



**Annual Report on Asylum and Migration Statistics 2008**

**Annual Report on Migration and International Protection Statistics for  
Hungary**

**Reference Year: 2008**



Co-financed by the European Commission

## 1. INTRODUCTION

*Provide a general introduction to your National Report, including its aims, structure. This could be aimed in particular to a reader interested only in the situation in your Member State.*

This report provides an analysis of statistics relating to migration and asylum in the Republic of Hungary. At the outset we would like to note that data is not available on all of the requested items, including residence permits, illegal stay and entry, and in some cases applications for international protection. In many cases the data from 2008 is not comparable to the figures provided in the previous year given that aggregated data was not yet collected in 2007 in compliance with the Statistical Regulation (Regulation (EC) No 862/2007).

The development of migration policy and legislation was largely shaped by Hungary's accession to the European Union in May 2004 and to the Schengen zone in December 2007. In order to comply with the *acquis*, necessary changes in the legislation and in the structure of the authorities had to be carried out both during the harmonization process before the EU accession and by transposing the relevant EU directives that were adopted since 2004 at EU level.

Regarding the legal system and the relevant legislation in the field of migration and asylum, the most important steps were taken in the course of 2007. On 1 July 2007 two new legislative acts on immigration entered into force replacing the previous single Act XXXIX of 2001 on the Entry and Stay of Foreigners. In May 2007 the Government presented a proposal for a new Act on Asylum to the Hungarian Parliament. The need for the reform of the Asylum Act arose due to the entry into force of the EU Qualification Directive and the Procedures Directive, as well as the new Hungarian Act on the General Rules of Public Proceedings and Services. The **new Act on Asylum** was adopted by the Parliament in June 2007, and **entered into force on 1st January 2008**.

**Act I of 2007 and its executing Government Decree 113/2007. (V.24.)** regulate the entry and residence of persons enjoying the right to free movement and the entry and residence of their family members; whereas **Act II of 2007 and its executing Government Decree 114/2007. (V.24.)** regulate the entry and residence of third-country nationals. The new Act on Asylum, namely Act LXXX of 2007 and its implementing Government Decree 301/2007 (XI.



9.) entered into force on 1 January 2008 and replaced the previous Act CXXXIX of 1997 on Asylum. The new act sets down the basic principles and the most important guidelines to follow in the area of asylum fully in line with the relevant EU directives.

As regards the institutional aspect and the main actors involved, it is the Ministry of Justice and Law Enforcement that is responsible for setting the policy guidelines and for carrying out legislative tasks in the area of migration and asylum.

In Hungary, the **immigration records reveal a stable pattern of immigrants** arriving from key countries in the region. In 2008, the overwhelming majority of immigrants were of European origin, and the rest of them came from Asia. The **legally-resident population** in the Republic of Hungary **has slightly dropped** during the period in question reaching 10 030 975 million in January 2008. Regarding **immigration flows a slight decrease** can be observed from 2005 to 2008.

Figures for the **total number of asylum applications fell** during 2008 representing a 9 % drop compared to the figures of the previous year. The decrease reflected legislative changes concerning subsequent applications. Regarding the **number of new asylum applications** in 2008, an increase of 40 % can be observed compared to the number of new asylum applications in 2007. Hence, we can conclude that the multiannual (2004-2008) trend as regards the **gradual increase of first asylum applications** still persists. **A significant raise in the number of illegally arriving asylum seekers can also be perceived.**

Regarding **Dublin transfers** there is a **43.2 % increase** compared to last previous year, and an increase of 40.7% as regards the number of accepted requests (747), a 65% increase regarding refused requests (182) can also be observed.

Regarding the data on **illegal stay and entry**, there has been a significant decrease compared to the previous year in the number of aliens who were not allowed to enter the territory of Hungary and were refused. This is due to Hungary's accession to the Schengen Area on 21 December 2007 resulting in a significant downward trend in the border crossing traffic in 2008 (71% decrease compared to 2007).



## 2. METHODOLOGY

*Outline methodology followed in the production of your National Report, including in the verification of your data. Definitions used should be as given in Article 2 of the Migratory Statistics Regulation 862/2007 (hereinafter referred to as "the Regulation") and, referring to Article 9 of the Regulation, include the sources used for data highlighting any that are different from those given in this Article, their reliability, any changes in definitions compared to previous years, what (if any) caveats should be applied and any difficulties encountered. If possible, include also any experiences with regard to the provision of data in accordance with the Regulation.*

The majority of the data supplied in this national report have been supplied by relevant national data providers to Eurostat, specifically the Office of Immigration and Nationality (hereinafter referred to as: OIN), the Central Statistical Office and the Hungarian Police. Other sources used for this report include published sources, such as the annual report of the OIN given that these reports contain reliable analyses of migration and asylum trends.

Please note that data is not available on all of the requested items, including residence permits illegal stay and entry, and in some cases applications for international protection. In many cases the data from 2008 is not comparable to the figures provided in the previous year given that aggregated data was not yet collected in 2007 in compliance with the Statistical Regulation (Regulation (EC) No 862/2007).



### **3. INTERNATIONAL MIGRATION, USUALLY RESIDENT POPULATION AND ACQUISITION OF CITIZENSHIP (ARTICLE 3)<sup>1</sup>**

*Note that, in accordance with Article 3 of the Migratory Statistics Regulation (862/2007), asylum applicants should be counted among flow and stock data if they stay effectively one year or more in your Member State (or if they intend to stay one year or more) like for other migrants. The data provided to the Commission (Eurostat) should be in accordance with this. However, if this is not the case for your Member State, provide a note explaining this.*

*In each of the following sub-sections include also a contextual interpretation (legal, political and international factors) of the data. What have been the main trends and most important developments in the area of migration policy in your Member State since the previous year (political stance; new or amended laws<sup>2</sup>; procedural changes<sup>3</sup>; etc.? Give a short overview. Could you identify European / international factors explaining certain changes/continuity in your Member State in comparison to the previous year?*

#### **3.1 International Migration Flows**

*With reference to Article 3(1 a and b) of the Regulation, describe developments/trends with regard to international migration, particularly in respect to:*

- (a) immigrants moving to your Member State, disaggregated according to groups of citizenship by age and sex; groups of country of birth by age and sex; groups of country of previous usual residence by age and sex;*
- (b) emigrants moving from your Member State disaggregated according to groups of citizenships; age; sex; groups of countries of next usual residence;*

*How did migration flows in your Member State change compared to the previous years, from 2002 onwards? Explain the reasons for changes. Did the migration trends observed in this field reflect immigration policies at the time?*

According to the data supplied by the Central Statistical Office the number of migrants coming to the territory of Hungary in 2005 increased with 15% in comparison to the data given in 2004. This increase can be imputed to the fact that Hungary joined the European Union (hereinafter referred to as: EU) in 2004, hence its southern and eastern border became one segment of the EU's external border, which prompted the development of a migration strategy, and amendments of acts with regard to migration. However, concerning immigration flows a slight decrease can be observed from 2005 to 2008 as well as a slight increase in

---

<sup>1</sup> Section 3 data are expected to become available only from May 2010. You are, therefore, requested to produce a preliminary National Report excluding this Section initially.

<sup>2</sup> Explain briefly new or amended immigration laws, and the areas they cover.

<sup>3</sup> Describe modifications to immigration procedure, including changes in application stages and agencies responsible. Include changes that are the result of both administrative and legal developments.



**Annual Report on Migration and International Protection Statistics 2008**  
emigration flows from 2004. Therefore the net migration rate increased from 2002 to 2005 and fell during the period between 2005 and 2008.

	2002	2003	2004	2005	2006	2007	2008
Legally resident population	10 174 853	10 142 362	10 116 742	10 097 549	10 076 581	10 066 15 8	10 030 975
overall immigration*	19 855	21 327	24 298	27 820	25 732	24 361	37 521
overall emigration*	3126	3122	3820	3 658	4314	4500	4821

Source: EUROSTAT modified by the Hungarian Central Statistical Office (HCSO)

### 3.2 Usual Residence

*With reference to Article 3(1c) of the Regulation, describe developments/trends with regard to usual residence at the end of 2008, disaggregated according to groups of citizenship by age and sex and groups of country of birth by age and sex.*

*Provide information on the largest groups of third country nationals, normally up to and including at least the 10 largest groups on the basis of the number persons is sufficient. More can be provided if you consider relevant, e.g. a particular interest in a specific nationality at EU-level. If significant changes occurred in reference to the size of particular groups of third country nationals in 2008, what were the underlying causes of these changes (e.g. legal, political, economical, other)?*

Hungary became an EU Member State on 1 May 2004. This development prompted many changes in the country's migration policy. In recent years migration has drawn political and media attention, most frequently in connection with the EU accession process. This attention has prompted new administrative and legal measures with regard to migration. It has also been a determining factor in connection with measures and statements on the issue of illegal migration, stricter border controls but also visa requirements with neighbouring countries. On 15 November 2007 the European Parliament approved the accession of Hungary and 6 other countries to the Schengen area. On 21 December 2007, the permanent border control ceased at the Hungarian-Slovenian, Hungarian-Slovakian and Hungarian-Austrian borders. As Hungary became the "gate" to the EU, its external borders (to Croatia, Romania, Serbia and

Ukraine) were significantly reinforced; Hungary intensified the in-depth-checks, the border monitoring and the patrolling activities. From the end of March 2008, the Schengen rules entered into force at the airport borders too.

<b>Total Population</b>		<b>10 030 975</b>
Nationals		9 844 610
Non nationals but citizens of the EU-27 countries		109 804
Citizens of countries the EU-27		76561
Citizenship other than of EU-27, EFTA and Candidate countries		72 887
Highly developed non-EU countries		31 647
<b>Most important third country national:</b>		
	Ukraine	17 614
	China	10 719
	Serbia	6 936
	Former Serbia and Montenegro	6 349
	Former Yugoslavia	3 989
	Viet Nam	3 282

Source: EUROSTAT modified by the Hungarian Central Statistical Office (HCSO)

The number of **foreigners who stay in Hungary** for more than a year has been stable at **around 1.1 to 1.7 per cent** of the native population over this decade. In Hungary, the immigration records reveal a stable pattern of immigrants arriving from key countries in the region. In 2008, the overwhelming majority of immigrants are of European origin, and the rest of them come from Asia. Immigration from other parts of the world is marginal.

The migration flows of third country nationals have been **dominated by returning ethnic Hungarian minorities from neighbouring countries**, and as a result of this in the recent

**Annual Report on Migration and International Protection Statistics 2008**  
years policy debates have focused on simplified visas and facilitated naturalization procedures for these preferred groups.

### **3.3 Acquisition of citizenship**

*With reference to Article 3(1d) of the Regulation, describe developments/trends with regard to persons having their usual residence in your Member State and having acquired citizenship in 2008 of your Member State, having formerly held the citizenship of another Member State or a third country or having formerly been stateless. Include a disaggregation by age and sex, by the former citizenship of the persons concerned and by whether the person was formerly stateless.*

No major policy developments or legislative measures took place in 2008. Concerning structural changes in this particular field, in 2008 the constitutional and operational rules of the Ministry of Justice and Law Enforcement were modified and the modification entered into force on 20 July 2008. The tasks undertaken by the State Secretary for Public Law with regard to citizenship applications were transferred under the competence of the State Secretary for European Union Law. However, the State Secretary for Public Law was still responsible for the procedures of modifying names in relation to naturalization cases.

Concerning statistics, the number of citizenship applications decreased from 10 230 in 2007 to 9 633 in 2008. This latter includes the number of applications for naturalization and repatriation, the number of declarations aiming at acquiring Hungarian citizenship, the number of declarations renouncing Hungarian citizenship, the number of applications determining citizenship and a few number of other cases. The number of applications for naturalization and repatriation shows a significant (24%) decrease from 5 437 in 2007 to 4 143 in 2008. The number of applications determining citizenship was 4 958 in 2008 which shows a slight increase of 16% in comparison to the previous year when it was 4276. The number of declarations aiming at acquiring Hungarian citizenship decreased from 85 in 2007 to 68 in 2008. The number of declarations renouncing Hungarian citizenship decreased from 82 in 2007 to 69 in 2008. The number of applications for naturalization and repatriation submitted to the President of the Republic shows a significant decrease (40%) from 7 294 in 2007 to 6 571 in 2008. At the end of 2008, the procedure of examining the applications were still in progress in 6 592 cases. The main countries of origin of the applicants were Romania (60%) which shows a slight decrease of 7% in comparison to the previous year, Ukraine (15%) which shows a slight increase of 2% in comparison to the previous year and Serbia (12%) which shows a slight increase of 1,5% in comparison to the previous year. Both in





**Annual Report on Migration and International Protection Statistics 2008**  
2007 and 2008, 85 % of the naturalized people referred to their Hungarian origin when applying for citizenship.

<b>Top 10 citizenship from third countries</b>	<b>2008</b>
Ukraine	857
Former Serbia and Montenegro	758
Belarus	167
Russia Federation	156
Viet Nam	95
Croatia	34
China	29
Syrian Arab Republic	17
Afghanistan	15
Turkey	13

Source: EUROSTAT modified by the Hungarian Central Statistical Office (HCSO)

#### **4. INTERNATIONAL PROTECTION (ARTICLE 4)**

[Any introductory remarks for this section]

In May 2007 the Government presented a proposal for a new Act on Asylum to the Hungarian Parliament. The need for the reform of the Asylum Act arose due to the entry into force of the EU Qualification Directive and the Procedures Directive, as well as the new Hungarian Act on the General Rules of Public Proceedings and Services. The **new Act on Asylum** was adopted by the Parliament in June 2007, and **entered into force on 1st January 2008**.

*Again in each of the following sub-sections include also a contextual interpretation (legal, political and international factors) of the data. Describe **briefly any new** or amended laws on asylum and **relevant case law effective in 2008** indicating whether there have been **important changes** in comparison with the previous year. Explain briefly also any **administrative changes** in the application, decision, or appeals process **contributing to any numerical changes**. Can you identify European / international factors explaining certain changes*



**Annual Report on Migration and International Protection Statistics 2008**  
*regarding **asylum trends** in 2008 in your Member State? Has the situation changed in comparison with the previous year?*

#### **4.1 Applications for International Protection**

*With reference to Article 4(1) of the Regulation, describe developments/trends with regard to international protection applications in 2008 compared to the previous year in particular with regard to:*

- (a) persons having submitted an application for international protection or having been included in such an application as a family member during 2008;*
- (b) persons who are the subject of applications for international protection under consideration by the responsible national authority at the end of 2008;*
- (c) applications for international protection having been withdrawn during 2008.*

*Disaggregate these statistics by age and sex, and by the citizenship of the persons concerned and note that it is on the **basis of persons**,<sup>4</sup> e.g. dependant children<sup>5</sup> should be included, but counted separately.*

*Can these trends be related to legislative or administrative developments/ changes?*

[Text here, plus any graphics]

Please note that due to the fact that in 2007 there were no disaggregated statistics collected in relation to the data mentioned in points (a), (b) and (c) above, we are unable to provide a comparative disaggregated statistical analysis of years 2007 and 2008.

In 2008 in **total 3118 persons** submitted an asylum application, which compared to 2007 (3419 asylum applications) constitutes a **9 % drop** as regards the number of asylum applicants. The reason for this is that in the months (November and December 2007) preceding the implementation of the new asylum legislation mentioned above more than 1000 applicants took advantage of the “old asylum act” by submitting **subsequent asylum applications**. These were mostly Vietnamese and Chinese applicants living at private accommodations in Budapest, who, after revoking their previous asylum applications, submitted a subsequent application in order to avoid the sanctions introduced by the new law to filter subsequent unfounded applications. This phenomenon generated an atypical number of asylum applicants in 2007, however the real number of first asylum applications was lower than 3419 in 2007. Consequently, the reason for the decrease in the number of asylum applications in 2008 can be explained by the legislative change concerning subsequent

---

<sup>4</sup> If, for some reason, this is not possible, add a note stating this and clarifying on what basis the data are provided.

<sup>5</sup> A *dependant child* refers to a person below the age of 18 years who claims asylum with their dependants (e.g. parents, guardians) and would then be counted as an individual person. In addition, their dependant(s) would also be counted as separate person(s).



applications allowing the applicant to stay in the territory until the completion of two asylum procedures.

Looking at the number of **new asylum applications** in 2008 (**2862**), we can observe an **increase of 40 %** compared to the number of new asylum applications in 2007 (2048). Hence, we can conclude that the **multiannual (2004-2008) trend** as regards the **gradual increase of first asylum applications** still persists.

A total of **749** asylum applications for international protection were **under consideration** by the responsible national authority at the end of 2008. The most significant part of the applications under consideration disaggregated by countries of citizenship were: Kosovo (304), Serbia (93), Somalia (62), Pakistan (47). A total number of **123** asylum applications were **withdrawn** in the year 2008, by mainly applicants from Kosovo (54), Serbia (37) and Afghanistan (8).

As regards the **trends** compared to 2007, we can notice a significant raise in the number of **illegally arriving asylum seekers**. The reason for that can be explained by the fact that whereas in 2007 the majority of asylum seekers (mainly from China and Vietnam) reached Hungary in a legal way, in 2008 the majority of Kosovar, Serbian and Somali asylum seekers entered Hungary illegally.

New Asylum* Applications by citizenship, age	Age (Years)						Sex		
	Total	0-17	18-34	35-64	65+	Unknown	Female	Male	Unknown
<b>TOTAL</b>	2 862	720	1 738	390	14	0	597	2 265	0
<b>Citizens of countries outside the EU-27</b>									
<b>Stateless</b>	1	1	0	0	0	0	0	1	0
Unknown	10	8	2	0	0	0	5	5	0
<b>Top 10 countries of citizenship</b>									
1. Kosovo	1 217	387	674	153	3	0	338	879	0
2. Serbia	292	121	127	42	2	0	90	202	0
3. Pakistan	243	54	170	19	0	0	0	243	0
4. Somalia	183	43	130	10	0	0	30	153	0
5. Georgia	137	10	115	12	0	0	13	124	0
6. Iraq	115	11	73	27	4	0	14	101	0
7. Afghanistan	108	35	60	13	0	0	19	89	0
8. Turkey	61	0	47	14	0	0	2	59	0
9. Nigeria	40	3	35	2	0	0	5	35	0
10. China	42	0	22	20	0	0	8	34	0

## Annual Report on Migration and International Protection Statistics 2008

Asylum Applications under Consideration by citizenship, age group and sex										
	Age (Years)						Sex			
	Total	0-17	18-34	35-64	65+	Unknown	Female	Male	Unknown	
<b>TOTAL</b>	749	250	360	138	1	0	213	536	0	
<b>Citizens of countries outside the EU-27</b>										
Stateless	0	0	0	0	0	0	0	0	0	
Unknown	1	1	0	0	0	0	0	1	0	
<b>Top 10 countries of citizenship</b>										
1. Kosovo	304	144	107	52	1	0	122	182	0	
2. Serbia	93	44	32	17	0	0	31	62	0	
3. Somalia	62	20	40	2	0	0	14	48	0	
4. Pakistan	47	3	36	8	0	0	0	47	0	
5. Afghanistan	38	15	17	6	0	0	10	28	0	
6. Georgia	37	4	27	6	0	0	6	31	0	
7. Iraq	20	2	15	3	0	0	5	15	0	
8. Turkey	18	0	13	5	0	0	2	16	0	
9. China	13	0	3	10	0	0	0	13	0	
10. Viet Nam	12	1	3	8	0	0	4	8	0	

### Withdrawn Asylum Applications by citizenship, age group and sex

**NB** Some Member States appear to be, at present, only providing the total number of asylum applicants in a particular year.

This means that possibly, for your Member State, data on withdrawn applications is not available on Eurostat.

	Age (Years)						Sex		
	Total	0-17	18-34	35-64	65+	Unknown	Female	Male	Unknown
<b>TOTAL</b>	123	26	71	26	0	0	28	95	0
<b>Citizens of countries outside the EU-27</b>									
Stateless	0	0	0	0	0	0	0	0	0
Unknown	1	0	0	1	0	0	0	1	0
<b>Top 10 withdrawals by country of citizenship</b>									
1. Kosovo	54	9	37	8	0	0	9	45	0
2. Serbia	37	12	18	7	0	0	12	25	0
3. Afghanistan	8	3	4	1	0	0	3	5	0
4. the former Yugoslavia Republic of Macedonia	6	0	5	1	0	0	0	6	0
5. Albania	3	2	0	1	0	0	1	2	0
6. Montenegro	2	0	2	0	0	0	1	1	0
7. Nigeria	2	0	2	0	0	0	0	2	0
8. Moldova Republic of	1	0	0	1	0	0	1	0	0
9. Russian Federation	1	0	1	0	0	0	0	1	0
10. Mongolia	1	0	0	1	0	0	1	0	0

## 4.2 Decisions on International Protection

With reference to Articles 4(2 and 3) of the Regulation, describe developments/trends in first instance and final decisions (again on the basis of persons) in 2008 compared to the previous year in particular with regard to:

- persons covered by first instance and final decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during 2008;
- persons covered by first instance and final decisions granting or withdrawing refugee status, taken by administrative or judicial bodies during 2008;



### Annual Report on Migration and International Protection Statistics 2008

- (c) persons covered by first instance and final decisions granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during 2008;
- (d) persons covered by first instance and final decisions granting or withdrawing temporary protection, taken by administrative or judicial bodies during 2008;
- (e) persons covered by other first instance and final decisions granting or withdrawing authorisation to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies during 2008;
- (f) persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme during 2008, where such a scheme is implemented in your Member State.

Again, disaggregate these statistics by age and sex and by the citizenship of the persons concerned as far as this is foreseen by the Statistics Regulation.

When compared with the previous year, can you observe changes in the statuses regularly granted to particular citizenship groups? How do you explain these changes or continuity?

[Text here, plus any graphics]

Please note that due to the fact that in 2007 there were no disaggregated statistics collected in relation to the data mentioned in points (a)–(f) above, we are unable to provide a comparative disaggregated statistical analysis of the year 2007 and 2008.

In 2008 the **number of persons covered by first instance and final decisions rejecting** applications for international protection was **1747**, compared to 2007, when this number amounted to 2753. Again, we can explain this by the fact that in 2007 a great number of applicants introduced repeated applications due to the legislative change introduced at the end of 2007, which came into force on 1<sup>st</sup> January 2008. The number of persons covered **by first instance and final decisions granting or withdrawing refugee status** was **168** in year 2008. The number of persons covered by **first instance and final decisions granting or withdrawing subsidiary protection** was **88** in 2008, this statistical data is not applicable to the year 2007, as the subsidiary protection status was only introduced in the Hungarian law by the new asylum act applicable since January 2008. There were **no persons covered by first instance and final decisions granting or withdrawing temporary protection** in 2008. The number of persons covered by other first instance and final decisions granting or withdrawing **authorization to stay for humanitarian reasons** under national law amounts to **42**. In comparison with the 2007 statistical data, we can observe that the number of persons granted authorization to stay for humanitarian reasons at first instance was 83. Hence, we can observe a **significant drop** compared to last year's data, what can also be justified by the introduction



**Annual Report on Migration and International Protection Statistics 2008**  
of the subsidiary protection status. As regards **resettlement**, there were no persons granted an authorization to reside in Hungary within the framework of a national or Community resettlement scheme during 2008.

In 2008 we can observe a **decrease** in the number of **persons granted refugee status** compared to 2007, which is due to the fact that in 2007, Hungary granted conventional protection status quasi-automatically to persons belonging to some particular citizenship groups (i. a. Iraqi, Somali, Afghan). This trend however has changed in 2008, as a more individualized examination was introduced in 2008, on a case by case basis.

	First instance decisions						
	Total	Total positive	Rejected	Geneva Convention	Subsidiary protection	Temporary protection	Humanitarian status
<b>TOTAL</b>	1747*	290	397	160	88	0	42
<b>Citizens of countries outside the EU-27</b>							
<b>Stateless</b>	2	2	0	2	0	0	0
Unknown	6	5	1	5	0	0	0
<b>Top 10 countries of citizenship</b>							
1. Somalia	106	105	1	104	0	0	1
2. Kosovo	93	11	82	0	8	0	3
3. Afganistan	78	59	19	7	35	0	17
4. Irak	74	57	17	21	25	0	11
5. Serbia	74	5	69	0	5	0	0
6. Georgia	53	7	46	1	4	0	2
7. Turkey	22	1	21	1	0	0	0
8. Nigeria	18	2	16	2	0	0	0
9. West Bank and Gaza	16	10	6	1	9	0	0
10. Kuba	13	10	3	7	2	0	1

\* the number of ceased applications are included in this figure

<i>Decisions Withdrawing Status Granted at First Instance Decision by citizenship and type of status withdrawn</i>					
	First instance decisions withdrawing status				
	Total	Geneva Convention	Subsidiary protection	Temporary protection	Humanitarian status
<b>TOTAL</b>	4	4			
<b>Citizens of countries outside the EU-27</b>					
<b>Stateless</b>					
Unknown					
<b>Top 10 countries of citizenship</b>					
1. Cameroon	2	2			
2. Nigeria	1	1			
3. Libanon	1	1			

## Annual Report on Migration and International Protection Statistics 2008

### Final Decisions on Asylum Applications by citizenship and type of decision / status

	Final decisions						
	Total	Total positive	Rejected	Geneva Convention	Subsidiary protection	Temporary protection	Humanitarian status
<b>TOTAL</b>	288*	0	21				
<b>Citizens of countries outside the EU-27</b>							
<b>Stateless</b>	0	0					
Unknown	0	0					
<b>Top 10 countries of citizenship</b>							
1. Kosovo	52		3				
2. Szerbia	28		4				
3. Mongolia	21		2				
4. Nigeria	12		1				
5. Pakistan	12		3				
6. Egypt	11		1				
7. Moldavia	3		2				
8. Banglades	2		1				
9. Ghana	2		1				
10. Iran	2		1				

\* the number of ceased applications are included in this figure

### Decisions Withdrawing Status Granted as Final Decision by citizenship and type of status withdrawn

	Decisions withdrawing status granted as final decision				
	Total	Geneva Convention	Subsidiary protection	Temporary protection	Humanitarian status
<b>TOTAL</b>	4	4	0	0	0
<b>Citizens of countries outside the EU-27</b>					
<b>Stateless</b>	0	0	0	0	0
Unknown	0	0	0	0	0
<b>Top 10 countries of citizenship</b>					
1. Cameroon	2	2	0	0	0
2. Lebanon	1	1	0	0	0
3. Nigeria	1	1	0	0	0

### Decisions on asylum applications, by type of decision, status, age group and sex

	Total	Age (Years)					Sex		
		0-17	18-34	35-64	65+	Unknown	Female	Male	Unknown
<b>First instance decisions</b>									
Total	1 747	289	1 195	259	4	0	281	1 466	0
Total positive	290	61	181	45	3	0	50	240	0
Rejected	397	26	281	90	0	0	40	357	0
Geneva Convention	160	36	105	17	2	0	34	126	0
Subsidiary protection	88	17	50	21	0	0	14	74	0
Temporary protection	0	0	0	0	0	0	0	0	0
Humanitarian status	42	7	27	8	0	0	4	38	0
<b>Decisions Withdrawing Status Granted at First Instance Decision</b>									
Total	4	1	3	0	0	0	0	0	0
Geneva Convention	4	1	3	0	0	0	0	0	0
Subsidiary protection	0	0	0	0	0	0	0	0	0
Temporary protection	0	0	0	0	0	0	0	0	0
Humanitarian status	0	0	0	0	0	0	0	0	0
<b>Final decisions</b>									
Total	288	24	192	72	0	0	41	247	0
Total positive	0	0	0	0	0	0	0	0	0
Rejected	21	1	16	4	0	0	2	19	0
Geneva Convention	0	0	0	0	0	0	0	0	0
Subsidiary protection	0	0	0	0	0	0	0	0	0
Temporary protection	0	0	0	0	0	0	0	0	0
Humanitarian status	0	0	0	0	0	0	0	0	0
<b>Decisions Withdrawing Status Granted as Final Decision</b>									
Total	0	0	0	0	0	0	0	0	0
Geneva Convention	0	0	0	0	0	0	0	0	0
Subsidiary protection	0	0	0	0	0	0	0	0	0
Temporary protection	0	0	0	0	0	0	0	0	0
Humanitarian status	0	0	0	0	0	0	0	0	0



### 4.3 Unaccompanied Minors

*With reference to Article 4(3a) of the Regulation, describe developments/trends in applications for international protection made by unaccompanied minors in 2008 compared to the previous year, disaggregated according to age, sex and citizenship.*

*If possible (i.e. information is readily available), provide also other data and details of unaccompanied minors who did not apply for international protection.*

[Text here, plus any graphics]

Please note that due to the fact that in 2007 there were no disaggregated statistics collected concerning unaccompanied minors, we are unable to provide a comparative disaggregated statistical analysis of the year 2007 and 2008.

In Hungary the **majority of unaccompanied minors** coming from third countries usually **submit an asylum claim**. Unfortunately there is no additional data available about unaccompanied minors who did not apply for international protection. As regards the statistics, we can notice that however Hungary is not considered to host a great number of unaccompanied minors in an EU perspective, their number amounted to **176 in 2008** compared to the previous year (50). In 2008, the **top 5 nationalities** amongst unaccompanied minors who submitted an asylum application in Hungary were: Pakistani (54), Somali (39), Kosovar (27), Albanian (17) and Serbian (13). The majority of them were male (160), between the age of 14-15. Unfortunately we are not able to provide data on unaccompanied minors disaggregated by sex, age and citizenship from 2007, as these data has only been collected since 2008.

<i>Asylum applicants considered to be unaccompanied minors by citizenship, age group and sex</i>								
	Age (Years)					Sex		
	Total	0-13	14-15 (14-17)*	16-17	Unknown	Female	Male	Unknown
<b>TOTAL</b>	176	1	175		0	16	160	0
<b>Citizens of countries outside the EU-27</b>								
Stateless	0	0	0		0	0	0	0
Unknown	0	0	0		0	0	0	0
<b>Top 10 countries of citizenship</b>								
1. Pakistan	54	0	54		0	0	54	0
2. Somalia	39	0	39		0	7	32	0
3. Kosovo	27	0	27		0	1	26	0
4. Albania	17	0	17		0	0	17	0
5. Serbia	13	0	13		0	0	13	0
6. West Bank and Gaza strip	5	0	5		0	0	5	0
7. Nigeria	4	0	4		0	0	4	0
8. Bangladesh	4	0	4		0	0	4	0
9. Iraq	2	0	2		0	0	2	0
10. Ethiopia	1	0	1		0	1	0	0

\* due to administrative reasons the OIN can provide the disaggregation by age just in these categories



#### 4.4 Dublin Transfers

With reference to Article 4(4) of the Regulation, describe developments/trends in Dublin Transfers made in 2008 within the context of:

- (a) the numbers of requests for taking back or taking charge of an asylum seeker;
- (b) the provisions on which the requests referred to in point (a) are based;
- (c) the decisions taken in response to the requests referred to in point (a);
- (d) the numbers of transfers to which the decisions referred to in point (c) lead;
- (e) the number of requests for information.

[Text here, plus any graphics]

Please note that you will find the graphics concerning the **total incoming and outgoing requests by Member State requesting and reason for request** attached in **annex 1**.

During 2008, there were a total of **945 incoming requests** addressed to Hungary on behalf of the Member States, which is considered to be a **43.2 % increase** compared to last year. We can notice an **increase of 40.7%** as regards the number of **accepted requests (747)**, and a **65% increase** regarding **refused requests (182)**. From the total of incoming requests we can deduce that the number of **incoming requests for taking back** amounted to **686**, the number of **incoming requests for taking charge** was **259**. In consequence, the total number of **incoming requests for taking back and taking charge amounted to 945**. The **provisions** on which the incoming requests mentioned above were based are the following: 6 for **family reasons** (Art. 6, Art. 7, Art. 8, Art. 14), 253 for **documentation and entry reasons** (Art. 9, Art. 10, Art. 11, Art. 12), 7 for **withdrawal of application during Dublin procedure** (Art. 4.5), 611 for “**under examination - no permission to stay**” (Art.16.1c), 1 for **withdrawal - new application** (Art.16.1.d), 67 for **rejection - no permission to stay** (art.16.1.e). The decisions taken in response to the requests detailed above can be read out of the graphics below. The **total number of incoming requests for information** amounted to **817** in 2008.

The Dublin Coordination Unit of the Office of Immigration and Nationality sent **221 outgoing requests (out of which 138 were accepted, 83 were refused)** for Dublin transfer and **26 requests for information**, which can be considered a **61.5 % increase** compared to last year. During the reference period the number of **successfully implemented transfers was 322 (compared to 239 in 2007)**, which is considered to be a **39.7 % increase**. The number of **failed transfers** due to reasons arising in the sending Member States amounted to **149**. The majority of asylum seekers were taken back from **Austria and Germany**. The



**Annual Report on Migration and International Protection Statistics 2008**  
**respective nationalities** of the asylum seekers taken back were: Serbian (108), Georgian (35),  
 Kosovar (29), Afghan (20), Iraqi (20), Vietnamese (18), Turkish (10), Russian (10), Armenian  
 (7), Nigerian (6). The number of **accepted outgoing requests** amounted to **138**, out of which  
 a total of **63 transfers** were undertaken, which shows an **efficiency rate of 48%**, which is  
 much higher compared to 2007 (20%).

<b>Incoming requests - Dublin transfers by reason for request and decision taken</b>				
<i><b>NB</b> The overall total incoming requests is calculated by adding up the sub-totals in the rows: <u>Total number of taking charge requests;</u> <u>Total number of taking back requests, Total EURODAC and Total number of Requests for Information</u></i>				
<b>Reason for request</b>	<b>Incoming requests</b>			
	<b>Total</b>	<b>Accepted</b>	<b>Refused</b>	<b>Transferred</b>
<b>TOTAL</b>	945	747	182	322
Total number of taking charge requests	259	150	100	65
- Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	6	5	2	2
- Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	253	145	98	63
- Taking charge requests: Humanitarian reasons (Art.15)	0	0	0	0
Total number of taking back requests	686	597	82	257
- Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	7	0	2	0
- Taking back requests: Under examination - no permission to stay (Art.16.1c)	611	478	70	210
- Taking back requests: Withdrawal - new application (Art.16.1.d)	1	5	0	2
- Taking back requests: Rejection - no permission to stay (art.16.1.e)	67	114	10	45
Total EURODAC	693	599	98	
- Taking charge requests based on EURODAC	51	9	21	
- Taking back requests based on EURODAC	642	590	77	
Total number of pending requests at the end of reference period	31			
Total number of requests for information	817			
Number of answers to requests for information	26			

## Annual Report on Migration and International Protection Statistics 2008

### Outgoing requests - Dublin transfers by reason for request and decision taken

**NB** The overall total outgoing requests is calculated by adding up the sub-totals in the rows: Total number of taking charge requests; Total number of taking back requests, Total EUODAC, and Total number of Requests for Information

Type of request	Outgoing requests			
	Total	Accepted	Refused	Transferred
<b>TOTAL</b>	221	138	83	60
Total number of taking charge requests	57	41	17	14
- Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	2	1	1	0
- Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	53	40	14	14
- Taking charge requests: Humanitarian reasons (Art.15)	2	0	2	0
Total number of taking back requests	164	97	66	46
- Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	0	0	0	0
- Taking back requests: Under examination - no permission to stay (Art.16.1c)	120	76	42	29
- Taking back requests: Withdrawal - new application (Art.16.1.d)	1	0	1	1
- Taking back requests: Rejection - no permission to stay (art.16.1.e)	43	21	22	16
Total EUODAC	162	94	67	
- Taking charge requests based on EUODAC	1	0	1	
- Taking back requests based on EUODAC	161	94	66	
Total number of pending requests at the end of reference period	2			
Total number of requests for information	26			
Number of answers to requests for information				

## 5. PREVENTION OF ILLEGAL ENTRY AND STAY (ARTICLE 5)

[Any introductory remarks for this section]

Again in *each* of the following *sub-sections* include also a *contextual interpretation* (legal, political and international factors) of the data. Have there been any new or amended laws influencing illegal immigration in 2008, explain the most important changes in policies regarding refusal of entry or apprehensions from the previous year. Describe any modifications to the procedure in cases of identified illegal entry and/or illegal stay from the previous year. Include changes that are the result of both administrative and legal developments. Can you identify European / international factors explaining certain changes/continuity regarding illegal entry and/or stay in 2008 in your Member State?

### 5.1 Refusals

With reference to Article 5(1a) of the Regulation, describe developments/trends in third country nationals refused entry, including the number of persons refused entry, disaggregated by age, sex and citizenship. If possible, and in accordance with Article 13(5) of [Regulation \(EC\) 562/2006](#),<sup>6</sup> provide details also of the grounds for refusal, the nationality of the persons refused and the type of border (land, air or sea) at which they were refused entry.

<sup>6</sup> Available from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:105:0001:0032:EN:PDF>.



## Annual Report on Migration and International Protection Statistics 2008

*Describe developments/trends pertaining to the number of refusals<sup>7</sup> in 2008 in comparison to the previous year. Have there been changes in the main countries of citizenship of refused migrants since the previous year? If possible, give reasons for these changes/continuity.*

The relevant Hungarian authorities were not able to collect data on the number of persons refused entry, disaggregated by age and sex in 2008. Most of the persons (97%) were refused at the land borders.

The number of aliens who were not allowed to enter into the territory of Hungary and were refused decreased significantly with 49% from 2007 to 2008. This is attributed to the fact that Hungary joined the Schengen Area on the 21st December 2007 and it remains only 1103.5 km external borders (with Ukraine, Serbia, Croatia and Romania) from the 2242 km state border length. Because of the enlargement of the Schengen Area the relevant Hungarian authorities experienced a significant downward trend in the border crossing traffic in 2008 (71% decrease compared to 2007).

The decreasing trend could be imputed also to the fact that Romania joined the EU on 1 January 2007, therefore the number of refusals of Romanian citizens disappeared from relevant statistics in 2008. In addition to that the New Act on Aliens and Free Movement Act entered into force on 1 July 2007 and this Act also had effect on the number of refusals.

In 2008, the main countries of origin of the refused aliens were Ukraine (42%), Serbia (27%), Croatia (8%), Moldova (4%) and Turkey (4%) which does not show any relevant changes compared with the statistics in 2007 (except the number of the Romanian citizens). Possible explanation for the composition of refused aliens could be that Hungary has a relative long border with Serbia, Ukraine and Croatia.

### 5.2 Apprehensions

*With reference to Article 5(1b) of the Regulation, describe developments/trends pertaining to the number of apprehensions of illegally resident third-country nationals in 2008 in comparison to the previous year, disaggregated according to age, sex, citizenship of the persons concerned. Have there been changes in the main countries of citizenship of those apprehended in 2008? If possible, give reasons for these changes/continuity.*

The relevant Hungarian authorities were not able to collect data on the number of apprehensions of illegally resident third-country nationals, disaggregated by age in 2008.

---

<sup>7</sup> A "Third-country national refused entry" means a third-country national who is refused entry at the external border because they do not fulfil all the entry conditions laid down in Article 5(1) of Regulation (EC) No 562/2006 and do not belong to the categories of persons referred to in Article 5(4) of that Regulation.



The number of apprehensions of illegally resident third-country nationals increased tremendously with 83% from 2007 to 2008. According to the point of view of the Hungarian experts the growing illegal migration pressure is attributed to the fact that Hungary joined the Schengen Area on the 21st December 2007 (illegal migrants who arrives successfully to Hungary could easily move towards the western part of the Schengen Area).

In 2008, the main countries of origin of the apprehended aliens illegally present in the territory of Hungary were Serbia (24%), Ukraine (18%), Moldova (12.5%), Kosovo (9%) and Turkey (6%). The increase of the apprehended Serbian, Moldovan and Kosovar illegally present in the territory of Hungary in comparison to the previous year is also considerable.

## **6. RESIDENCE PERMITS AND RESIDENCE OF THIRD COUNTRY NATIONALS (ARTICLE 6)**

*With reference to Article 6 of the Regulation, describe developments/trends with regard to residence permits issued and long-term residents in 2008 compared to the previous year in particular with regard to:*

- (a) *the number of residence permits issued to persons who are third-country nationals, disaggregated according to:*
- (i) *permits issued during 2008 whereby the person is being granted permission to reside for the first time (disaggregated by citizenship; by the reason for the permit being issued; and by the length of validity of the permit);*
  - (ii) *permits issued during 2008 and granted on the occasion of a person changing immigration status or reason for stay (disaggregated by citizenship; by the reason for the permit being issued; and by the length of validity of the permit);*
  - (iii) *valid permits at the end of 2008, i.e. 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 number of long-term residents at the end of the reference period, disaggregated by citizenship.*

*For those Member States which allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, details of such visas and grants of status should be included.*



### Annual Report on Migration and International Protection Statistics 2008

How did the total number of residence permits issued for the first time in 2008 change in comparison to the previous year? Explain the reasons for this (legal, political, administrative changes, etc.).

Act II of 2007 on the entry and residence of third-country nationals entered into force on 1 July 2007. This legislative act introduced substantial changes to the previous system of authorizations distinguishing between the right of residence for less than three months within a six-month period and the right of residence for a period of longer than three months.

The types of visas for a validity period for longer than three months issued in the current system are the following:

- **visa entitling the holder to receive a residence permit**, which is valid for a single or multiple entry, and entitles its holder to stay in the territory of the Republic of Hungary for a period of longer than three months;
- **seasonal employment visa**, which is valid for single or multiple entry and entitles its holder to stay for a period of longer than three months and maximum for a period of six months for the purpose of seasonal employment,
- **national visa**, which is valid for single or multiple entry and entitles its holder to stay in the territory of the Republic of Hungary for a period of longer than three months under international agreement.

(a) The number of residence permits issued to persons who are third-country nationals

(i) *First residence permits, by main countries of citizenship and reason*

	<b>Total</b>	<b>Family reasons</b>	<b>Education reasons</b>	<b>Remunerated activities reasons</b>	<b>Other reasons</b>
<b>Total first permits</b>	<b>20 539</b>	<b>2 434</b>	<b>5 755</b>	<b>10 343</b>	<b>2 007</b>
<b>Top 10 third countries (overall total)</b>					
1. Ukraine	4 645	225	368	3 769	283
2. China	2 900	621	673	1 493	113
3. Serbia	2 327	132	624	1 453	118
4. USA	1 527	202	559	287	479
5. Turkey	928	71	584	195	78
6. Iran	865	19	617	10	219
7. Israel	539	57	378	80	24
8. Republic of Korea	528	160	108	220	40
9. Mongolia	498	59	32	386	21
10. Croatia	473	12	52	376	33



### Annual Report on Migration and International Protection Statistics 2008

The table above contains the number of residence permits issued for the first time. The data supplied in the table refers to third-country nationals issued with a residence permit that entitles its holder to stay for a limited, duly defined period of time in the territory of Hungary. The table does not include the number of applications for visas, permanent residence permits or residence cards and permanent residence cards issued to third country national family members. The abovementioned data from 2008 are not comparable to the figures provided in the previous year given that data supplied in 2007 contained the number of visas entitling its holder to stay in the territory of Hungary for a period exceeding three months.

In 2008, the top ten countries of origin of persons issued residence permit for the first time were Ukraine (22.6%), China (14.1%), Serbia (11.3%), USA (7.4%), Turkey (4.5%), Iran (4.2%), Israel (2.6%), Republic of Korea (2.6%), Mongolia (2.4%) and Croatia (2.3%).

#### (ii) *Changes to immigration status permits, by reason*

<i>To reason</i>	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
<i>From reason</i>				
Family reasons		40	133	46
Education reasons	19		259	138
Remunerated activities reasons	35	8		25
Other reasons	99	183	115	

The abovementioned data from 2008 is not comparable to the figures provided in the previous year given that such aggregated data was not yet collected in 2007 in compliance with the Statistical Regulation (Regulation (EC) No 862/2007).

#### (iii) *Valid permits at the end of 2008*

See table provided in Annex 1. The data provided in 2008 are not comparable to the figures provided in the previous year given that such aggregated data was not yet supplied in 2007. The total number of residence permits valid at the end of the year (31.12.2008) was 101 194, out of which 7436 (7.3 %) was issued for family reasons, 8732 (8.6 %) was issued for educational reasons, 21 471 (21.2 %) was issued for the purpose of performing remunerated activities and 63 555 (62.8 %) was issued for other reasons.



(b) the number of long-term residents at the end of the reference period, disaggregated by citizenship.

**Number of long-term\* third-country national residents, by main countries of citizenship**

**NB** Data taken at the end of each year (31/12)

	<b>Third-country nationals</b>
<b>TOTAL</b>	35 583
Stateless	105
Unknown	14
<b>Top 10 countries of citizenship</b>	
1. Ukraine	9 271
2. China	5 277
3. Serbia	7 752
4. Russia	3 943
5. Vietnam	1 898
6. Montenegro	847
7. Croatia	553
8. Bosnia and Herzegovina	239
9. Turkey	419
10. USA	626

\* according to the terminology of the Eurostat

The abovementioned data from 2008 is not comparable to the figures provided in the previous year given that such aggregated data was not yet collected in 2007 in compliance with the Statistical Regulation (Regulation (EC) No 862/2007).



## 7. RETURNS (ARTICLE 7)

*With reference to Article 7 of the Regulation, describe developments/trends with regard to:*

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

*Note that this does not include third-country nationals who are transferred from one Member State to another Member State under the Dublin Regulation (see Section 4.4).*

*Have there been changes in the main countries of citizenship of returned migrants? If possible, explain the underlying factors for these changes/continuity. Have there been important changes in policies regarding return from the previous year. Have there been any modifications to the procedure in cases of return since the previous year. Include changes that are the result of both administrative and legal developments. Can you identify European / international factors explaining certain changes/continuity regarding return in 2008 in your Member State?*

In 2008, 1599 third-country nationals were subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of Hungary and 978 persons returned following an order to leave. The main countries of origin of third-country nationals ordered to leave were Serbia (33%), Kosovar (17%), Ukraine (9%), Moldova (8.9%) and the former Yugoslav Republic of Macedonia (5%).

The number of third-country nationals who have in fact left the territory of Hungary following an order to leave increased slightly with 11% from 2007 to 2008. The main countries of origin of persons returned following an order to leave were Serbia (46%), Moldova (14.6%), the former Yugoslav Republic of Macedonia (7.7%) and Ukraine (7.5%). It is remarkable that only 20 Kosovar nationals returned following an order to leave from 272 Kosovar nationals who were subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of Hungary. The decrease in the number of returned Ukrainian and Romanian citizens shows significant change compared to the year of 2007. The removal of Romanian nationals from the statistical data is due to the fact that Romania joined the EU on 1 January 2007.

The number of voluntary returns assisted by the International Organization for Migration (IOM) taking place during 2008 (188 third-country nationals) slightly dropped by 11.3 per



cent on corresponding figures for 2007 (212 third-country nationals). Kosovar (Serbian) nationals still constituted the largest single grouping of nationals returned on a voluntary basis (74 per cent), followed by Mongolian nationals (9.5 per cent), Moldavian nationals (3.2) and Albanian nationals (1.6) (optional data).

### 7.1 Relationship between refusals, apprehensions and returns

*With reference also to Section 5, in analysing refusals, apprehensions and returns in 2008 together, are these from the same countries in all categories, or are particular citizenship groups more common in a particular category? If possible, explain the underlying causes.*

It can be observed that in all cases Ukrainian, Serbian, Kosovar, Moldovan and Turkish nationals constitute the main nationalities of illegal migration. The appearance of Kosovar nationals and the increase in the number of Serbian and Moldovan citizens in all categories is remarkable compared to the previous years.

## 8. OPTIONAL: OTHER DATA AND INFORMATION AVAILABLE

*The presentation and analysis of the data categories mentioned below are optional. EMN NCPs are, however, strongly encouraged to present any available and relevant national statistics in respect to migration and asylum on the following topics:*

- *Demography: Children born to foreign mother/father, Marriages with at least one foreign spouse, Deaths of foreigners*
- *Visas issued to third country nationals*
- *Labour: Foreign workers affiliated in the Social Security, Unemployed foreign workers, Brain gain/drain, breakdown of numbers by sector: Health, Education, Science and research, IT*
- *Low Skilled Labour Migration: Domestic, Agriculture, Construction*
- *Employer Sanctions for employing illegally-resident migrants (if applicable with reference to the Employer Sanctions Directive 2009/52/EC)*
- *Migration based on bi- and multilateral arrangements: seasonal labour, labour migration in combination with training*
- *Illegal immigration (including, for example, data on the route used - by sea, across a specific border -; on operations against traffickers, smugglers)*
- *Regularisations*
- *Naturalisations (in particular, data and details on the basis on which citizenship is granted, e.g. ius sanguinis, ius solis, period of residence needed for naturalisation).*
- *Cross-border labour employment*
- *Return migration, including in the context of circular migration*
- *Emigration*
- *Border controls<sup>8</sup>*

<sup>8</sup> Border should be 'External Border' as defined in Article 2(2) of Regulation (EC) 562/2006, i.e. "Member States' land borders, including river and lake borders, sea borders and their airports, river ports, sea ports and



## Annual Report on Migration and International Protection Statistics 2008

- *Student Migration – number of enrolments, educational success rates*
- *Researcher Migration*
- *Migration for self employment and entrepreneurship*
- *Intra-corporate Migration*
- *Fertility/ Mortality rates of third country nationals*

*If there are any other topics you consider appropriate, include these also.*

*The data should ideally contain information about Country of Origin (on the basis of nationality, not country of birth), sex and age, as well as being presented in total numbers and percentages. The source(s) of the data should be quoted.*

[Text here, plus any graphics, with sub-headings added for each topic given above]

---

lake ports, provided that they are not internal borders." This includes airports with flights outside Schengen. For the UK and Ireland, any airport with flights overseas is an external border.



## Annual Report on Asylum and Migration Statistics 2008

### ANNEX 1

*All valid residence permits, by main countries of citizenship, reason and duration*

*NB Data taken at the end of each year (31/12)*

	Total valid residence permits	Total by duration			Family reasons			Education reasons			Remunerated activities reasons			Other reasons		
		3-5 months	6-11 months	12 months and over	3-5 months	6-11 months	12 months and over	3-5 months	6-11 months	12 months and over	3-5 months	6-11 months	12 months and over	3-5 months	6-11 months	12 months and over
<b>Total</b>	101194	1 497	17 552	82 145	187	1 250	5 999	740	3 082	4 910	368	5 685	15 418	202	7 535	55 818
<b>Top 10 third countries (overall total)</b>																
1.Ukraine	22417	159	3 850	18 408	4	139	674	53	263	790	86	2 037	5 117	16	1 411	11 827
2.China	16407	154	2 541	13 712	41	269	1 754	31	309	196	70	983	3 591	12	980	8 171
3. Russia	6027	47	636	5 344	9	41	270	20	95	112	9	124	296	9	376	4 666
4. USA	4656	243	919	3 494	25	134	485	170	160	102	25	115	268	23	510	2 639
5. Vietnam	4515	12	374	4 129	3	55	472	5	55	197	3	144	739	1	120	2 721
6. Iran	3090	62	889	2 139	0	5	36	36	308	776	1	20	28	25	564	1 291
7.Japan	2476	31	397	2 048	20	85	425	2	74	139	6	139	664	3	99	820
8. Israel	2257	30	300	1 928	6	41	6	20	182	617	3	41	151	1	35	1 154
9. Mongolia	1937	49	418	1 476	6	43	149	7	35	65	30	274	627	0	66	635
10. Croatia	1385	37	298	1 050	1	10	29	15	10	50	15	247	221	6	31	750

## Annual Report on Asylum and Migration Statistics 2008

### Total Incoming requests by Member State requesting and reason for request

PARTNER/REQUEST	Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	Taking charge requests: Humanitarian reasons (Art.15)	Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	Taking back requests: Under examination - no permission to stay (Art.16.1c)	Taking back requests: Withdrawal - new application (Art.16.1.d)	Taking back requests: Rejection - no permission to stay (art.16.1.e)	Taking back requests based on EURODAC	Taking charge requests based on EURODAC	Request for information
Belgium	0	6	0	0	42	0	3	45	0	0
Bulgaria	0	0	0	0	0	0	0	0	0	0
Czech Republic	0	1	0	0	6	0	1	7	0	21
Denmark	0	2	0	0	6	0	1	7	0	0
Germany (including ex-GDR from 1991)	0	33	0	0	145	0	31	167	3	4
Estonia	0	0	0	0	0	0	0	0	0	0
Ireland	0	1	0	0	1	0	0	1	1	4
Greece	0	0	0	0	0	0	0	0	0	0
Spain	0	4	0	0	1	0	0	1	0	0
France	3	30	0	5	81	1	2	77	19	25
Italy	0	0	0	0	22	0	1	22	0	0
Cyprus	0	0	0	0	0	0	0	0	0	0
Latvia	0	0	0	0	0	0	0	0	0	0
Lithuania	0	0	0	0	0	0	0	0	0	0
Luxembourg (Grand-Duché)	1	0	0	0	4	0	2	4	0	2
Hungary	0	0	0	0	0	0	0	0	0	0

### Annual Report on Migration and International Protection Statistics 2008

Malta	0	0	0	0	0	0	0	0	0	0
Netherlands	0	3	0	0	18	0	3	20	1	4
Austria	0	116	0	0	168	0	13	170	13	667
Poland	0	0	0	0	0	0	0	0	0	0
Portugal	0	0	0	0	3	0	0	3	0	0
Romania	0	7	0	0	3	0	0	2	5	1
Slovenia	0	0	0	0	2	0	0	2	0	0
Slovakia	0	4	0	0	6	0	0	6	3	0
Finland	0	7	0	2	18	0	3	21	2	4
Sweden	0	31	0	0	46	0	3	48	2	81
United Kingdom	1	0	0	0	19	0	3	22	0	0
Iceland	0	0	0	0	1	0	0	1	0	0
Norway	1	8	0	0	14	0	1	13	2	4
Switzerland	0	0	0	0	5	0	0	3	0	0
<b>TOTAL</b>	<b>6</b>	<b>253</b>	<b>0</b>	<b>7</b>	<b>611</b>	<b>1</b>	<b>67</b>	<b>642</b>	<b>51</b>	<b>817</b>



**Total Outgoing requests by Member State requesting and reason for request**

	Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	Taking charge requests: Humanitarian reasons (Art.15)	Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	Taking back requests: Under examination - no permission to stay (Art.16.1c)	Taking back requests: Withdrawal - new application (Art.16.1.d)	Taking back requests: Rejection - no permission to stay (art.16.1.e)	Taking back requests based on EURODAC	Taking charge requests based on EURODAC	Request for information
<b>PARTNER/REQUEST</b>										
Belgium	0	0	0	0	1	0	2	3	0	1
Bulgaria	0	3	0	0	4	0	0	4	0	0
Czech Republic	0	0	0	0	0	0	0	0	0	0
Denmark	0	0	0	0	0	0	0	0	0	0
Germany (including ex-GDR from 1991)	0	2	2	0	13	0	6	17	0	8
Estonia	0	0	0	0	0	0	0	0	0	0
Ireland	0	1	0	0	0	0	0	0	0	0
Greece	0	2	0	0	0	0	0	0	0	0
Spain	0	0	0	0	1	0	0	0	1	0
France	1	0	0	0	8	0	2	10	0	1
Italy	0	27	0	0	6	0	0	6	0	2
Cyprus	0	0	0	0	0	0	0	0	0	0
Latvia	0	0	0	0	0	0	0	0	0	0
Lithuania	0	0	0	0	1	0	0	1	0	0
Luxembourg (Grand-Duché)	0	0	0	0	0	0	0	0	0	0
Hungary	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	2
Netherlands	0	0	0	0	3	0	1	4	0	2
Austria	0	0	0	0	31	1	13	44	1	0

### Annual Report on Migration and International Protection Statistics 2008

Poland	0	0	0	0	0	0	0	0	0	0	0
Portugal	0	0	0	0	0	0	0	0	0	0	7
Romania	1	16	0	0	32	0	12	45	0	0	0
Slovenia	0	0	0	0	5	0	0	5	0	0	1
Slovakia	0	0	0	0	6	0	1	7	0	0	1
Finland	0	0	0	0	0	0	0	0	0	0	0
Sweden	0	0	0	0	8	0	2	10	0	0	1
United Kingdom	0	0	0	0	0	0	0	0	0	0	0
Iceland	0	0	0	0	0	0	0	0	0	0	0
Norway	0	0	0	0	1	0	4	5	0	0	0
Switzerland	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>53</b>	<b>2</b>	<b>0</b>	<b>120</b>	<b>0</b>	<b>43</b>	<b>162</b>	<b>2</b>	<b>2</b>	<b>26</b>





**ANNEX 2**

**Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance)**

*Official Journal L 199 , 31/07/2007 P. 0023 - 0029*

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,  
Having regard to the opinion of the European Economic and Social Committee [1],  
Acting in accordance with the procedure laid down in Article 251 of the Treaty [2],  
Whereas:

- (1) The conclusions of the Justice and Home Affairs Council of 28- 29 May 2001 considered, regarding common analysis and the improved exchange of statistics on asylum and migration, that there is a need for a comprehensive and coherent framework for future action on improving statistics.
- (2) In April 2003, the Commission released a Communication to the Council and to the European Parliament, setting out an Action Plan for the collection and analysis of Community Statistics in the field of migration. This included a number of important changes designed to improve the completeness and degree of harmonisation of these statistics. Under the Action Plan, the Commission aimed to propose legislation on Community statistics on migration and asylum.
- (3) The Thessaloniki European Council of 19 and 20 June 2003 concluded that more effective mechanisms were needed for the collection and analysis of information on migration and asylum in the European Union.
- (4) The European Parliament in its resolution of 6 November 2003 [3] on the abovementioned Communication from the Commission noted that legislation was required to ensure the production of comprehensive statistics necessary for the development of fair and effective Community policies on migration. The resolution supports the Commission's plans to propose legislation for migration and asylum statistics.
- (5) Enlargement of the European Union has brought an added geographical and political dimension to the scale of the phenomena associated with migration. It has also brought a further impetus to the demand for accurate, timely and harmonised statistical information. There is also an increasing need for statistical information regarding the profession, education, qualifications and type of activity of migrants.
- (6) 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.
- (7) There is a need to reinforce the exchange of statistical information on asylum and migration and to improve the quality of Community statistical collections and outputs which have, hitherto, taken place on the basis of a series of "gentlemen's agreements".
- (8) It is essential that information be available, throughout the European Union, for the purposes of monitoring the development and implementation of Community legislation and policy. In the main, current practice does not sufficiently ensure, in a uniform manner, regular, timely and rapid delivery and dissemination of harmonised data.
- (9) This Regulation does not cover estimates of the number of persons illegally resident in the Member States. Member States should not provide such estimates or data on such persons to the Commission (Eurostat), although they may be included in population stocks due to surveys.
- (10) Wherever possible, the definitions used for the purposes of this Regulation are taken from the United Nations Recommendations on Statistics of International Migration, the United Nations Recommendations for the Censuses of Population and Housing in the ECE Region or EC legislation, and should be updated following the relevant procedures.
- (11) New Community needs on statistics on migration and asylum render obsolete the provisions of Council Regulation (EEC) No 311/76 of 9 February 1976 on the compilation of statistics on foreign workers [4].
- (12) Regulation (EEC) No 311/76 should therefore be repealed.
- (13) Since the objective of this Regulation to establish common rules for the collection and compilation of Community statistics on migration and international protection cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (14) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics [5] constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality.



(15) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [6].

(16) In particular, the Commission should be empowered to update the definitions, to decide on the groupings of data and additional disaggregations and to lay down the rules on accuracy and quality standards. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation and to supplement it by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny laid down in Article 5a of Decision 1999/468/EC.

(17) The Statistical Programme Committee, established by Council Decision 89/382/EEC, Euratom of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities [7], has been consulted in accordance with Article 3 of that Decision,

HAVE ADOPTED THIS REGULATION:

## **Article 1**

### **Subject matter**

This Regulation establishes common rules for the collection and compilation of Community statistics on:

- (a) immigration to and emigration from the Member State territories, including flows from the territory of one Member State to that of another Member State and flows between a Member State and the territory of a third country;
- (b) the citizenship and country of birth of persons usually resident in the territory of the Member States;
- (c) administrative and judicial procedures and processes in the Member States relating to immigration, granting of permission to reside, citizenship, asylum and other forms of international protection and the prevention of illegal immigration.

## **Article 2**

### **Definitions**

1. For the purposes of this Regulation, the following definitions shall apply:

- (a) "usual residence" means the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence;
- (b) "immigration" means the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country;
- (c) "emigration" means the action by which a person, having previously been usually resident in the territory of a Member State, ceases to have his or her usual residence in that Member State for a period that is, or is expected to be, of at least 12 months;
- (d) "citizenship" means the particular legal bond between an individual and his or her State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation;
- (e) "country of birth" means the country of residence (in its current borders, if the information is available) of the mother at the time of the birth or, in default, the country (in its current borders, if the information is available) in which the birth took place;
- (f) "immigrant" means a person undertaking an immigration;
- (g) "emigrant" means a person undertaking an emigration;
- (h) "long-term resident" means long-term resident as defined in Article 2(b) of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [8];
- (i) "third-country national" means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty, including stateless persons;
- (j) "application for international protection" means application for international protection as defined in Article 2(g) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted [9];
- (k) "refugee status" means refugee status as defined in Article 2(d) of Directive 2004/83/EC;
- (l) "subsidiary protection status" means subsidiary protection status as defined in Article 2(f) of Directive 2004/83/EC;
- (m) "family members" means family members as defined in Article 2(i) of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national [10];
- (n) "temporary protection" means temporary protection as defined in Article 2(a) of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons



and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof [11];

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

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

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

(r) "third-country nationals found to be illegally present" means third-country nationals who are officially found to be on the territory of a Member State and who do not fulfil, or no longer fulfil, the conditions for stay or residence in that Member State;

(s) "resettlement" means the transfer of third-country nationals or stateless persons on the basis of an assessment of their need for international protection and a durable solution, to a Member State, where they are permitted to reside with a secure legal status.

2. Member States shall report to the Commission (Eurostat) on the use and probable effects of estimations or other methods of adapting statistics based on national definitions to comply with the harmonised definitions set out in paragraph 1.

3. For the reference year 2008, the statistics supplied to the Commission (Eurostat) under this Regulation may be based on alternative (national) definitions. In such cases, Member States shall notify the Commission (Eurostat) of these alternative definitions.

4. If a Member State is not bound by one or more of the legal texts referred to in the definitions in paragraph 1, statistics comparable with those required under this Regulation should be provided by that Member State where they can be provided under existing legislative and/or administrative procedures.

### **Article 3**

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

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

(a) immigrants moving to the territory of the Member State, disaggregated as follows:

(i) groups of citizenship by age and sex;

(ii) groups of country of birth by age and sex;

(iii) groups of country of previous usual residence by age and sex;

(b) emigrants moving from the territory of the Member State disaggregated as follows:

(i) groups of citizenships;

(ii) age;

(iii) sex;

(iv) groups of countries of next usual residence;

(c) persons having their usual residence in the Member State at the end of the reference period, disaggregated as follows:

(i) groups of citizenship by age and sex;

(ii) groups of country of birth by age and sex;

(d) persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been stateless, disaggregated by age and sex, and by the former citizenship of the persons concerned and by whether the person was formerly stateless.

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

### **Article 4**

#### **Statistics on international protection**

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

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

(b) persons who are the subject of applications for international protection under consideration by the responsible national authority at the end of the reference period;

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



These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of one calendar month and shall be supplied to the Commission (Eurostat) within two months of the end of the reference month. The first reference month shall be January 2008.

2. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

- (a) persons covered by first instance decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period;
- (b) persons covered by first instance decisions granting or withdrawing refugee status, taken by administrative or judicial bodies during the reference period;
- (c) persons covered by first instance decisions granting or withdrawing subsidiary protection status, taken by administrative or judicial bodies during the reference period;
- (d) persons covered by first instance decisions granting or withdrawing temporary protection, taken by administrative or judicial bodies during the reference period;
- (e) persons covered by other first instance decisions granting or withdrawing authorisation to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies during the reference period.

These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of three calendar months and shall be supplied to the Commission (Eurostat) within two months of the end of the reference period. The first reference period shall be January to March 2008.

3. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

- (a) applicants for international protection who are considered by the responsible national authority to be unaccompanied minors during the reference period;
- (b) persons covered by final decisions rejecting applications for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies in appeal or review during the reference period;
- (c) persons covered by final decisions granting or withdrawing refugee status taken by administrative or judicial bodies in appeal or review during the reference period;
- (d) persons covered by final decisions granting or withdrawing subsidiary protection status taken by administrative or judicial bodies in appeal or review during the reference period;
- (e) persons covered by final decisions granting or withdrawing temporary protection taken by administrative or judicial bodies in appeal or review during the reference period;
- (f) persons covered by other final decisions, taken by administrative or judicial bodies in appeal or review, granting or withdrawing authorisations to stay for humanitarian reasons under national law concerning international protection during the reference period;
- (g) persons who have been granted an authorisation to reside in a Member State within the framework of a national or Community resettlement scheme during the reference period, where such a scheme is implemented in that Member State.

These statistics shall be disaggregated by age and sex, and by the citizenship of the persons concerned. They shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

4. Member States shall supply to the Commission (Eurostat) the following statistics on the application of Regulation (EC) No 343/2003 and Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 [13]:

- (a) the numbers of requests for taking back or taking charge of an asylum seeker;
- (b) the provisions on which the requests referred to in point (a) are based;
- (c) the decisions taken in response to the requests referred to in point (a);
- (d) the numbers of transfers to which the decisions referred to in point (c) lead;
- (e) the number of requests for information.

These statistics shall relate to reference periods of one calendar year and shall be supplied to the Commission (Eurostat) within three months of the end of the reference year. The first reference year shall be 2008.

## **Article 5**

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

1. Member States shall supply to the Commission (Eurostat) statistics on the numbers of:

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

The statistics under point (a) shall be disaggregated in accordance with Article 13(5) of Regulation (EC) No 562/2006.



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

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

## **Article 6**

### **Statistics on residence permits and residence of third-country nationals**

1. Member States shall supply to the Commission (Eurostat) statistics on:

- (a) the number of residence permits issued to persons who are third-country nationals, disaggregated as follows:
  - (i) permits issued during the reference period whereby the person is being granted permission to reside for the first time, disaggregated by citizenship, by the reason for the permit being issued and by the length of validity of the permit;
  - (ii) permits issued during the reference period and granted on the occasion of a person changing immigration status or reason for stay, disaggregated by citizenship, by the reason for the permit being issued and by the length of validity of the permit;
  - (iii) valid permits at the end of the reference period (number of permits issued, not withdrawn and not expired), disaggregated by citizenship, by the reason for the issue of the permit and by the length of validity of the permit;
- (b) the number of long-term residents at the end of the reference period, 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 paragraph 1.

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

## **Article 7**

### **Statistics on returns**

1. Member States shall supply to the Commission (Eurostat) statistics relating to:

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

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

3. The statistics referred to in paragraph 1 shall not include third-country nationals who are transferred from one Member State to another Member State under the mechanism established by Regulations (EC) No 343/2003 and (EC) No 1560/2003.

## **Article 8**

### **Additional disaggregations**

1. The Commission may adopt measures relating to the definition of additional disaggregations as set out below for the following statistics:

- (a) for statistics required under Article 4 as a whole, disaggregations by:
  - (i) year of submission of the application;
- (b) for statistics required under Article 4(4), disaggregations by:
  - (i) number of persons concerned by the request, decision and transfer;
- (c) for statistics required under Article 5(1)(a), disaggregations by:
  - (i) age;
  - (ii) sex;
- (d) for statistics required under Article 5(1)(b), disaggregations by:
  - (i) grounds for the apprehension;
  - (ii) place of the apprehension;
- (e) for statistics required under Article 6, disaggregations by:
  - (i) year in which permission to reside was first granted;
  - (ii) age;



- (iii) sex;
- (f) for statistics required under Article 7, disaggregations by:
  - (i) reason for the decision or act imposing an obligation to leave;
  - (ii) age;
  - (iii) sex.

2. The additional disaggregations mentioned in paragraph 1 shall be supplied only separately, and not cross-classified with the disaggregations required under Articles 4 to 7.

3. When deciding whether additional disaggregations are required, the Commission shall consider the need for this information for the purposes of developing and monitoring Community policies and shall consider the availability of appropriate data sources and the costs involved.

Negotiations on additional disaggregations that may be needed for the application of Articles 4 to 7 shall be initiated not later than 20 August 2009. The earliest reference year for the implementation of additional disaggregations shall be 2010.

## **Article 9**

### **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:

- (a) records of administrative and judicial actions;
- (b) registers relating to administrative actions;
- (c) registers of the population of persons or of a particular sub-group of that population;
- (d) censuses;
- (e) sample surveys;
- (f) other appropriate sources.

As part of the statistics process, scientifically based and well documented statistical estimation methods may be used.

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

3. At the request of the Commission (Eurostat), Member States shall provide it with all the information necessary to evaluate the quality, comparability and completeness of the statistical information.

4. Member States shall inform the Commission (Eurostat) without delay of revisions and corrections to the statistics supplied under this Regulation, and of any changes in the methods and data sources used.

5. The measures relating to the definition of the appropriate formats for the transmission of data shall be adopted in accordance with the regulatory procedure referred to in Article 11(2).

## **Article 10**

### **Implementing measures**

1. The measures necessary for the implementation of this Regulation laying down the rules on the appropriate formats for the transmission of data as provided for in Article 9 shall be adopted in accordance with the regulatory procedure referred to in Article 11(2).

2. The following measures necessary for the implementation of this Regulation and designed to amend its non-essential elements, inter alia, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3):

- (a) updating the definitions set out in Article 2(1);
- (b) defining the categories of groups of country of birth, groups of country of previous and next usual residence and groups of citizenship as provided for in Article 3(1);
- (c) defining the categories of the reasons for the permit as provided for in Article 6(1)(a);
- (d) defining the additional disaggregations and the levels of disaggregations to be applied to the variables as provided for in Article 8;
- (e) laying down the rules on accuracy and quality standards.

## **Article 11**

### **Committee**



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

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

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

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

#### **Article 12**

##### **Report**

By 20 August 2012 and every three years thereafter, the Commission shall submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and on their quality.

#### **Article 13**

##### **Repeal**

Regulation (EEC) No 311/76 is hereby repealed.

#### **Article 14**

##### **Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in all Member States.

