



**Ad-Hoc Query concerning the Article 3 of the Regulation (EC) No 862/2007**

**Requested by HU EMN NCP on 10<sup>th</sup> July 2009**

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**Responses from: Austria, Belgium, Czech Republic, Estonia, Finland, Hungary, Latvia, Lithuania, Netherlands, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom (14 in Total)**

*Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*





**1. Background Information**




We are obliged to collect statistics on international migration, usually resident population and acquisition of citizenship under the Article 3 of the Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers by the end of the year (Article 3 Paragraph (2)). For the lack of border-register we are unable to supply statistics on the number of border crossings. The Hungarian Office of Immigration and Nationality with the Hungarian Central Statistical Office is interested in the method of data collection on border crossings.

## 2. Responses

		Wider Dissemination?	1. What kind of method does your country use for counting the enters and leavings of third-country nationals?
	<b>Austria</b>	<b>NO</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	<b>Belgium</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. Belgium does not systematically keep statistics on the number of third country nationals, EU nationals or persons enjoying the right of free movement crossing the external borders. Given the recent data collection efforts in the Frontiers Working Party in preparation for a possible entry-exit system, Belgium has performed a manual and systematic count at all border crossing points for a few days, and estimated the yearly total on this basis. We will do so again as agreed at the SCIFA meeting of 19-20 May, for the period from 31 August to 6 September, and we are planning to repeat this exercise a few times a year from now on.</li> <li>2. Regarding article 3 of the Statistical Regulation, the figures will be based on data from the population register. Using this system, emigrations statistics are identified by considering specific reasons for deregistration, i.e. declarations of emigration (theoretically, persons leaving the country should deregistered if the departure is not temporary – the definition of temporary emigration is defined legally), expiration of residence permits (without renewals), deregistration made by municipal authorities when detecting non declared emigration (so-called “radiations d’office”).</li> </ol>
	<b>Czech Republic</b>	<b>Yes</b>	<p>The categories of immigrants and emigrants in Article 3, paragraphs a) and b) of the Regulation No. 862/2007 do not concern the number of border crossings (i.e. entries and exits) but the number of persons who, in the given period, immigrated in or emigrated out of the territory of the member state. The given categories thus cover both the nationals of the member state and foreigners.</p> <p>In accordance with the 1998 UN Recommendation to statistics of international migration and demands of EUROSTAT the Czech Statistical Office in 2001 extended its definitions of immigrants and emigrants in case of foreign nationals. In the category of immigrants are included persons who were granted permanent residence permit in the given period (the given year), long-term residence permit/visas over 90 days (in case that their stay in the territory of the Czech Republic exceeded one year) and accredited refugees. Similar criteria are also used for emigrants.</p>
	<b>Estonia</b>	<b>Yes</b>	In Estonia the Board of Border Guard is collecting the data of the enters and leavings of third-country nationals in the border crossing registry.
	<b>Finland</b>	<b>Yes</b>	The Finnish Border Guard’s information system registers all the entries and leavings. Passports and visas are read automatically and registered into the information system. If the system is not functioning, the information is collected manually afterwards. The information system contains an application which produces statistical data on entries and leavings.
	<b>Hungary</b>	<b>Yes</b>	The Hungarian office which is obliged to answer this dissemination (Hungarian Central Statistical Office) can only give data by the method of estimation.
	<b>Latvia</b>	<b>Yes</b>	<p>The Border Guard’s internal document determines the numeral accounting of the person’s border crossing.</p> <p>The registration of the checked persons is made manually: each inspecting officer manually counts checked persons by dividing them in</p>



			<p>At the end of the shift the number is submitted to the shift's senior officer.</p> <p>The border checkpoints' officer of the day summarizes these day (24 h) numbers and enters them in the State Border Guard's information system – RAIS XP.</p> <p>State Border Guard does not perform any other registration.</p> <p>Of course all data of third country nationals is entered in the REIS information system and it is possible to get more detailed data about the third country nationals.</p> <p>All estimation and registration is done on the external borders.</p> <p>There is no registration and estimation of the persons numbers performed on the internal borders.</p>
	<b>Lithuania</b>	<b>Yes</b>	<p>The Lithuanian Border Guard Service has a specialized information system (VSATIS) that records all entries/departures to/from Lithuania of the third country nationals. The system records following data: type of visa, country that issued visa, number of visa, date of validity, date of entry and date of departure. Therefore they have a very precise data.</p> <p>Lithuanian Labour Exchange collects data on foreign workers. It is responsible for the issue of work permits for third country nationals.</p>
	<b>Netherlands</b>	<b>Yes</b>	<p>Since the Netherlands is part of the Schengen Treaty, there is no border control and therefore there are no border statistics in the Netherlands.</p> <p>Counting the arrivals and departures of third-country nationals in the Netherlands is based on registration at the Dutch Immigration and Naturalisation Service (IND) and registration in the GBA, the fully automated population register of the Netherlands (in Dutch: Gemeentelijke Basisadministratie).</p> <p>In the Netherlands, all <u>immigrants</u> who intend to stay for more than four months have to be registered in the GBA. The order in which the immigration procedure is done is as follows:</p> <ol style="list-style-type: none"> <li>1. The immigrant contacts the municipality that he wants to be registered;</li> <li>2. Then he contacts the IND that decides whether the immigrant fulfils the terms of the law on non-Dutch nationals (the so-called terms of 'Lawful Residence');</li> <li>3. If these terms are met and the IND forwards a residence permit, the immigrant contacts the municipality to have the registration procedure completed.</li> </ol> <p>Every immigrant must show him or herself in person. The immigration cannot be declared by only one family member.</p> <p>As for <u>emigration</u> of third-country nationals, the emigrant has to go to the municipality to deregister himself if he intends to leave the Netherlands for a period of at least eight months.</p> <p>If the emigrant does not inform the municipality of his departure, he can be deregistered from the population register (by means of a so-called 'administrative removal') when the municipality officially concludes that the person is not living in the Netherlands anymore.</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<p>Statistical Office of the Slovak Republic takes over the data on immigrated and emigrated third countries citizens for usual residence from an administrative source called "Register of foreigners" which is in the competence of the Bureau of Border and Alien Police of the Ministry of Interior. In the framework of the implementation of the EC Regulation No 862/2007, modifications of the information system for registration of foreigners were made, in order to provide necessary statistical data in line with definitions of the Regulation. Statistical data on enters and leavings of third-country nationals for the purposes of EUROSTAT are not used.</p>
	<b>Slovenia</b>	<b>Yes</b>	<p>For the reason of counting of third country nationals, EU nationals and Slovenian citizens a model of quotient is being used. Manual</p>

			<p>counting of vehicles and passengers periodically tests the quotient. At all international road BCP's the counting of vehicles is done automatically through counters, on smaller BCP's for local border traffic it is counted manually.</p> <p>No of pedestrians, cyclists, moped and motorcyclists and tractors are counted manually.</p> <p>The information's on passengers on the railway BCP's is being send to us by railway company, at the traffic on the air border by the Airports and at the Sea border is provided by the ship crew and counted manually on the small boats.</p>
	<b>Spain</b>	<b>Yes</b>	<p>Data on migratory flows (immigrations and emigrations) are obtained through a methodology which combines registers and estimates. Basic information is drawn from that related with registration and elimination due to changes of residence entered in the Municipal Population Registers (administrative register listing all of the individuals who reside, on a regular basis, in the municipality).</p> <p>This register is basically the only source used as regards movements related with entry (abovementioned "enters").</p> <p>As regards exits (abovementioned "leavings"), the information of this register is complemented by estimates of the exits of specific groups whose exits from Spain are not adequately reflected in this register. Amongst these are foreigners holding long-term residence permits and nationals of EU countries. In these cases, estimates are based on a calculation of trends as regards exits from Spain depending on the number of years of residence in the country. This trend is estimated on the basis of data compiled from surveys and historical data from the registry.</p>
	<b>Sweden</b>	<b>Yes</b>	<p>Art 3 refers to statistics on international migration and usually resident population. The Swedish statistics on immigration and emigration are based on registrations at the local tax offices. These registrations update our National Population Register that is the source for statistics on Art 3. The police carry out registration on border crossing for our external Schengen borders. These registrations are not relevant for the purpose of migration statistics.</p>
	<b>United Kingdom</b>	<b>Yes</b>	<p>In the UK, Migration data (of net inflow and outflow) is compiled from the International Passenger Survey (a sample of passengers travelling through the major air and sea ports of the UK). These data are sent to Eurostat.</p> <p>The migration flow data used by the UK are estimates of immigration and emigration based on three main sources:</p> <ul style="list-style-type: none"> <li>• The International Passenger Survey (see above)</li> <li>• Home Office data on asylum seekers and their dependants; and</li> </ul> <p>Information from the Central Statistics Office on migration between the UK and the Irish Republic.</p>

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