



STATISTICAL DATA ON IMMIGRANTS IN GREECE: APPENDICES

# APPENDIX A

DRAFT PROPOSAL, VERSION 19/05/04, FOR A REGULATION OF  
THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, ON  
COMMUNITY STATISTICS ON INTERNATIONAL MIGRATION,  
CITIZENSHIP, RESIDENCE PERMITS AND ASYLUM

EXPLANATORY NOTES

**DRAFT**

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on**

**Community statistics on international migration, citizenship, residence permits and asylum**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>2</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>3</sup>,

Whereas:

- (1) Council Regulation (EC) N° 322/97 of 17 February 1997 on Community Statistics<sup>4</sup> constitutes the reference framework for the provisions of this Regulation;
- (2) Article 39 of the Treaty establishes the rights of free movement of workers within the European Union;
- (3) Article 43 of the Treaty prohibits restrictions on the free establishment of nationals of a Member State in the territory of another Member State;
- (4) Article 61 of the Treaty states that the Council shall adopt measures aimed at ensuring the free movement of persons and, in parallel, measures with respect to external border control, asylum and immigration;
- (5) Harmonised and comparable Community statistics on migration and asylum are essential for the development and monitoring of Community legislation and policies relating to immigration and asylum, and to the free movement of persons;
- (6) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objective of the proposed action, namely the systematic production of harmonised Community statistics on migration, citizenship and asylum, cannot be sufficiently achieved by the Member States acting individually and can therefore be better achieved by the Community. This regulation confines itself to the minimum required to achieve this objective and does not go beyond what is necessary for that purpose;

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<sup>1</sup> OJ C [...], [...], p. [...].

<sup>2</sup> OJ C [...], [...], p. [...].

<sup>3</sup> OJ C [...], [...], p. [...].

<sup>4</sup> OJ L 52, 22.2.1997, P; 61.

- (7) Since the measures necessary for the implementation of this Regulation are management measures within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>5</sup> they should be adopted by use of the regulatory procedure provided for in Article 5 of that Decision;
- (8) The Statistical Programme Committee (SPC), established by Decision 89/382/EEC, Euratom<sup>6</sup> has been consulted in accordance with Article 3 of the aforesaid Decision,

HAVE ADOPTED THIS REGULATION:

*Article 1*

**Subject matter**

The objective of this Regulation shall be to establish a common framework for the collection and compilation of Community statistics on international migration, citizenship, asylum and other forms of international protection, and return.

*Article 2*

**Definitions**

For the purpose of this Regulation, the following definitions shall apply:

- (a) "Community statistics" shall have the meaning assigned to it in Article 2 of Regulation (EC) 322/97<sup>7</sup>;
- (b) "National authorities", as defined in Article 2 of Regulation (EC) No 322/97, shall mean national statistical institutes and other bodies responsible in each Member State for producing Community statistics.
- (c) "Usual residence" shall refer to the place in which a person normally spends the daily period of rest. Temporary travel for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage shall not change a person's place of usual residence;
- (d) "International immigration" shall refer to the action by which a natural person establishes their usual residence in the territory of the Member State for a period that is, or is expected to be, of at least twelve months, having previously been usually resident in another Member State or third country;
- (e) "International emigration" shall refer to the action by which a natural person, having previously been usually resident in the territory of the Member State, ceases to be usually resident in the Member State for a period that is, or is expected to be, of at least twelve months;
- (f) "International immigrant" shall refer to a natural person undertaking an international immigration; "international emigrant" shall refer to a natural person undertaking an international emigration;

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<sup>5</sup> OJ L 184, 17.7.1999, p. 23.

<sup>6</sup> OJ L 181, 28.6.89, p.47.

<sup>7</sup> OJ L 52, 22.2.97, p.1. Any modifications made to this definition in Council Regulation (EC) 322/97 shall also apply here.

- (g) “Long-term resident” shall have the meaning assigned to it in Council Directive 2003/109/CE
- (h) “Third-country national” shall mean any person who is not a citizen of the European Union within the meaning of Article 17(1) of the Treaty;
- (i) “Application for international protection” or “applications” shall have the meaning assigned to it in the Council Qualification Directive (*reference to be inserted*) or in any instrument amending or replacing that Directive;
- (j) “Refugee status” shall have the meaning assigned to it in the Council Qualification Directive or in any instrument amending or replacing that Directive;
- (k) “Subsidiary protection status” shall have the meaning assigned to it in the Council Qualification Directive or in any instrument amending or replacing that Directive;
- (l) “Family members” shall have the meaning assigned to it in the Council Qualification Directive or in any instrument amending or replacing that Directive;
- (m) “Temporary protection” shall have the meaning assigned to it in Article 2 of Council Directive 2001/55/EC;
- (n) “Unaccompanied minor” shall be as defined in Community legislation founded on Article 63 of the Treaty establishing the European Community;
- (o) “Resettlement” shall refer to the authorisation given to third-country nationals or stateless persons to reside in one of the Member States for the purpose of international protection within the framework of a resettlement scheme;
- (p) "Return" shall refer to the departure of a natural person from the territory of the Member State following an administrative or judicial order to leave, whether undertaken as part of a voluntary return scheme or whether enforced.

### *Article 3*

#### **Scope**

1. The statistics shall cover:

- international immigration and emigration to and from the Member State territories, including flows from the territory of one Member State to that of another Member State, and flows between the Member States and the territories of third countries;
- the citizenship and country of birth of natural persons usually resident in the territory of the Member States;
- administrative and judicial procedures and processes in the Member States relating to international immigration, granting of citizenship, asylum and similar forms of international protection and the prevention of illegal immigration

2. This Regulation will apply to the statistics detailed in Article 3(1) relating to any period after 31 December 2005.



#### *Article 4*

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

National authorities shall supply to Eurostat statistics on the numbers of:

a.) international immigrants and international emigrants moving to and from the territory of the Member State, disaggregated as follows:

- citizenship by age and sex
- country of birth by age and sex
- country of previous and next usual residence by age and sex

b.) natural persons having their usual residence in Member State disaggregated as follows:

- citizenship by age and sex
- country of birth by age and sex

c.) natural persons acquiring the citizenship of the Member State having formerly held the citizenship of another Member State or third country or having been stateless, disaggregated by the former citizenship of the persons concerned.

#### *Article 5*

##### **Statistics on asylum**

1. National authorities shall supply to Eurostat statistics on the numbers of:

- a.) persons submitting applications and their family members included in the application;
- b.) persons whose applications are under consideration by the competent national authority at the end of the reference period;
- c.) persons making applications who are considered by the competent national authority to be unaccompanied minors;
- d.) actions defined by Council Regulation (EC) No 343/2003 and Commission Regulation (EC) No 1560/2003 relating to the determination of the Member State responsible for examining an application for asylum;
- e.) decisions taken by administrative or judicial bodies relating to applications for asylum, including decisions considering applications as inadmissible or as unfounded as defined by Community legislation founded on Article 63 of the Treaty establishing the European Community;
- f.) grants and withdrawals of refugee status;
- g.) grants and withdrawals of subsidiary protection status;
- h.) grants of temporary protection;

- i.) persons granted resettlement;
- j.) other grants and withdrawals of authorisation to stay for humanitarian or other reasons under national law;
- k.) withdrawals of applications;
- l.) returns of persons whose applications for international protection have received a negative decision.

These statistics shall be disaggregated by the citizenship of the persons concerned.

2. Statistics on grants of refugee status and other forms of international protection required under Article 5.1 shall include such grants made following first instance and subsequent administrative and judicial decisions and as a result of any appeal processes.

#### *Article 6*

##### **Statistics on the prevention of illegal entry and stay**

National authorities shall supply to Eurostat statistics on the numbers of:

- a.) third-country nationals refused entry to the Member State territory at the external border;
- b.) third-country nationals found to be illegally present under national laws relating to immigration.

These statistics shall be disaggregated by citizenship of the persons concerned.

#### *Article 7*

##### **Statistics on residence permits and residence of non-EEA citizens**

1. National authorities shall supply to Eurostat statistics on:

a.) the numbers of permits authorising residence issued to persons who do not hold the citizenship of that Member State or of another country of the European Economic Area, as follows:

i.) first issue permits (permits issued on the occasion of the person first being granted permission to reside) issued during the reference period disaggregated by citizenship, by the reason for the permit being issued and by the length of validity of the permit;

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

iii.) valid permits at the reference date (number of permits issued, not withdrawn and not expired) disaggregated by citizenship by the reason for the issue of the permit and by the length of validity of the permit;

b.) the numbers of long-term residents not holding the citizenship of the Member State or of another country of the European Economic Area disaggregated by citizenship.

2. Where the national laws and administrative practices of a Member State allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, counts of such visas and grants of status are to be included in the statistics required under Article 7(1).

#### *Article 8*

##### **Returns**

National authorities shall supply to Eurostat statistics relating to the number of third-country nationals, other than persons who have previously made an application for international protection that has been rejected, who leave the territory of the Member State following an administrative or judicial order to depart, disaggregated by the citizenship of the person returned.

#### *Article 9*

##### **Additional disaggregations**

1. Subject to the implementing arrangements detailed in Article 13, further disaggregations may be specified for these statistics; in particular but not limited to

- for statistics required under Article 4(a) and Article 4(b):

region of current usual residence

- for statistics required under Article 4 and Article 7:

employment status, occupation, industry, level of education and training, year of first arrival, other socio-economic characteristics

- for statistics required under Article 4(c), Article 5, Article 6, Article 7, and Article 8:

age, sex.

2. In proposing additional disaggregations, the Commission shall consider the needs for this information to develop and monitor Community policies, and will consult with national authorities regarding the availability of appropriate data sources.

#### *Article 10*

##### **Reference periods**

1. The statistics supplied under this Regulation shall relate to reference periods of no longer than one calendar year.

2. Article 10(1) notwithstanding, the implementing arrangements detailed in Article 13 may make provision for the collection of statistics relating to reference periods of less than one year.



## *Article 11*

### **Data sources and quality standards**

1. The statistics shall be based on the following data sources according to their availability in the Member State and in accordance with national laws and practices:

- records of administrative and judicial actions;
- registers relating to administrative actions;
- registers of the population of natural persons or of a particular sub-group of that population;
- censuses; and
- sample surveys.

2. In compiling the statistics, national authorities shall report 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.

3. National authorities shall make every reasonable effort to comply with the definitions and disaggregations required in this Regulation and subsequent implementing arrangements. National authorities shall provide Eurostat at its request with all information necessary to evaluate the quality, comparability and completeness of the statistical information.

4. National authorities shall without delay inform Eurostat of revisions and corrections to the statistics supplied under this Regulation, and of any changes in the methods and data sources used.

## *Article 12*

### **Publication and dissemination**

1. The migration and asylum statistics supplied to Eurostat by the national authorities shall be disseminated without undue delay and in accordance with the principles of impartiality, reliability and statistical confidentiality established in Article 10 of Regulation (EC) 322/97.

2. Notwithstanding Article 12(1), where national authorities can demonstrate that the public dissemination of particular migration and asylum statistics may hinder the enforcement of immigration legislation, Eurostat may restrict the dissemination of such statistics to authorised users within national authorities and European Union institutions. These restrictions shall apply only to statistics relating to reference periods of less than twelve months.

## *Article 13*

### **Arrangements for implementation**

The arrangements for implementing this Regulation, in particular:

- definitions to be used;
- disaggregations and the levels of disaggregations to be applied to the variables;

- periodicity of the statistics and time limits for data transmission to the Commission;
- accuracy and quality standards;
- the appropriate formats for the transmission of data;

and

- the results to be transmitted

shall be laid down in accordance with the procedure set out in Article 14.

#### *Article 14*

##### **Procedure**

1. The Commission shall be assisted by the Statistical Programme Committee (SPC), established by Decision 89/382/EEC, Euratom<sup>8</sup>, composed of representatives of the Member States and chaired by the representative of the Commission.
2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) and Article 8 thereof.
3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be no more than three months.

#### *Article 15*

##### **Repealing provisions**

Council Regulation (EC) N° 311/76 of 9 February 1976 is hereby repealed.

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

*For the European Parliament*  
*The President*  
[...]

*For the Council*  
*The President*  
[...]

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<sup>8</sup> OJ L 181, 28.6.89, p.47.

## **Framework regulation on Community statistics on migration and asylum - Explanatory notes**

These notes are intended to provide an overview of the thinking and intentions behind the current draft of this legislation. The notes concentrate on aspects of the draft regulation that have been the subject of queries during previous technical discussions.

The draft regulation is not yet at the stage where it should be considered as a formal Commission legislative proposal. Similarly, these notes reflect current working ideas but do not form part of a formal proposal.

The explanatory notes and the current version of the framework regulation include a number of amendments made following suggestions received in written comments and at the Task Force meeting held on 26 April 2004.

### **Introduction and general points**

The framework regulation seeks to establish a comprehensive legal basis for all Community statistics on migration and asylum, representing the situation towards which Eurostat would like to work together with the national authorities. The situation with regard to the needs for different types of migration statistics and the availability of different data sources is not static. This regulation attempts to reconcile the great differences that exist across Europe in terms of administrative systems and data sources, with the increasing need for comparable migration statistics for the European Union and its Member States.

Most of the statistics covered here are based on Eurostat's existing data collections. There is not yet a collection of data on residence permits (as envisaged by Article 7). However, there is a clear need for these statistics and Eurostat intends to begin such a data collection later in 2004.

The framework regulation does not in itself place an obligation on national authorities to collect data or to supply them to Eurostat. The framework regulation instead acts as a measure that enables the Commission to work with the national authorities to define workable implementing measures that will define in detail the migration data to be collected and supplied.

It is understood that some of the statistics proposed in the regulation may currently be problematic for some Member States. It may therefore be necessary for some of the implementing measures to be delayed, to initially cover only a simplified set of variables or for lengthy transitional periods to be agreed. Decisions on this will need to be reached as a result of detailed technical discussions with the national authorities during the preparation of the implementing measures.

The implementing measures will be based on a Commission proposal that will be refined in Task Forces, Working Groups and through written consultation, and will then be the subject of a formal vote by the Member States in the Statistical Programme Committee. It is envisaged that there will be several such implementing regulations. A possibility is there would be one implementing regulation for the 'demographic' migration statistics covered by Article 4, and one for the statistics on asylum and measures against illegal entry under Articles 5 and 6. An implementing regulation for the statistics on residence permits will not be proposed for some time - until there is experience in both Eurostat and the national authorities of running a data collection on this topic.

This legislation is based on Treaty articles relating to statistics. As such, its impact is intended to be primarily statistical – possibly implying some changes to the statistical data and metadata collected, data processing methods and timetables for data supply. The legislation is not intended to compel Member

States to make changes to the administrative and legal structures in place for population registration or the management of migration and asylum. Therefore, although Article 11 obliges Member States to attempt to comply with the agreed data collections using the best existing national data, there is no obligation to make changes to administrative systems to make new sources of data available.

## **Notes on the individual articles**

### ***Article 1 - Subject matter***

Under the Treaty of Amsterdam, migration and asylum became an area of Community policy competence. Comprehensive and harmonised European statistics are required to develop and monitor policy, for research users, and for the citizen.

As observed elsewhere in these notes, the aim of the regulation is to provide a working framework under which the details of the statistical activities can be defined.

### ***Article 2 - Definitions***

“National authorities”

This definition is taken from Council Regulation on Community Statistics (Regulation (EC) 322/97). Implicit in this is that these statistics are not purely the responsibility of the National Statistical Institutes. Other parts of the national administrations are involved.

“Usual residence”

This is based on the United Nations Recommendations on Statistics of International Migration (Revision 1). Usual residence can be a complex concept – for example, in cases where a person has two or more homes or regularly travels to work in another country. This definition is based on the concept that usual residence is where the person normally sleeps.

“International immigration”

This is also based on the United Nations Recommendations. The intention is to apply a standard demographic measure of migration. Immigration is defined in terms the reporting country being the new place of usual residence.

“International emigration”

As above, the person is changing their country of usual residence. In this case, the reporting country ceases to be their place of usual residence.

“Long-term resident”

This definition is intended to apply to the statistics on residence permits collected under Article 7. It is intentionally different from the definition of usual residence given above that applies to the statistics collected under Article 4. Council Directive 2003/109/CE grants specific rights to third-country citizens who have been legally resident for a period of at least five years. Monitoring the implementation and effects of this Directive is the prime policy need for these data.

“Application for international protection”, “Applications”, “Refugee status”, “Subsidiary protection status”, “Family members”

These are defined according to existing definitions in policy legislation. The aim has been to more closely link the definitions used for statistics to those used in the administration of asylum. This is intended to facilitate the collection of statistics and also to render the statistics more relevant to all groups of users.

“Temporary protection”

This is defined in Council Directive 2001/55/EC as a *‘procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection’*.

Clearly, according to this definition, temporary protection would only be granted by the Member States in exceptional circumstances, and the statistics would only be required as and when such a situation existed.

“Unaccompanied minor”

This is defined in EU policy legislation on asylum as a person less than 18 years of age. In some cases, there may be doubts as to the true age of the person concerned. Resolving cases where the age is disputed may take some time. It is intended that this definition should be based on the age which is accepted by the reporting country for its own statistics. It is understood that in many Member States, this is based on the claimed age.

"Return"

This definition is intended to exclude those who depart on a voluntary basis (except as part of an official scheme for voluntary return) and whose departure is unrecorded.

### **Article 3 - Scope**

This article defines the statistics that are covered by the regulation.

The statistics are intended to cover both immigration to and emigration from the reporting Member State, regardless of whether the migration flow is to or from another Member State or a Third Country.

‘any period after 31 December 2005’ in Article 3(2) refers to the beginning of the earliest possible reference period for statistics to be required under this regulation. This does not mean that all of the statistics referred to in this Regulation are required from this date onwards. In practice, reference dates for the statistics to be supplied will be defined as part of the implementing measures – however, these reference dates can not be earlier than the beginning of 2006.

‘administrative and judicial procedures and processes’ is intended to describe the actions by the various competent national authorities involved in the control and management of immigration, prevention of illegal immigration, the granting of citizenship and asylum.

Included in this are actions that have an external output or result - such as an assessment of a claim for international protection, the issue of a residence permit, or the naturalisation of a foreign citizen.

Excluded from the scope of this Regulation are statistics on the internal administrative or management procedures of the competent national authority. For example, it is not the intention that this Regulation would cover management information on the time taken to assess an asylum application or to process an application for a residence permit.

#### ***Article 4 - Statistics on migration, usually resident population and acquisition of citizenship***

The statistics covered by Article 4 are based on the data already requested by Eurostat as part of the Joint Annual Migration Data questionnaire. The main proposed addition to existing practice is to collect migration flow data with a disaggregation by country of birth. This has been proposed following suggestions by the Task Force that the statistics on flows be brought more closely into line with the statistics on migrant stocks – where country of birth is already collected.

It is only intended that these statistics will relate to legal or recorded migration. National authorities will not be required to make allowances or adjustments to account for illegal or undocumented migration.

The data under Article 4 have clear demographic uses – such as for the preparation of population projections that will be used in many vital areas of public policy and planning. The increasing importance of migration as a factor of population change means that it is important to have these data to allow the calculation of reliable projections.

Questions have been raised relating to the potential difficulties of collecting information on persons of all citizenships or countries of birth (including nationals and citizens of other EU Member States), and whether these difficulties were outweighed by the value of having information of all migrants. For population estimates and projections, information is needed on all migrants – including nationals returning to their country of citizenship or birth. Furthermore, information on flows of EU citizens between the Member States is needed in relation to policies on freedom of establishment and free movement of workers.

#### ***Article 5 – Statistics on asylum***

These statistics are based mainly on Eurostat's existing monthly data collection on asylum. Some additional statistics are covered in this regulation where there is a clear need for this new information. As noted in the section above concerning definitions, there has been an emphasis on linking the statistics and their definitions as closely as possible to asylum legislation and practice.

There are understood to be differences in national approaches when deciding whether a person is an unaccompanied minor – for example, whether this should be based on claimed or documented age. The intention is to collect statistics on the number of persons who are considered by the national authority to be unaccompanied minors.

An addition under this article is that statistics should also be collected on actions under the Dublin II legislation. Eurostat will shortly begin a pilot collection of these data. These additional statistics will allow a more comprehensive picture of actions under the asylum system in the EU. To understand properly asylum in Europe, there is a need to know about the number of cases where a Member State claims not to be responsible for assessing an application and requests that another Member State take responsibility for an applicant.

Counts of the numbers of decisions also include those decisions where an application is deemed to be inadmissible. The fact that an application may be inadmissible is already covered by EU legislation on asylum. Two of the main reasons for an application being inadmissible relate to cases transferred under the Dublin II legislation and safe third country cases.

The article also covers statistics on persons accepted for resettlement. Proposed new EU legislation relating to the European Refugee Fund makes provision for the number of refugees accepted for resettlement to be taken into account when allocating money to the Member States. It is therefore desirable that resettlement should be covered by the statistics legislation.



### ***Article 6 - Statistics on the prevention of illegal entry and stay***

These statistics are based on tables M1 and M2 of the CIREFI monthly data collection on enforcement measures against illegal entry. These statistics are provided to Eurostat by Ministries of the Interior and related agencies.

### ***Article 7 - Statistics on residence permits and residence of non-EEA citizens***

The statistics covered this article relate specifically to permits issued to non-EEA citizens.

The potential value of collecting statistics on residence permits has been acknowledged by a number of national, EU and international bodies. Although it is understood that the number of permits issued is not a direct measure of migration, it can serve as a harmonised indicator of the scale and pattern of migration, as well as the reasons for migration. Many different categories of permit are issued by the different Member States, with differing rules relating to reasons for issue, permit duration and renewal. However, there is a move towards increasing harmonisation of immigration systems in the EU, notably through the introduction of a common format residence permit.

As a full data collection on residence permits has not yet begun, it is recognised that it will be several years before an implementing regulation covering Article 7 can be introduced. An implementing measure will not be proposed until there is much clearer information about the permit systems that are in place at national level, allowing workable categories of permits to be defined for the statistics.

It is expected that the most of the permits recorded in these statistics will be based on the European common format. However, there will be a need for the statistics to reflect other types of permit that may be issued.

Article 7(1)a covers the first issue of residence permits and permits issued as a result of a person changing their reason for residence - for example, a person who previously held a student permit being granted one for employment. Excluded from these statistics are reissues or renewals of permit without in a change in the reason for the permit being issued.

A stock figure - permits valid at the reference date is also included.

Article 7(1)b includes statistics on persons who are long-term legal residents. As noted above, these are defined as persons who have been legally resident in the Member State for at least five years. Such persons have specific rights under Community law.

Article 7(2) has been added to clarify the situation where a Member State issues long-term visas or grants notifications of immigration status that have the same role as a physical permit. It is intended that where these visas or grants of status take the place of residence permits, they should be counted in these statistics.

### ***Article 8 - Returns***

The statistics covered by this article cover third-country nationals who leave the Member States having been ordered to depart. As noted in the definition of return, those who leave on a voluntary basis where the departure is not recorded are not covered by these statistics.

### ***Article 9 - Additional disaggregations***

For many users, it is not sufficient to know just the number of migrants; information is also needed, for example, about migrants' education and participation in the labour market.

Article 9 therefore makes provision for Eurostat to propose new disaggregations that will be applied to the statistics. Almost certainly, these would apply only to future revisions to the implementing measures.

The particular additional disaggregations given in this article are those where there is a clear need for the information. It is understood, however, that some of these disaggregations are not currently feasible for some Member States - in some cases due to the non-availability of appropriate data sources. For this reason, the additional disaggregations have been listed in a separate article, to indicate that these are desirable future developments and not to be introduced in the immediate future. Eurostat would wish to continue to work closely with the national authorities to explore whether these additional disaggregations could be introduced at a later stage.

Article 9(2) places a clear duty on Eurostat to consult closely with the national authorities regarding the feasibility of the disaggregations and the availability of suitable data. A balance will need to be reached between the potential value of the statistics and the difficulties that their collection would entail.

### **Article 10 –Reference periods**

For most migration statistics, and for most users of these statistics, a priority is to have good quality annual data. Article 10(1) therefore states that the reference period for the statistics collected shall be no longer than one year.

The collection of monthly or quarterly data places significant resource burdens on both national and Community authorities, and should only be undertaken where there is an obvious need for data to be supplied more frequently.

It is likely that Eurostat will propose monthly or quarterly data reference periods for some of the statistics on asylum and enforcement measures against illegal entry. This is in line with the existing data collections. However, a general approach for the implementing measures will be that annual statistics are required, except where shorter (monthly or quarterly) reference periods can be readily justified.

The time limits for data supply are to be defined in the implementing measures.

### ***Article 11 - Data sources and quality standards***

It is recognised that many different types of data source are currently used by the Member States in producing migration statistics. It is not intended that this legislation will force the introduction of a new administrative process to allow different data to be collected. Instead, the national authorities are obliged to make every effort to comply with the requirements of the data collections, making best use of the existing national data.

It is important the Eurostat and users of the statistics should have full information about the data sources used and whether these sources are likely cause any divergence from the agreed statistical definitions. Migration data are often the subject of corrections and revisions. To ensure consistency in the statistics, it is also important that Eurostat should receive these corrected or revised data without delay.

### ***Article 12 – Publication and dissemination***

Article 12 places a duty on Eurostat to publish the statistics supplied by the national authorities in a timely manner, applying good statistical practice with regard to impartiality, statistical reliability and the protection of individual confidentiality. When planning publications, Eurostat will liaise with national authorities – in particular to avoid situations in which statistics might be misinterpreted by users.

The particular sensitivity of statistics in this domain is recognised. Under Article 12(2), the release of some statistics relating to short time periods might be restricted to official users if publication might interfere with measures related to the enforcement of immigration laws.

### ***Article 13 – Arrangements for implementation***

Article 13 defines a number of areas that will be the subject of detailed discussion with national authorities when the implementing measures are proposed. In preparing the implementing measures, Eurostat shall undertake in-depth technical discussions with national authorities. Eurostat's intention is that the measures contained in the implementing measures should be both feasible and practical.

### ***Article 14 – Procedure***

This article relates to the legal procedures to be followed with relation to the implementing measures.

Following detailed technical discussion in writing and at Task Force and Working Group meetings, the proposals for implementing measures would be the subject of a formal vote by Member State representatives in the Statistical Programme Committee (SPC).

At the SPC, Member States are represented by the Directors General of the National Statistical Institutes. For a topic such as migration and asylum, where the work has implications for other parts of the national administration, it is usual for the members of the SPC to be advised by representatives of the relevant national bodies – in this case probably the Ministry of Interior.

### ***Article 15 - Repealing provisions***

Regulation 311/76 relates to a collection of data on migrant workers. This information is now covered by the supply of Labour Force Survey data to Eurostat.

# APPENDIX B

REPLY DATED 10/9/04 FROM THE MINISTRY OF  
PUBLIC ORDER, HELLENIC REPUBLIC

ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ  
ΥΠΟΥΡΓΕΙΟ ΔΗΜΟΣΙΑΣ ΤΑΞΕΩΣ  
ΑΡΧΗΓΕΙΟ ΕΛΛΗΝΙΚΗΣ ΑΣΤΥΝΟΜΙΑΣ  
ΚΛΑΔΟΣ ΑΣΦΑΛΕΙΑΣ ΚΑΙ ΤΑΞΗΣ  
ΔΙΕΥΘΥΝΣΗ ΑΛΛΟΔΑΠΩΝ  
1<sup>Ο</sup> ΤΜΗΜΑ ΜΕΤ-ΣΗΣ - Δ-ΚΩΝ ΜΕΤΡΩΝ  
ΓΡΑΦΕΙΟ 2<sup>Ο</sup>

Π. Κανελλοπούλου 4 - 101 77 ΑΘΗΝΑ  
Αρμόδιος :  
Τηλέφωνο: 69.28.183

Αθήνα, .....10-9-..... 2004.

ΠΡΟΣ: *Ινστιτούτο Αστικού Περιβάλλοντος  
και Ανθρώπινου Δυναμικού  
Πάντειο Πανεπιστήμιο  
Αριστοτέλους αρ. 14  
Τ.Κ.176 71 ΚΑΛΛΙΘΕΑ*

Αριθ. Πρωτ : 9100/3-476999

ΘΕΜΑ: \*Παροχή στατιστικών στοιχείων\*.

ΣΧΕΤ.: Η από 24-08-2004 επιστολή σας.

Σε απάντηση ανωτέρω σχετικής, παραθέτουμε κατωτέρω στατιστικά στοιχεία που έχουν καταχωρηθεί από την υπηρεσία μας:

1.- Αριθμός χορηγηθεισών, από υπηρεσίες μας, αδειών παραμονής σε αλλοδαπούς για τα έτη 1991 έως και 2001. Σημειώνεται ότι, μετά την εφαρμογή του ν. 2910/2001, η τακτοποίηση των πολιτών τρίτων χωρών γίνεται από τις υπηρεσίες του ΥΠ.ΕΣ.Δ.Δ.Α..

Έτος 1991	87675	Έτος 1992	85543
Έτος 1993	71792	Έτος 1994	73313
Έτος 1995	70324	Έτος 1996	66548
Έτος 1997	65858	Έτος 1998	39780
Έτος 1999	3119	Έτος 2000	5629
Έτος 2001	1177	Έτος 2002	-----

2.- Αριθμός χορηγηθεισών αδειών διαμονής σε πολίτες χωρών-μελών της Ευρωπαϊκής Ένωσης για τα έτη 1991 μέχρι και 2003.

Έτος 1991	06	Έτος 1992	26
Έτος 1993	50	Έτος 1994	29
Έτος 1995	19	Έτος 1996	77
Έτος 1997	107	Έτος 1998	484
Έτος 1999	987	Έτος 2000	254
Έτος 2001	1471	Έτος 2002	3026
Έτος 2003	3692		

3.- Αριθμός αλλοδαπών στους οποίους απαγορεύθηκε η είσοδος στη χώρα μας για τα έτη 2000 μέχρι 2003 (Δεν υπάρχουν στοιχεία προηγούμενων ετών).

Έτος 2000	8691	Έτος 2001	16018
Έτος 2002	19362	Έτος 2003	13714



4.- Στατιστικά στοιχεία που αφορούν το Άσυλο.

ΕΤΗ	ΑΙΤΗΣΕΙΣ	ΑΙΤΗΣΕΙΣ ΑΠΟ ΑΞΥΝΟΔΕΥΤΟΥΣ ΑΝΗΛΙΚΟΥΣ	ΑΠΟΦΑΣΕΙΣ	ΧΟΡΗΓΗΣΕΙΣ	ΑΝΑΚΛΗΣΕΙΣ	ΑΝΘΡΩΠΙΣΤΙΚΟ ΚΑΘΕΣΤΩΣ
1991	2672	---	5329	123	---	---
1992	1972	---	1799	62	---	---
1993	830	---	799	46	---	---
1994	1287	---	487	170	---	---
1995	1280	---	1299	202	---	---
1996	1634	---	993	139	---	---
1997	4376	---	2357	130	6	613
1998	2953	---	3904	156	0	386
1998	1528	22	1716	146	2	407
2000	3083	135	1969	222	1	175
2001	5499	206	1312	147	3	233
2002	5664	247	9378	36	2	111
2003	8178	314	4779*	4*	1	36*

\* Στοιχεία όχι οριστικά

--- Δεν υπάρχουν στοιχεία

5.- Στατιστικά που αφορούν τον αριθμό συλληφθέντων προς απέλαση αλλοδαπών.

Έτος 1991	6354	Έτος 1992	8044
Έτος 1993	9144	Έτος 1994	10701
Έτος 1995	13612	Έτος 1996	21646
Έτος 1997	21218	Έτος 1998	15544
Έτος 1999	22394	Έτος 2000	27942
Έτος 2001	20343	Έτος 2002	27459
Έτος 2003	29527		

Παρακαλούμε για την ενημέρωσή σας.



**Ο ΔΙΕΥΘΥΝΤΗΣ**  
Γεώργιος Φ. ΜΗΤΡΟΠΟΥΛΟΣ  
Ταξίαρχος