

EUROPEAN PARLIAMENT

1999



2004

Session document

FINAL
A5-0352/2003

9 October 2003

REPORT

on the Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration
(2003/2157(INI))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Arie M. Oostlander

PR_INI

CONTENTS

| | Page |
|--|------|
| PROCEDURAL PAGE | 4 |
| DRAFT EUROPEAN PARLIAMENT RESOLUTION | 5 |
| EXPLANATORY STATEMENT | 9 |
| OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES..... | 12 |

PROCEDURAL PAGE

At the sitting of 4 September 2003 the President of Parliament announced that the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs had been authorised to draw up an own-initiative report under Rule 163 on the Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration and that the Committee on Economic and Monetary Affairs and the Committee on Women's Rights and Equal Opportunities had been asked for their opinions.

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs had appointed Arie M. Oostlander rapporteur at its meeting of 19 May 2003.

The committee considered the draft report at its meetings of 9 September and 7 October 2003.

At the last meeting it adopted the draft resolution by 27 votes to 3, with no abstentions.

The following were present for the vote: Jorge Salvador Hernández Mollar (chairman), Robert J.E. Evans (vice-chairman), Arie M. Oostlander (rapporteur), Regina Bastos (for Carlos Coelho pursuant to Rule 153(2)), Maria Berger (for Margot Keßler), Alima Boumediene-Thiery, Giuseppe Brienza, Kathalijne Maria Buitenweg (for Pierre Jonckheer), Marco Cappato (for Mario Borghezio), Michael Cashman, Charlotte Cederschiöld, Carmen Cerdeira Morterero, Ozan Ceyhun, Gérard M.J. Deprez, Giuseppe Di Lello Finuoli, Marie-Thérèse Hermange (for Thierry Cornillet), Alain Krivine (for Fodé Sylla), Lucio Manisco (for Ole Krarup), Bill Newton Dunn, Marcelino Oreja Arburúa, Elena Ornella Paciotti, Hubert Pirker, Martine Roure, Heide Rühle, Francesco Rutelli, Giacomo Santini, Patsy Sørensen, Joke Swiebel, Maurizio Turco and Christian Ulrik von Boetticher.

The opinion of the Committee on Women's Rights and Equal Opportunities is attached. The Committee on Economic and Monetary Affairs decided on 4 June 2003 not to deliver an opinion.

The report was tabled on 9 October 2003.

DRAFT EUROPEAN PARLIAMENT RESOLUTION

on the Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration (2003/0179(INI))

The European Parliament,

- having regard to the Communication from the Commission COM(2003) 179,
 - having regard to the conclusions of the European Council meetings of 16 October 1999 in Tampere and of 20 June 2003 in Thessaloniki,
 - having regard to the conclusions of the JHA Council of 28-29 May 2001,
 - having regard to the UN recommendations relating to statistics on international migration (1998 General Assembly),
 - having regard to Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinion of the Committee on Women's Rights and Equal Opportunities (A5-0352/2003),
- A. whereas clear, comprehensive, reliable and comparable statistics are of crucial importance if a proper solution is to be found to the various policy problems arising from the migration phenomenon,
- B. whereas, in its conclusions, the Tampere European Council (15 and 16 October 1999) emphasised the need for transparency with regard to asylum and migration policy as well, and whether exceptions to the rule are admitted only where confidential data relating to individuals is involved,
- C. whereas, in some instances, Eurostat receives inadequate or insufficiently appropriate and unequivocal information from the various actors because those actors constantly use differing definitions, which leads to the international comparison of data and, hence, to the efficacy of policy forms being impaired,
- D. whereas the activities outlined in this Action Plan require full and active cooperation from the competent national authorities, but whereas such cooperation cannot be totally successful until the Member States coordinate their priorities, interests and definitions,
- E. whereas that is the reason why the Commission wishes to organise a debate so as to verify whether Community legislation and harmonisation in the field of statistics would be useful in order, firstly, to prevent duplication of effort and, secondly, to bring definitions and practices into line with each other so that all the actors are ready and able to publish accurate figures,
- F. whereas illegal migration cannot be measured accurately, but whereas estimates do exist

which form some kind of basis on which to establish policy,

- G. whereas statistics on illegal migration, where they actually exist, are sometimes not published because they are deemed to constitute sensitive information,
- H. whereas in order to develop efficient and targeted measures to prevent trafficking in women, there is a need for improved data, research, and analysis, including on the character and scale of trafficking,
- I. whereas, in its recommendation on statistics relating to international migration, the United Nations proposes practices for the collection of statistics at regional level,
- J. whereas the Eurodac system may also supply information at Union level which might be useful for supplementing statistics,
- K. whereas implementation of the Action Plan for the collection of statistics would result in a significant increase in activities and in statistical outputs, but whereas it is not clear whether adequate funding is available for that purpose,
- L. whereas the phenomenon of smuggling and trafficking in human beings mainly concern women and children for the purpose of sexual exploitation and slavery, and is mainly controlled by criminal networks which dismantling requires information,
- M. whereas data and statistics will help to shed more light on trafficking in women and children for the purpose of sexual exploitation and slavery,
- N. whereas the lack of reliable data and statistics has prevented to measure the magnitude of the phenomenon and to act effectively against trafficking in women and children,

Role of statistics in migration

1. Welcomes the Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration, agrees with it in principle but regrets the delay in its presentation, given that the Action Plan covers the period 2002-2004 and that the Communication is dated April 2003;
2. Encourages the rapid and complete implementation of the statistics action plan to strengthen the Union's ability to gather, exchange and process information on illegal immigration and in particular, trafficking in women and children;
3. Takes the view that statistics in the field of migration in the European Union make a crucial contribution to the establishment of an effective, fair and socially responsible Community policy on migration;
4. Recalls the gender differences in the reasons for migration, types of migration, as well as in conditions in which women and men migrants live and therefore insists on the importance of gathering gender-based statistics as a tool to monitor and evaluate policies and measures in this field;

5. Agrees with the Council that Eurostat constitutes the principal source of Community statistics in this field but that it is initially for the Commission to propose further measures to improve statistics and information exchange, with a view to the communitisation of asylum and immigration policy;
6. Points out that, to date, not all the Member States are supplying comprehensive information to Eurostat and that no progress is possible without proper cooperation from the Member States;
7. Takes the view that the new European Migration Network will be able to fulfil the role previously conferred on the European Migration Monitoring Centre;

Transparency

8. Takes the view that all statistics must be transparent, i.e. they must be accessible and intelligible to the general public, with any exceptions to that role being accepted only in instances where the privacy of the individual is at stake;
9. Notes the concerns of non-governmental organisations to share data on victims of smuggling and trafficking with Member States, given that it is of the utmost importance to assure confidentiality of this information;

Avoidance of duplication of effort

10. Underlines that although non-governmental organisations have information on smuggling and trafficking, this information is yet not collected in a systematic manner;
11. Notes that various governmental and non-governmental organisations publish statistics which are difficult to read together, for example because they sometimes provide information about asylum requests but not about temporary protection;
12. Sees Eurostat being given a coordinating role in the publication of clear, comprehensive, objective and comparable statistics, with no actor, as a data provider, being able to claim a pre-eminent role;
13. Takes the view that the utmost attention must be paid to the integrity of Eurostat as an organisation in order to guarantee confidence in the data published;
14. Believes that statistics on migration must be compiled on a monthly basis so that they may be used in the longer term for the devising of a coherent and responsible policy;

Possible future legislation

15. Notes that the current gentleman's agreements no longer meet requirements; takes the view, therefore, that binding European legislation is required so that European Union policy as a whole is not adversely affected by the failure of one or more Member States to fulfil their obligations;
16. Supports the Commission in its plans to propose legislation but hopes that its draft will be flexible enough for such legislation it to be adjusted on an ongoing basis so as to take

account of improvements in practices and that the publication of statistics will not become a tool for the manipulation of policy or of public opinion;

17. Invites the Commission to base its proposed legislation on the UN recommendations on statistics in the field of international migration (New York, 1998), so that the connection with statistics published on an international basis and on a regional basis is strengthened;

Illegal migration

18. Understands the Council's view that some data concerning illegal migration is sensitive but takes the view that that view must not be used as a pretext for not supplying Eurostat with general statistics, since such statistics are required if the Union is to be able to find proper answers to trends in illegal migration;
19. Stresses the importance of comparable statistics at EU and international level, particularly relevant to evaluate and analyse the phenomenon of illegal immigration and trafficking in human beings;
20. Sees that statistics compiled by Member States and non-governmental organisations should be combined in order to obtain a more complete picture of the phenomenon of trafficking in human beings with particular attention to women and children;
21. Calls on the Commission to investigate whether Eurodac might be involved as a provider of certain data;
22. Calls on the Commission to investigate also the integration of EUROPOL, as a data provider on immigrant smuggling and trafficking in human beings with particular attention to women and children;
23. Calls on the Commission to take the necessary initiatives based on the Brussels Declaration on Preventing and Combating Trafficking in Human Beings, in particular, on the establishment of a European database for missing persons, in conjunction with INTERPOL and EUROPOL, which would include specially recorded details of missing persons that are believed to be victims of traffickers;

Funding

24. Calls on the Commission to clarify which budget lines will be used to fund this Action Plan and whether expenditure connected with the collection and dissemination of statistics might be covered by the appropriations allocated to the European Migration Network;
17. Instructs its President to forward this resolution to the Council and Commission.

EXPLANATORY STATEMENT

The Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration pursues twin objectives. Firstly, it aims to present an Action Plan designed to develop and improve Community statistics and the analysis thereof in the field of asylum and migration. Secondly, it aims to spark off a debate on the form of, and the most important principles underpinning, any possible future legislation which would apply to all statistical activities in that field.

The Communication claims that significant progress has already been made. The twin objectives of the 1998 Plan have been attained: the introduction of the collection of monthly statistics by the Commission (Eurostat) and the extension thereof to the applicant countries and to Norway and Iceland. Nevertheless, there is still a lack of clarity with regard to these statistics. For example, some countries apply differing criteria when calculating the number of migrants or defining certain groups thereof.

The Action plan includes five points:

- A. the adoption of new practices, common statistical methods and new forms of cooperation. This will lay the foundations for future work which will have a legal basis;
- B. activities to enhance information exchange and promote decision-making. This will include annual meetings and ad hoc seminars bringing together, under the aegis of the Commission, the Member States and other providers (the applicant countries, Norway and Iceland) and other relevant actors (UNHCR, OECD, IOM, etc.) and potential new providers;
- C. changes in the current data collection or database. This includes the extension of all data collection to include data on legal entry and stay, second-instance asylum decisions and data on the implementation of procedures, criteria and mechanisms for deciding which Member State is responsible for the consideration of asylum applications. (Such data is collected at national but not at European level);
- D. production of user-friendly statistical outputs by the Commission (Eurostat). This implies the production of a variety of statistical outputs with the aim of meeting the needs of all groups of users of the statistics;
- E. action relating to the legal and political framework. This includes the adoption of Community legislation on statistics and the implementation of this Action Plan.

The first three actions are closely connected with the development of the European Migration Network, which will gradually and systematically constitute the point of departure for following up and analysing issues involving migration and asylum. It consists of a network of national contact points, chaired by the Commission. The Thessaloniki Council welcomed the new European Migration Network and specifically referred to the importance of monitoring and analysing the multidimensional migration phenomenon. The European Council will also consider the possibility of setting up a permanent structure in the future (see point 34 of the Conclusions).

Standardisation of statistics

Every organisation or national authority takes a different starting point and uses varying definitions and parameters for the publication of its statistics. Of course, all statistics that are produced have their value and are promoted by those generating them. But they are not neutral, and one unfortunate consequence thereof is that they cannot always be used for the drawing of comparisons. What is more, the analysis thereof is frequently brief, and there is not enough room for comparisons in the longer term. For example, statistics collected in one month are compared with those for the previous month, but not with those for the previous year!

Avoidance of duplication of effort and connection with policy

The major criticism of this Communication is that it says things twice, in other words, there is a duplication of effort. It is stated that various governmental and non-governmental organisations publish statistics. However, behind each set of published statistics there lurks a specific concept with the aim of channelling policy in a particular direction. Clear figures are produced in order to show that the asylum problem in some countries is not so bad as certain politicians would have us believe (or the opposite).

The JHA Council is also aware of this and, according to the conclusions of its meeting of 28-29 May 2001, is calling for a network of statistical experts to improve the efficacy and comparability of statistics by playing a coordinating role between the Member States, the Commission and other relevant actors (including international organisations). That role is now earmarked for the European Migration Network.

The harmonisation of statistics comes up against a second problem. There is not just a problem of definition and criteria, there is also a problem of the connection between statistics on migration and the devising of a policy. Each actor publishing statistics also promotes them strongly. It is possible that those actors wish to channel policy in one particular direction. Their statistics have their own agenda and are therefore not objective. That is the reason why progress is so slow in the harmonisation of statistics. If the communitisation of the policy on migration is shortly to be established, it is clear that there is little time remaining in which to achieve progress.

Accordingly, the Commission is planning to propose in the near future legislation to cover all statistical activities in this field. This would be a binding instrument requiring the Member States to use well-defined practices and, above all, definitions. Parliament must support this plan. Good legislation in this area is not easy, because it must be flexible enough to cope with improvements in practices and it must also ensure that the statistics cannot be easily

manipulated. In New York, in 1998, the UN adopted recommendations relating to statistics on international migration. Wherever possible, Eurostat already uses them.

Illegal migration

For the casual reader, statistics are anonymous figures. Of course, such anonymity serves to maintain confidentiality. When the national authorities (or non-governmental organisations) forward their data to Eurostat, there is no reason for Eurostat to be given access to detailed statistics with which that Commission Directorate-General cannot do much. This is comparable with population censuses, where the law on privacy is also not breached at all.

By definition, illegal migration cannot be measured. The best that we may achieve are estimates or indirect measurements (for example, via seasonal work). Here, too, best practice must apply. Perhaps Eurodac may make an active contribution to the production of better statistics by defining different parameters. The aim is to prevent any manipulation of the figures.

Funding

With regard to funding, the Commission states in its Communication that current activities are financed through the European Refugee Fund and the budget line for the European Migration Monitoring Centre. Implementation of the Action Plan will result in a considerable increase in activities and in statistical outputs. The reform of future budgetary rules cannot be ruled out. It is not clear how this will be achieved in practice. It is clear that many meetings will be held at expert level. The question is whether this is necessary, particularly since many statistics are disseminated electronically.

2 October 2003

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the Communication from the Commission to the Council and the European Parliament to present an Action Plan for the collection and analysis of Community Statistics in the field of migration
(2003/2157(INI))

Draftsperson: Johanna L.A. Boogerd-Quaak

PROCEDURE

The Committee on Women's Rights and Equal Opportunities appointed Johanna L.A. Boogerd-Quaak draftsperson at its meeting of 11 September 2003.

It considered the draft opinion at its meetings of 11 September and 2 October 2003.

At the latter/last meeting it adopted the following conclusions unanimously, with one abstention.

The following were present for the vote: Anna Karamanou (chairperson), Olga Zrihen (vice-chairperson), Johanna L.A. Boogerd-Quaak (draftsperson), Ulla Maija Aaltonen, María Antonia Avilés Perea, Regina Bastos, Armonia Bordes, Lone Dybkjær, Ilda Figueiredo (for Geneviève Fraisse), Fiorella Ghilardotti, Rodi Kratsa-Tsagaropoulou, Thomas Mann, Maria Martens, Ria G.H.C. Oomen-Ruijten (for Emilia Franziska Müller), Miet Smet, Patsy Sörensen, Joke Swiebel, Feleknas Uca, Elena Valenciano Martínez-Orozco and Sabine Zissener.

CONCLUSIONS

The Committee on Women's Rights and Equal Opportunities calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following points in its motion for a resolution:

- A. whereas the phenomenon of smuggling and trafficking in human beings mainly concern women and children for the purpose of sexual exploitation and slavery, and is mainly controlled by criminal networks which dismantling requires information,
- B. whereas data and statistics will help to shed more light on trafficking in women and children for the purpose of sexual exploitation and slavery,
- C. whereas in order to develop efficient and targeted measures to prevent trafficking in women, there is a need for improved data, research, and analysis, including on the character and scale of trafficking,
- D. whereas the lack of reliable data and statistics has prevented to measure the magnitude of the phenomenon and to act effectively against trafficking in women and children,

Role of statistics in migration

- 1. Encourages the rapid and complete implementation of the statistics action plan to strengthen the Union's ability to gather, exchange and process information on illegal immigration and in particular, trafficking in women and children;
- 2. Recalls the gender differences in the reasons for migration, types of migration, as well as in conditions in which women and men migrants live and therefore insists on the importance of gathering gender-based statistics as a tool to monitor and evaluate policies and measures in this field;
- 3. Stresses the importance of comparable statistics at EU and international level, particularly relevant to evaluate and analyse the phenomenon of illegal immigration and trafficking in human beings;

Transparency

- 4. Notes the concerns of non-governmental organisations to share data on victims of smuggling and trafficking with Member States, given that it is of the utmost importance to assure confidentiality of this information;

Avoidance of duplication of effort

- 5. Underlines that although non-governmental organisations have information on smuggling and trafficking, this information is yet not collected in a systematic manner;

6. Sees that statistics compiled by Member States and non-governmental organisations should be combined in order to obtain a more complete picture of the phenomenon of trafficking in human beings with particular attention to women and children;
7. Calls on the Commission to investigate also the integration of EUROPOL, as a data provider on immigrant smuggling and trafficking in human beings with particular attention to women and children;
8. Calls on the Commission to take the necessary initiatives based on the Brussels Declaration on Preventing and Combating Trafficking in Human Beings, in particular, on the establishment of a European database for missing persons, in conjunction with INTERPOL and EUROPOL, which would include specially recorded details of missing persons that are believed to be victims of traffickers.