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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

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1. INTRODUCTION

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

This is the third report drawn up by the Commission 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] and the second in 2020[3].

1.2. Commitment on Confidence in Statistics

The concept of Commitment on Confidence in Statistics ('Commitment') has its roots in the aim to improve the quality framework for statistics. It is described for the first time in a 2011 Commission Communication[4]. The concept is a means to involve national governments in the responsibility for the level of a country's compliance with the European Statistics Code of Practice ('Code')[5].

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

According to Article 11(3) of Regulation (EC) No 223/2009, the Commitment is an instrument 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 adopted by both Member States and the Commission.

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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(2020) 278 final: EUR-Lex - 52020DC0278 - EN - EUR-Lex (europa.eu)

4 COM (2011) 211.

5 European statistics Code of Practice -revised edition 2017

Recital 17 of amending Regulation (EU) No 2015/759[6] also states that the Commitment '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'.

1.3. European Statistical System (ESS) peer reviews

Eurostat and the national statistical authorities of all Member States and EFTA countries form a partnership to produce European statistics called the European Statistical System (ESS). To guarantee the quality of their statistics, the ESS members created a common quality framework with the Code as the cornerstone. Besides the Commitments, the ESS peer reviews, which are periodically conducted to assess members' compliance with the Code, is an important instrument to ensure the implementation of the common quality framework and thus the quality of European statistics.

The ESS peer reviews are conducted regularly, involving self-assessments, country visits and a peer review report for each reviewed country containing recommendations for improvement, which are followed up through improvement actions and their annual monitoring by Eurostat. Two previous rounds of peer reviews were carried out from 2006 to 2008 and from 2013 to 2015. The current third round runs from 2021 to 2023.

2. OVERVIEW OF COMMITMENTS ON CONFIDENCE AND COUNTRY REPORTS

2.1. General provisions

According to Article 11 of Regulation (EC) No 223/2009, Member States must establish and publish a Commitment, or at least send to the Commission and publish a progress report on the implementation of the Code and the efforts made towards establishing a Commitment.

The Commission monitors the Commitments regularly, on the basis of annual reports sent by Member States.

2.2. Form of the Commitment

Regulation (EC) No 223/2009 does not set out rules on the form the Commitment should take. However, the Commitments must include specific policy commitments and be presented and drafted in a way to ensure the right conditions for high-quality statistics.

Member States that consider certain parts of their respective legislation to constitute the Commitment generally refer to the specific legal provisions that are relevant for improving or maintaining the conditions for the implementation of the Code and report on recent developments. Member States that have established stand-alone Commitments have notified the Commission of them and made the Commitments public.

Section 2.2.1. below provides an overview of existing Commitments for which significant developments were reported during 2020 and 2021:

2.2.1. National laws constituting the Commitment

Croatia: The new Official Statistics Act entered into force in March 2020[7]. It gives the Croatian Bureau of Statistics the professional independence and the support it needs to maintain and improve the conditions for implementing the Code.

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6 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).

7 Official Gazette No 25/20

The provisions on the appointment and dismissal of the Director-General were improved, and provisions on co-operation and co-ordination within the statistical system and a new funding basis were drawn up. Significant progress was reported preparing the planned stand-alone Commitment.

Czechia: The Commitment was published on 28 February 2018[8]. In 2020 and 2021, the government continued to fully respect the principle of professional independence of the Czech Statistical Office, which in turn actively promoted professional independence principles and acted in accord with them.

Denmark: In 2020 and 2021, the National Statistician prepared new mandatory quality guidelines based on the Code which include monitoring and reporting to the government and form the basis of a national enforcement procedure.

Finland: The relevant national statistical act is being revised and will be presented to Parliament in the course of 2022.

France: The process to enshrine in law the professional independence of statistics progressed well. The Ministry for Culture has already amended the decree accordingly. On the adequacy of resources, a multi-year contract was signed, providing assurance that the objectives would be achieved and internal management improved. The ESS peer review visit already took place in 2021[9].

Italy: The ESS peer review visit will take place in late 2022. In 2020 and 2021, the quality policy of the statistical institute was updated, the quality committee was re-constituted and the second edition of the Italian Statistics Code of Practice was approved. Efforts in preparing a 'self-standing' Commitment continued.

Netherlands: Many steps were taken in 2020 and 2021 to improve compliance with the Code. For instance, in 2020, Statistics Netherlands released a new human resources strategy for 2020-2025 and acquired several ISO certifications.

Spain: The Commitment is implemented as part of the 2021-2024 National Statistics Plan and the subsequent annual programmes. A specific website hosted by the national statistical institute includes a citizens' summary of the Commitment, with links to all multiannual plans and annual programmes since 2016[10].

Slovakia: The 'Act on State Statistics'[11] constitutes the Commitment. It was amended in 2021 to clarify this and to implement the principles of the Code.

Other Member States considering the Commitment to be constituted by national law that reported no major changes in the last 2 years include: **Austria, Germany, Estonia, Latvia, Lithuania, Luxembourg, Hungary, Poland and Portugal**.

2.2.2. Stand-alone Commitments

Bulgaria:

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

9 Document available on: europa.eu

10 INE - MetodologiaYEstandares - Initiatives of promotion and application of the European statistics Code of Practice

11 Article No. 540/2001

The only new stand-alone Commitment since the last report was adopted by the Bulgarian government in December 2021[12]. It proclaims that the national statistical system complies with the principles of the Code, guarantees the independence of official statistics and expresses the government's commitment to the quality of statistical data produced by the national statistical institute, which will increase the credibility of Bulgarian statistics.

Stand-alone Commitments described in previous reports:

Greece: The Commitment[13] was signed in 2012.

Sweden: The Commitment[14] was presented in the government's budget bill for 2017.

Slovenia: The government adopted the Commitment[15] in 2017.

Ireland: The government adopted the Commitment[16] in 2017.

Belgium: The Commitment[17] was published in 2017.

Romania: The government adopted the Commitment[18] in 2017. Romania reported that in 2020 and 2021 it took further steps to ensure the independence of the statistical institute, allocate adequate resources, and introduced new polices and methodologies on digitalisation, data protection and the better use of administrative data.

Malta: The Commitment[19] was signed in 2018.

Cyprus: The Commitment was signed in 2018 and published[20] together with a citizens' summary. Cyprus reported that following a revision of the national statistics law in 2021, a revision of the Commitment is planned.

EEA, EFTA and Candidate Countries:

Iceland, which participates in the ESS in its capacity as a European Economic Area country, has also established a stand-alone Commitment[21]. Switzerland, which participates in the ESS on a bilateral basis, reported in detail about the national measures which guarantee compliance with the Code. It is also currently clarifying how a formal Commitment could be produced. Three Western Balkans countries formally adopted Commitments: Albania in 2017,

12 https://nsi.bg/en/content/19201/basic-page/commitment-confidence-statistics

13 https://www.statistics.gr/documents/20181/c5b9264e-815e-4f74-9955-467d14cad474 (Available only in English).

14 https://www.scb.se/contentassets/bbe78b2a144143c7955b165f76fb4d52/regeringens-atagande-om-att-skapa-fortroende-for-statistiken.pdf and https://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 https://www.scb.se/contentassets/fd60f41a3abc4d2c8a791e425357ba5b/ov9999_2017a01_br_x43br1802.pdf **(**Description of commitment in English**).**

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

16 https://www.cso.ie/en/media/csoie/aboutus/documents/CoCS.pdf (Available only in English).

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

18 https://insse.ro/cms/files/eurostat/angajament_de_sprijinirea_credibilitatii_statisticii_oficiale_nationale.pdf (Available only in Romanian).

19 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).

20 Commitment on Confidence in Statistics (cystat.gov.cy)

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

Montenegro in 2018 and North Macedonia in 2018.

3. CONCLUSION

The establishment of the Commitments has clearly had the desired effect of committing Member State governments to adhering to the Code and resulted in enhanced public trust in official statistics throughout the EU and in the European Economic Area and neighbouring countries. Governments have made significant improvements to their statistical legislation and have publicly issued their Commitments to guarantee that the principles of the Code are respected.

An increasing number of countries have established stand-alone Commitments or are in the process of doing so, though a majority still considers the Commitment to be inherent in their statistical legislation. It is clear that the preparation process takes time, in particular due to the need of a political decision.

The ongoing third round of ESS peer reviews, to be carried out by 2023, is currently the most important action to support compliance with the Code and demonstrate the high quality of European statistics as well as to identify further improvements. The ESS peer review mechanism can be seen as another pillar of support for the Commitments, since it periodically evaluates the self-commitment by the national statistical authorities to adhere to the Code. Given the strong link between the two processes, developments for the Commitments can be expected from the current round of peer reviews, and the reporting will most likely again be linked.

Overall, it is clear that awareness of the importance of ensuring public trust in European statistics through better compliance with the Code's principles is high among governments as well as national statistical authorities throughout the EU. It is also apparent that the conditions for implementing the Code are continuously being improved.