II

(Preparatory Acts)

ECONOMIC AND SOCIAL COMMITTEE

Opinion on the proposal for a Council Regulation on Community action in the field of statistics [1]

(94/C 195/01)

On 30 March 1994 the Council decided to consult the Economic and Social Committee, under Article 198 of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Economic, Financial and Monetary Questions, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 12 April 1994. The Rapporteur was Mr Meyer-Horn.

At its 315th Plenary Session (meeting of 27 April 1994), the Economic and Social Committee adopted the following Opinion unanimously.

1. Legal basis of the Regulation

1.1. The European Commission has submitted a proposal for a Council Regulation [COM(94) 78 final] concerning Community action in the field of statistics.

1.2. The legal basis for the Regulation is Article 213 of the Treaty establishing the European Union, and it will be passed once the Economic and Social Committee, the European Parliament and the European Monetary Institute have given their Opinions.

1.3. The proposed Regulation was drawn up in consultation with the Statistical Programme Committee, the Committee on Monetary, Financial and Balance of Payments Statistics and the European Advisory Committee for Statistical Information in the Economic and Social Spheres.

1.4. Article 23 states that the Regulation is to come into effect 20 days after publication in the Official Journal of the EU and then has immediate legal force in every Member State.

2. Purpose of the Regulation

2.1. For decisions to be made, the European Union requires Community statistics which are up-to-date, reliable, meaningful and comparable from one country to another. Community statistics are particularly essential for the following purposes:

2.1.1. To prepare and achieve Economic and Monetary Union (e.g. financial and monetary indicators for convergence criteria; national accounts, purchasing power parities, consumer-price indices, balance of payments, banking, interest-rate and monetary statistics for the European Monetary Institute).

2.1.2. To promote economic and social cohesion (e.g. GDPs of the regions, unemployment rates, regional indicators on active population and employment in order to assess eligibility for Structural and Cohesion Fund assistance, REGIO database).

2.1.3. To create a European financial area (e.g. capital market statistics, including data on ecu bond issues, databank on all ecu statistics).

2.2. In its Final Report of the Statistical Programme 1989-1992 [COM(93) 454 final], the Commission points to the progress already made in these areas of statistics (chapter I B 1 to I B 4, I C 1). In particular, work done over ten years has brought the European System of Integrated Economic Accounts (ESA) into line with that of the United Nations (SNA) and the methods used by the IMF to measure balance of payments. Within the ESA, collection of the now largely comparable data has been speeded up and provision made for the subsequent inclusion of Austria, Switzerland, Sweden and Finland.

[1] OJ No C 106, 14. 4. 1994, p. 22.

2.3. Community statistics are based on the data supplied by statistical offices in the Member States. This is in line with the subsidiarity principle, which, particularly in the field of statistics, has been proving its worth for some time now. However, subsidiarity also involves the following requirements:

2.3.1. There must be a clearly defined division of responsibilities between the Statistical Office of the European Union (Eurostat) and the statistical authorities of Member States.

2.3.2. Member States must ensure that data passed on from their own authorities to the European Commission conform to principles agreed upon at Community level.

2.3.3. Confidential statistical data must be protected in equal measure at all levels to maintain the confidence of those required to provide information.

2.3.4. Arrangements must be made to ensure that non-confidential Community statistics are accessible to all citizens of the EU and not just to a small group of immediate users.

2.3.5. In response to the particular needs and the responsibility which the European Monetary Institute (EMI) or, at a later stage, the European Central Bank will have for certain statistics, a special form of cooperation must be agreed upon between the various statistical authorities at national and Community level, taking full account of the independent status of the European Central Bank and the EMI.

2.4. The proposed Regulation implements the measures necessary to meet the requirements set out in point 2.3. The ESC therefore endorses it while making the comments set out in paragraphs 3 and 4 below.

3. General Comments

3.1. The 23 Articles of the proposed Regulation lay down unified standards and harmonized methods for the preparation, collection, storage, processing, compilation, analysis and dissemination of Community statistics. Multi-year statistical programmes, periodically updated if necessary, are to be set up together with guidelines and objectives, on the basis of annual work programmes.

3.1.1. The Committee welcomes the fact that the proposed Regulation also takes account of both financial constraints at national and Community level and the relevance of Community legal provisions governing such actions (Article 4). In this connection, the ESC particularly approves of the following principles [Article 9(2) points 3 and 4]:

3.1.1.1. The financial burden on respondents is minimized.

3.1.1.2. The amount of work and the cost involved in the production of Community statistics must be in proportion to the importance of the results/benefits sought.

3.1.2. In view of the extent and importance of the statistical programmes, the ESC thinks it right to consult the committee specifically set up for this purpose within Eurostat (the Statistical Programme Committee), the European Monetary Institute and, where appropriate, the Committee for Statistical Information in the Economic and Social Spheres and the Committee on Monetary, Financial and Balance of Payments Statistics [Article 3(2) and (3)].

3.1.3. According to Article 3(2), the Commission is to take the statistical requirements of the European Monetary Institute into consideration 'as far as possible'. The ESC feels that this qualification is inappropriate given the importance of the statistics which will presumably be required when laying the foundations of the common monetary policy, adjusting instruments of monetary policy and promoting closer cooperation between central banks.

3.2. Article 9 of the proposed Regulation states that Community statistics shall be produced in an objective manner, uninfluenced by political or other interest groups. In view of the importance of statistics in the process of completing economic and monetary union (cf. points 2.1.1 and 2.1.2), the ESC endorses this principle, as well as the detailed rules on statistical confidentiality and protection against unauthorized disclosure (Articles 13 to 19). On this point, the ESC feels that suppliers of statistical data should be informed about the protective measures taken as well as about the legal basis and purpose of the statistics.

3.3. With the implementation of convergence and recovery programmes and plans for closer coordination of national economic policies under multilateral supervision, it is essential that the relevant economic and social interest groups, especially the social partners, are kept informed. The ESC therefore welcomes the fact that the proposed Regulation guarantees impartial and therefore unhindered access to Community statistics which are not subject to statistical confidentiality (Articles 10 and 11).

3.4. The ESC is assuming that it will continue to be consulted on the multiannual Community statistical programmes referred to in Article 2(1) of the draft Regulation

4. Specific comments

4.1. Although national authorities are normally responsible for carrying out the work required under the statistical programme, Community statistics may also be produced by Eurostat with the agreement of these national authorities. The ESC feels that it makes sense to provide for this option (Article 7).

4.2. Article 11(4) states that the conditions of access for statistics' users shall be governed by the tariff policy of each authority and based on mutual information and cooperation between national and Community statistical authorities. This is in line with the principle of subsidiarity. However, the ESC is adamant that cooperation should produce a tariff policy which ensures that the citizens of one or other Member State do not have to pay considerably more than others for access to Community statistics.

4.3. Article 18 states that employees of national authorities will continue to be subject to the ruling on statistical confidentiality even after the cessation of their functions. The ESC welcomes this, but wonders how it can be incorporated into contracts of employment or civil service and criminal law at national and Community level.

4.4. Article 20 lays down the rules for consultation of the Statistical Programme Committee (SPC), particularly the voting and decision procedure for Commission measures which are not in accordance with the opinion of the SPC. The procedure is complicated, but the ESC feels it is indispensable if the decisions necessary for the production of Community statistics are to be taken without long delays. The same goes for rules laid down in Article 21 on the functioning of the Committee on Statistical Confidentiality established under Council Regulation No 1588/90 of 11 June 1990.

Done at Brussels, 27 April 1994.

The Chairman

of the Economic and Social Committee

Susanne TIEMANN