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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the 'Commitments on Confidence in Statistics' by Member States as required by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009

1. INTRODUCTION

1.1. Regulation (EC) No 223/2009 on European statistics

This is the second report drawn up in accordance with Regulation (EC) No 223/2009 on European statistics[1], and in particular Article 11(4) establishing that:

'The Commitments by Member States shall be monitored regularly by the Commission on the basis of annual reports sent by Member States and shall be updated as necessary.

…

The Commission shall report to the European Parliament and the Council on the published Commitments and, where appropriate, progress reports, by 9 June 2018 and every two years thereafter.'

The first report was published in 2018[2].

1.2. Commitment on Confidence in Statistics

The concept of Commitment on Confidence in Statistics ('Commitment') began with the aim of improving the quality management framework for statistics. It is described for the first time in a Communication from the Commission in 2011[3]. The idea was to involve national governments in assuming responsibility for a country's compliance with the European Statistics Code of Practice[4].

The European Statistics Code of Practice sets the standard for developing, producing and disseminating European statistics. It is based on 16 principles that guide the institutional environment, statistical processes and outputs. It aims to ensure that statistics produced within the European Statistical System are not only relevant, timely and accurate but also comply with the principles of professional independence, impartiality and objectivity. The Commitments establish a link between the European Statistics Code of Practice and a Member State government, which was previously missing.

According to Article 11(3) of Regulation (EC) No 223/2009, the Commitments are instruments that 'shall further aim to ensure public trust in European statistics and progress in the implementation of the statistical principles contained in the Code of Practice', to be established by both Member States and the Commission.

Recital 17 of amending Regulation (EU) No 2015/759[5] also states that the Commitments 'should include specific undertakings by the government of that Member State to improve or maintain the conditions for the implementation of the Code of Practice'.

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1 Regulation (EC) No 223/2009 on European statistics of the European Parliament and of the Council of 11 March 2009 and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

2 COM (2018) 516 final: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1574866259293&uri=CELEX:52018DC0516

3 COM (2011) 211.

4 http://ec.europa.eu/eurostat/web/products-manuals-and-guidelines/-/KS-32-11-955

5 Regulation (EU) 2015/759 of the European Parliament and of the Council of 29 April 2015 amending Regulation (EC) No 223/2009 on European statistics (OJ L 123,19.5.2015, p. 90).

2. OVERVIEW OF COMMITMENTS ON CONFIDENCE AND REPORTS BY MEMBER STATES

2.1. General provisions

According to Article 11 of Regulation (EC) No 223/2009, Member States must establish and publish a Commitment on Confidence in Statistics, or at least send to the Commission and publish a progress report on the implementation of the Code of Practice and the efforts undertaken towards the establishment of a Commitment. The Commission regularly monitors the Commitments, on the basis of annual reports sent by Member States.

According to the same Article, before the establishment of a Commitment, Member States submit to the Commission and make public a progress report on the Code of Practice's implementation or where applicable, on the efforts undertaken towards the establishment of a Commitment. Progress reports must be updated every 2 years.

As was the case for the 2018 Commission report under Article 11(4) of Regulation (EC) No 223/2009, the majority of Member States reported in parallel with their reports on the implementation of the improvement actions emanating from the second round of peer reviews, under which Member States report to the Commission (Eurostat) in January of each year about any action they have taken to follow up the respective peer review process.

In order to serve as the progress report on the Commitment, the Member State must publish the part of the peer review report which serves as a report on the Commitment.

2.2. Form of the Commitment

Regulation (EC) No 223/2009 contains no rules about the form of the Commitment, but the objective of gaining public trust through a governmental commitment to provide the conditions for high-quality statistics must be achieved.

As was established already in the 2018 report under Article 11(4) of Regulation (EC) No 223/2009, the majority of Member States consider certain parts of their respective legislation to constitute the Commitment. This situation has been confirmed.

The group of Member States having established 'stand-alone' Commitments has grown slightly but remains smaller. The following presents an overview of recently reported significant developments regarding both groups of Member States:

2.2.1. National laws constituting the Commitment

Those Member States who consider the Commitment to be constituted by national law have referred to the legal provisions that are relevant for improving or maintaining the conditions for implementation of the Code of Practice and have reported on relevant developments. For the observation period 2018 to 2019, the most significant or typical developments reported by this group of Member States were the following:

Bulgaria: The Bulgarian statistical institute was able to improve overall the quality management system, both internally and in the national system as a whole regarding cooperation with other national authorities (ONAs) producing official statistics. For instance, it established common guidelines on dissemination. Regarding its coordinating role, the national statistical institute has been given stronger coordinating powers throughout the national statistical system.

Regarding the planned 'stand-alone' Commitment on Confidence in Statistics, the national statistical institute has finished the draft and sent it to the government. The government is about to start discussion on its adoption.

Croatia: The adoption procedure for the new act on official statistics by the Croatian government and parliament is in its final stage.

The new act clearly recognises that official statistics are developed, produced and disseminated in line with the principles laid down in Regulation (EC) No 223/2009, thus ensuring the full establishment of the Commitment on Confidence in Statistics by giving the national statistical institute, the Croatian Bureau of Statistics, the professional independence and support it needs to maintain and improve the conditions for implementing the European Statistics Code of Practice.

Denmark: A revised act on official statistics and the national statistical institute, Statistics Denmark, entered into force 1 July 2018. It includes specific provisions on the status of the national statistician, statistical independence, and the coordinating role of Statistics Denmark for official statistics.

The provisions include a clear procedure to implement the European Statistics Code of Practice in the system for official statistics. The national statistician has prepared a set of quality guidelines based on the Code of Practice which all official statistics must comply with.

The compliance with these guidelines is monitored by Statistics Denmark via yearly self-assessments by the ONAs and regular peer review visits from Statistics Denmark. On the basis of this monitoring, each year the national statistician produces a report on compliance with the guidelines which is presented to the government.

France: The powers of the 'Official Statistics Authority' (ASP), a supervisory body created in 2009 to guarantee compliance with the principle of professional independence in the design, production and dissemination of official statistics, were clarified further[6]:

The ASP's role in complying with the European Statistics Code of Practice is now more clearly stated and a watertight partition is established to separate the dissemination of statistics from any ministerial communication. Furthermore, the ASP now issues an opinion on their professional competence in the field of statistics to the hearing committee when the most senior managers of France's statistical service are appointed. This reinforces the ASP's remit to ensure compliance with the principle of professional independence throughout the entire French official statistical service.

Italy: Recently, the focus has been on measures to improve compliance with the quality principle. Since 2018, the national statistical office, Istat, has been carrying out a programme on quality assessment by conducting audits on ONAs to assess their statistical processes. In addition, a training programme is enhancing the quality management skills of the ONAs.

In 2019, a corporate convention with all Istat employees at all levels from top management to staff level was organised in order to share the new organisational structure, strategies, challenges and opportunities with respect to the commitment on quality.

[6] Decree no. 2018-800 of 20 September 2018, amending Decree no. 2009-250 of 3 March 2009 relating to the Authority.

The efforts to establish a 'self-standing' Commitment on Confidence are continuing. A specific Commitment will again be put forward for inclusion in the next three-year national statistical programme for 2020-2022, which has to be adopted by the Council of Ministers on a proposal from the President of the Council and enacted by a decree of the President of the Republic.

Poland: The law of 29 June 1995 on public statistics[7] was officially declared as the Polish Commitment on Confidence in Statistics. The law is the most important Polish act regulating the functioning of official statistics in a comprehensive manner; the law guarantees that those compiling the statistics have full independence from political influences, thus ensuring the high quality of the statistical data produced.

The law contains an obligation for the Polish public administration to act in accordance with the Union law provisions to which it directly refers. Thus, it is intended to lead to public confidence in the statistics elaborated in the country, including the statistics for European needs.

In addition, the law contains a direct obligation for Polish official statistics to be produced in accordance with the rules of the European Statistics Code of Practice, thus guaranteeing the highest level of quality of the data.

Spain: Since 2016, the Commitment on Confidence has been included in a specific article of each annual programme under the national statistical plan for 2017-2020. Additionally, in 2018, a specific section was set up to address this topic on the website of the national statistical institute. This section includes a summary for citizens of the Commitment, with links to all annual programmes.

Other countries consider the Commitment to be constituted by national law but are not mentioned in the list above due to less significant developments in the last 2 years. These countries are: **Germany, Estonia, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Portugal, Slovakia, Finland** and the **United Kingdom**.

2.2.2. 'Stand-alone' Commitments on Confidence

The established 'stand-alone' Commitments take different forms, each one reflecting the specific features of the national statistical system concerned.

The first report on the Commitments from 2018 presented (in chronological order) the following Member States' 'stand-alone' Commitments:

Greece: The Greek Commitment on Confidence in Statistics[8] was signed on 29 February 2012 by the Greek Prime Minister and the Member of the European Commission responsible for taxation and customs union, audit and anti-fraud.

Sweden: The Commitment on Confidence in Statistics[9] was presented in the Swedish Government's budget bill for 2017. Subsequently, it was also published on the Swedish statistical institute's website.

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[7] Document available on: https://bip.stat.gov.pl/en/law/law-on-public-statistics/ or http://isap.sejm.gov.pl/DetailsServlet?id=wdu19950880439 or http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19950880439/U/D19950439Lj.pdf

[8] http://www.statistics.gr/documents/20181/c5b9264e-815e-4f74-9955-467d14cad474 (Available only in English).

Slovenia: The Government of Slovenia adopted the Commitment on Confidence in Statistics[10] on 5 January 2017. It was subsequently published, together with the corresponding citizen's summary, on the website of the Slovenian statistical institute.

Ireland: The Irish Commitment on Confidence in Statistics[11] was adopted by the Government of Ireland on 30 May 2017 and subsequently published on the website of the Irish statistical institute.

Belgium: On 31 May 2017, the Belgian Commitment on Confidence[12] was approved by the Consultation Committee where the federal government and the governments of the regions and communities are represented, and subsequently published on the website of the Belgian federal statistical institute and the regional statistical authorities.

Romania: The Romanian Commitment on Confidence was adopted by the Romanian government at its meeting of 9 June 2017[13].

Malta: For the Maltese government, the Prime Minister signed the Commitment on Confidence in Statistics on 17 May 2018**[14]**.

The following new 'stand-alone' Commitments have been established since:

Czechia: The Commitment on Confidence in Statistics in the Czech Republic**[15]** was published on 28 February 2018 on the website of the national statistical authority.

It reflects the respective provisions of Regulation (EC) No 223/2009, and states that they are already fulfilled by the valid legislation defining the activities of the Czech statistical service, first of all Act No 89/1995 on the state statistical service, but also other acts like the Constitution or the government's rules of procedure. This system of regulations provides the conditions necessary to fulfil all principles of the European Statistics Code of Practice concerning the institutional environment.

Cyprus: The Commitment on Confidence in Statistics was approved by the Council of Ministers on 16 October 2018[16]. Additionally, the Council authorised the Minister of Finance to give instructions to the director of the statistical service to proceed with the publication of the Commitment.

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9 http://www.scb.se/contentassets/bbe78b2a144143c7955b165f76fb4d52/regeringens-atagande-om-att-skapa-fortroende-for-statistiken.pdf and http://www.scb.se/om-scb/samordning-av-europeisk-statistik-i-sverige/regeringens-atagande-om-att-skapa-fortroende-for-statistiken/ (Available only in Swedish).
See also pages 28 and 29 of the **Official Statistics of Sweden– Annual report 2017**
http://www.scb.se/contentassets/fd60f41a3abc4d2c8a791e425357ba5b/ov9999_2017a01_br_x43br1802.pdf
(Description of commitment in English**).**

10 http://www.stat.si/StatWeb/en/News/Index/6458 (Available only in English and Slovenian).

11 http://cso.ie/en/media/csoie/aboutus/documents/CoCS.pdf (Available only in English).

12 https://statbel.fgov.be/en/about-statbel/quality/commitment-confidence (Available only in English, French, German and Dutch).

13 http://www.insse.ro/cms/files/eurostat/angajament_de_sprijinirea_credibilitatii_statisticii_oficiale_nationale.pdf (Available only in Romanian).

14 https://nso.gov.mt/en/nso/Pages/Commitment-on-Confidence.aspx and https://msa.gov.mt/en/public_information/Pages/Commitment-on-Confidence.aspx (Available only in English).

15 https://www.czso.cz/csu/czso/commitment-on-confidence-in-statistics-in-the-czech-republic

16 Decision no. 85.964.

Iceland, which participates in the European Statistical System in its capacity as a member country of the European Economic Area (EEA), has also established a 'stand-alone' Commitment: A text regarding the Commitment on Confidence in Statistics was inserted in the documents of the 2020-2024 budget plan and approved by the country's Parliament[17]. It reaffirms that the credibility of public statistics is one of the prerequisites for trust in economic and social statistics used for policy making and for assessing the impact of government decisions in a neutral way. The text also states that in order to maintain confidence in official statistics, it is imperative that the principles of the European Statistics Code of Practice are adhered to. Moreover, it is made clear that the national statistical authority, Statistics Iceland, is ensured the professional independence and working environment necessary to enforce those rules when implementing new projects, collecting data, and processing and disseminating statistics.

Finally, it is also worth mentioning that although outside the European Statistical System, three Western Balkans countries also formally adopted Commitments on Confidence in Statistics: **Albania** on 10 November 2017, **Montenegro** on 22 February 2018 and **North Macedonia** on 17 October 2018.

3. CONCLUSION

For the majority of Member States, the Commitment is inherent in their statistical legislation. It is apparent from their reports that the obligation to establish a Commitment is leading to constant improvements in the relevant statistical legislation, with a view to better implementing the principles of the European Statistics Code of Practice.

For this group of Member States, a government commitment regarding the European Statistics Code of Practice, which is necessary to increase public trust in official statistics, is adhered to by involving governments in the creation of the relevant legislation. Moreover, this aspect is present in the provisions on directly reporting to the government on the implementation of the measures guaranteeing compliance with the principles of the European Statistics Code of Practice.

Among the countries which established 'stand-alone' Commitments or are in the process of doing so, the differences in the forms chosen reflect the specific features of the national statistical system as well as the legal system. Since the Commitment's establishment depends on a political decision, it is a lengthy process to finalise. The countries which are still working on their 'stand-alone' Commitments are making progress. In the meantime, they have also further improved the implementation of the principles of the European Statistics Code of Practice.

Overall, it can be observed that governments and national statistical authorities throughout the European Union are becoming more and more aware of the importance of ensuring public trust in European statistics by better implementing the principles in the Code of Practice. Moreover, it is apparent that the conditions for implementing the Code of Practice are gradually and sustainably improving.

[17] https://www.stjornartidindi.is/Advert.aspx?RecordID=de627e49-2146-45cb-b1eb-969072b8deac