

ROADMAP	
TITLE OF THE INITIATIVE	<b>Proposal for a Regulation of the European Parliament and of the Council on European statistics on demography</b>
TYPE OF INITIATIVE	V CWP      • Non-CWP      • Implementing act/Delegated act
LEAD DG – RESPONSIBLE UNIT	ESTAT F1
EXPECTED DATE OF ADOPTION	Month/Year: 1/2012
VERSION OF ROADMAP	No: 1      Last modification:      Month/Year: 11/2011

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudge the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

A. Context, problem definition
(i) What is the political context of the initiative? (ii) How does it relate to past and possible future initiatives, and to other EU policies? (iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?
<p>The objective of this Regulation is to establish a common framework for the systematic production of Union statistics on demography, through the collection, compilation, processing and transmission by the Member States of harmonised Union statistics on population and vital events.</p> <p>The European Commission needs high quality information on the population and vital events linked to the population in the EU. In almost every policy area in which the EU is active, be it economic, social or environmental, there is a requirement for high quality demographic statistics to help formulate operational objectives and to evaluate progress, for instance in order to make valid comparisons between Member States. For instance, in accordance with Article 16(4) of the Treaty on European Union, as from 1 November 2014, a qualified majority will be defined on the basis of the population of the Member States. The Economic and Financial Affairs Council regularly gives a mandate to the Economic Policy Committee to assess the long-term sustainability and quality of public finances on the basis of populations projections produced by Eurostat.</p>
What are the main problems which this initiative will address?
<p>Data covered under this proposal have already been collected for a number of years on a voluntary basis. This may involve a diversity of demographic definitions, concepts and methods adopted in the Member States and a high risk of heterogeneity, incomparability, inconsistency and lack of timeliness of the data concerned. Additionally, following the adoption of Regulation (EC) No 862/2007 of the European Parliament and of the Council of 16 July 2007 on migration and international protection<sup>1</sup> and of Regulation (EC) No 763/2008 of 9 July 2008 on population and housing censuses<sup>2</sup>, the current proposal is intended to complete the harmonisation in the field of human population data.</p>
Who will be affected by it?
National Statistical Institutes of EU and EFTA countries.
(i) Is EU action justified on grounds of subsidiarity? (ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? (Necessity Test) (iii) Can the EU achieve the objectives better? (Test of EU Value Added)
<p>The objectives of the proposal cannot be sufficiently achieved by the Member States for the following reason.</p> <p>Two central quality concerns with any statistical data are coherence and comparability. Given that data on population and vital events are used to help to comply with Union legislation, to evaluate Union policies and/or to compare the results of national policies at a Union level, it is clearly essential that the underlying data must be comparable at a Union level. The Member States cannot achieve this result to the necessary extent without a clear Union framework, i.e. Union legislation laying down common statistical concepts and quality requirements. To this end, a Regulation on demography is proposed for adoption. Without such statistics, collected and compiled using a common Union framework, the relevance and effectiveness of the national systems of demographic statistics would be diminished.</p>

<sup>1</sup> OJ L 199, 31.7.2007, p. 23.

<sup>2</sup> OJ L 218, 13.8.2008, p. 14.

Action by Member States alone would adversely affect the Member States' interests for the following reason:

The lack of a common Union framework using common concepts and definitions would jeopardise or completely exclude the possibility of using demographic statistics of high quality. Past experience clearly shows that an informal understanding without an agreed, clear and supervised framework does not result in statistical output of the quality needed in the future.

Action at Union level will better achieve the objectives of the proposal for the following reasons:

The objectives of the proposal can be better achieved at Union level on the basis of a Union legal act because only the Commission can coordinate the harmonisation of statistical information at EU level. However, the collection of data and compilation of comparable statistics on demography can be organised by the Member States by using the most appropriate sources and methods to provide the required information. The EU may therefore take action to this end in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty.

The aim of the proposal is to harmonise concepts, subjects covered and characteristics of the required information, coverage, quality criteria and reporting deadlines and results, to achieve relevant, timely, comparable and coherent Union statistics.

The Member States will compile the data using their own national sources and practices, but are obliged to ensure the quality of the data and metadata transmitted, and to ensure that the chosen data sources and methodology meet common definitions. The Member States have to report on the data sources, definitions and estimation methods used to fulfil the obligations and must provide information on any changes thereto. They shall provide Eurostat with all the information necessary to evaluate the quality of the statistical information.

## B. Objectives of the initiative

What are the main policy objectives?

The Union legislation requires Eurostat to provide population data of the highest possible quality. Moreover, many policy areas in which the Union is active require information on vital events linked to the population in order to help formulate operational objectives and evaluate progress. The data must be timely, accurate, complete, coherent and comparable at Union level, and are often requested at a level of regional detail, variable breakdown and quality that can only be guaranteed by the Union legislation on demographic statistics.

Do the objectives imply developing EU policy in new areas?

No

## C. Options

- (i) What are the policy options being considered?
- (ii) What legislative or 'soft law' instruments could be considered?
- (iii) How do the options respect the proportionality principle?

(i) and (ii)

Based on the analysis of the current situation, two different options have been considered :

Option 1 : *"No change scenario" which preserves the existing status quo.*

In this option there is no policy change: data will continue to be collected on a voluntary basis. This 'soft law' option is not in line with the expected level of ambition of the Commission as the current situation makes evident a high risk of heterogeneity, incomparability, inconsistency and lack of timeliness of the data concerned.

Option 2 : new European legislation, a Directive or a Regulation

Proposed instrument: Regulation of the European Parliament and of the Council.

Given the information needs at Union level, the trend in Union statistics has been to use regulations rather than directives as the basic acts. A regulation is preferable because it lays down the same law throughout the Union, leaving the Member States with no leeway to apply it incompletely or selectively. It is directly applicable, which means that it does not need to be transposed into national law. Directives, on the other hand, aim to harmonise national laws, are binding on Member States as regards their objectives, but leave it up to the national authorities to choose the form used to achieve these objectives. They also have to be transposed into national law. The use of a regulation is in line with other Union statistical legal acts adopted since 1997.

Current experience using gentlemen's agreements has shown that they do not work sufficiently well (option 1).

Conclusion: Directive, Regulation or soft law have been considered but a Regulation seems the best approach, as it is the only one which offers sufficient legal certainty.

(iii)

The proposed Regulation is limited to the minimum required to achieve its objective and does not go beyond what is necessary for that purpose. The free choice of data sources in accordance with national laws and principles, together with the possibility of using estimation techniques and statistical methods, should reduce the financial and administrative burden on respondents, national, regional or local authorities and on citizens.

#### D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

The above options are being considered in the context of the benefits and costs.

Option 1: Currently Member States collect population data on a voluntary basis. No benefits have been identified giving the diversity of demographic definitions, concepts and methods adopted and a high risk of heterogeneity, incomparability, inconsistency and lack of timeliness of the data concerned. The impact on the problems identified could be significant taking into account that the Economic and Financial Affairs Council regularly gives a mandate to the Economic Policy Committee to assess the long-term sustainability and quality of public finances on the basis of populations projections produced by Eurostat.

Option 2: The expected benefits from a new Regulation on European statistics on demography are related to 1) improve of the consistency and comparability of population data provided by the Member States; 2) harmonise concepts, subjects covered and characteristics of the required information, coverage, quality criteria and reporting deadlines and results, to achieve relevant, timely, comparable and coherent Union statistics.

In addition, annual statistical data on demography are fundamental for the study and definition of a wide range of policies, with particular regard to social and economic issues, at national and regional level. Statistics on population are an important denominator for a wide range of policy indicators.

Only the Union legislation, in particular a Regulation can ensure that the above objectives are achieved.

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

Taking into account that data have already been collected for several years on a voluntary basis, the proposal would not entail additional burdens on Member States but would improve the current quality of data.

Every year, total population data concerning the Member States, collected and published by Eurostat, are used during the decision-making process of the Union (qualified majority voting in the Council). The importance of population weights will be even greater when, under the terms of Article 16(4) of the Treaty on European Union, as from 1 November 2014 a qualified majority shall be defined as at least 55 % of the members of the Council, comprising at least fifteen of them and representing Member States comprising at least 65 % of the population of the EU ('double majority').

The data must be timely, accurate, complete, coherent and comparable at EU level,

This proposal for a Regulation offers sufficient legal certainty and ensures that the data are timely, more coherent, comparable, consistent and thus more relevant for users at both European and national levels, in particular with the aim of counting each resident/birth/death only once in the statistics.

In addition, data shall be based on the data sources chosen by the Member State in accordance with national laws and practices. Scientifically based and well documented statistical estimation methods shall be used where appropriate.

Member States are not required to transpose the legislative act because as a Regulation, it will be directly applicable in the EU.

(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?

Given the nature of the proposal, a formal IA is not planned. Nevertheless, it is worth noting that National Statistical Institutes have been aware for some time already that Eurostat is planning a legislative initiative in the area of demographic data since 2007.

Point E (below) includes supplementary information on "how and at what stage" the stakeholders and experts have been consulted.

(i) Is any of options likely to have impacts on the EU budget above €5m?

(ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.

No

## E. Evidence base, planning of further work and consultation

- (i) What information and data are already available? Will existing impact assessment and evaluation work be used?
- (ii) What further information needs to be gathered, how will this be done (*e.g. internally or by an external contractor*), and by when?
- (iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (*e.g. for analytical studies, information gathering, etc.*)?
- (iv) Is any particular communication or information activity foreseen? If so, what, and by when?

Not applicable

Which stakeholders & experts have been or will be consulted, how, and at what stage?

National Statistical Institutes have been aware for some time already that Eurostat is planning a legislative initiative in the area of demographic data. Preparatory work of various kinds for a draft framework Regulation on annual demographic statistics has been going on in the Statistical Programmes for the Commission since 2007.

Since March 2008, Eurostat has actively provided information to the representatives of the National Statistical Institutes of the Member States in the meetings of the Demography Working Group. In November 2009, the representatives of the National Statistical Institutes in the Demography Working Group acknowledged the need for Union legislation on the collection of demographic data. On that occasion, an ex-ante evaluation of the proposal was presented and discussed together with the first draft version of the Regulation. Comments on the first draft were received from the National Statistical Institutes and incorporated in the revised draft that was sent at the end of 2010 for further comments. This second round of comments was incorporated in the second version of the Regulation that was discussed in the Demography Working Group in April 2011.

The main Commission services concerned during the development process were DG SG, DG EMPL, DG REGIO, DG SANCO, DG ECFIN and DG AGRI. Their opinions were officially requested through written consultation during the preparatory phase (ex-ante evaluation) of the proposal. There has been frequent and regular communication throughout the development process, including both bilateral discussions and regular attendance in the Demography Working Group. All of the services consulted expressed a favourable opinion on the project, underlining their needs as well as the legal and political basis for these needs.

The Inter-Service Consultation has been launched with deadline on 5 August 2011. Comments were received from SJ and will be analysed to be included in the revised text. The representatives of the National Statistical Institutes at the Directors of Social Statistics meetings will discuss the draft regulation in September 2011. The proposal will be presented to the representatives of the National Statistical Institutes in the European Statistical System Committee in November 2011.