat launched a new round of pilot data collections in April 2024, with a transmission deadline of 31 August 2024. If representativeness of a pilot study is achieved, the feasibility of potential regular data collections will be assessed.

4.2. Evaluation of the current statistical framework including international migration

In 2021, the Commission conducted a comprehensive evaluation of the current framework for European statistics on population and housing ([37]). It included international migration statistics

([34]) International Recommendations on Statelessness Statistics IROSS (egrisstats.org) (English only).

([35]) International Data Alliance for Children on the Move (IDAC) (IDAC) - UNICEF DATA

([36]) https://unece.org/sites/default/files/2023-11/08_TF%20on%20measuring%20emigration_ToR_approved.pdf

([37]) SWD(2023) 13

under Article 3 of the Regulation and all statistics under Regulations (EC) No 763/2008 ([38]) and (EU) No 1260/2013. The scope of the evaluation was much wider than the regular monitoring described in Section 3 as views from all relevant stakeholder groups were collected in a systematic stakeholder consultation ([39]). The goal was to assess whether the original objectives of the current framework were achieved and identify significant gaps.

The evaluation found significant overall improvements had been made thanks to the current framework, compared to the initial problems and needs faced by the statistical community before its entry into force. In particular, the current framework has significantly increased EU value added by improving – for the data sets that became mandatory – several statistical quality dimensions at EU level, including completeness, consistency and timeliness. Moreover, the current legislation has delivered on all relevant needs for policymaking and institutions at EU level that were known when it was developed (2005-2013). This has improved the effectiveness, efficiency and coherence of statistical production compared to the previous situation, which relied solely on voluntary data collections. The stakeholder consultation confirmed these improvements. Nevertheless, the evaluation also identified four significant gaps in the current framework.

Gap 1: Coherence, comparability, completeness

Although the Regulation sets common definitions for key statistical concepts, flexibility remains in the population definition. Member States currently apply three different concepts (usual residence, registered residence, legal residence) allowed by the Regulation, sometimes using different concepts for different data sets (see Section 3.5). This central issue has caused a lack of comparability and coherence in the data from different Member States, reducing the EU added value. Moreover, statistics that remain voluntary are often incomplete at EU level due to data missing from a few Member States. This reduces the overall cost-effectiveness significantly, as the majority of Member States spend resources on producing them, but a complete EU picture is not achieved.

Gap 2: Timeliness and frequency

Article 3 of the Regulation covers only annual statistics on international migration, with data sets to be provided 12 months after the end of the reference period. Even though overall timeliness has improved under the Regulation compared to previous fully voluntary data collections, mainly because excessive delays by very few Member States have been resolved, it remains below user expectations. The data provided under the Regulation are less timely than similar national publications across the majority of Member States. Under the Regulation, the legal deadlines and periodicities of statistics cannot be improved, e.g. to cover infra-annual international migration statistics. Another ordinary legislative procedure would therefore be needed to improve deadlines or periodicities, similar to the 2020 amendment that introduced quarterly return statistics in Article 7.

([38]) Regulation (EC) No 763/2008 of the European Parliament and of the Council on population and housing censuses (Text with EEA relevance) (OJ L 218, 13.8.2008, p. 14).

([39]) SWD(2023) 15

Gap 3: Details of societally relevant topics and groups

The Regulation focuses on data needs for policy priorities at the time it was developed. Over time, priorities have changed and the available statistics on international migration no longer adequately cover policy-relevant characteristics and topics. The gaps confirmed in the stakeholder consultation relate to the characteristics of immigrants. There is also a lack of geographic granularity, including migration flows at regional level.

Gap 4: Lack of flexibility of the legal framework

Compounding the above-mentioned weaknesses, the existing legislation lacks the flexibility to adapt to new and emerging needs for statistics. New data sources in Member States and at EU level (in particular administrative data, including interoperability systems and privately held data) also offer potential improvements in terms of costs and timeliness, but the current legislation does not allow these developments to be embraced. The legal framework has therefore not been able to adapt to any policy-relevant changes since it was adopted, and has therefore been losing relevance quickly.

4.3. Modernisation of international migration statistics as part of the redevelopment of European statistics on population

The evaluation identified several legislative drivers for the significant gaps outlined in Section 4.2 and pointed to administrative redundancies in compliance, enforcement and monitoring as the current legislation is scattered across three legal acts. Based on a subsequent impact assessment ([40]), the Commission therefore proposed a new framework regulation on European statistics on population and housing that addresses the legislative drivers for the gaps above, while aiming to consolidate the separate acts into a single regulation ([41]).

The proposal contains ambitious elements to strengthen general consistency and the links between all EU social statistics based on persons and households, including under Regulation (EU) 2019/1700 ([42]). It supports the implementation of a harmonised population definition based on sound statistical estimation concepts, and enables access to available data sources that will improve the production processes and general quality of social statistics. The proposal also aligns population and international migration statistics more with statistics on asylum and managed migration under Articles 4 to 7 of the Regulation ([43]). At the time of this report, the ordinary legislative procedure on the proposal was ongoing ([44]).

([40]) SWD(2023) 11

([41]) COM(2023) 31

([42]) Regulation (EU) 2019/1700 of the European Parliament and of the Council establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples (OJ L 261I , 14.10.2019, p. 1).

([43]) To ensure consistency, the proposal aims to put all statistical topics related to the usually resident population (including migrant stocks, international migration flows and acquisition of citizenship currently covered by Article 3 of the Regulation) into the new framework. Conversely, statistics on administrative and judicial procedures related to asylum and managed migration would remain in the Regulation.

([44]) Procedure 2023/0008/COD

5. CONCLUSIONS AND NEXT STEPS

Thanks to the continued joint efforts of the European Statistical System ([45]), the Regulation is well implemented. This leads to the regular publication of overall high-quality European statistics on migration and international protection, needed by EU institutions and policymakers at all levels. Legal compliance and statistical quality are monitored regularly and, as in the previous report of 2021, there are no major compliance issues.

Nevertheless, an evaluation of the current framework for population statistics identified four significant gaps: lack of harmonisation of the population definition; insufficient timeliness and frequency of statistics; lack of detail on relevant groups and topics; and lack of flexibility to adapt to changing needs or new data sources. The Commission has therefore proposed a single new framework regulation on European population statistics that would consolidate the legal framework and address these gaps.

The following actions are being taken:

1. Complete implementation of the 2020 revision by concluding the period of derogations, concluding the pilot studies required by Article 9a of the Regulation, and evaluating the results in cooperation with Member States in view of potential new mandatory statistics under Articles 4 to 7.

2. Continue the ordinary legislative procedure (footnote 44) on a new integrated legal framework for European population statistics that would incorporate and extend the statistics on migration flows, migrant stocks and acquisition of citizenship under Article 3.

([45]) https://ec.europa.eu/eurostat/web/european-statistical-system