

Overview on the set-up of the institutional framework in the enlargement and ENP East countries

Claudia Junker ¹ and Pieter Everaers ²,

¹ *European Commission, Eurostat, Luxembourg, Luxembourg; claudia.junker@ec.europa.eu*

² *European Commission, Eurostat, Luxembourg, Luxembourg; pieter.everaers@ec.europa.eu*

Abstract

The enlargement and ENP East countries are facing challenges in terms of following the developments in the European Statistical System for establishing professionally independent statistical offices, embarking on a comprehensive quality management framework and coordinating the statistical systems in their countries, thus applying the principles of the European statistics Code of Practice (ESCoP) and creating an appropriate institutional environment. An overview of the different aspect of the institutional environment as well as on the challenges to coordinate the statistical systems will be provided supplemented by more details in the country presentations.

Keywords: Institutional set-up, coordination, ESCoP, national statistical systems, enlargement and ENP East countries'.

1. Background

During the past 10-15 years the enlargement countries¹ and the countries covered by the European Neighbourhood Policy (ENP) East² have started the process of adapting their statistical systems and their production systems to the institutional framework principles as established in the European Statistical System (ESS) by the ESCoP and by the European

¹ Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Kosovo*, Serbia, Turkey

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on Kosovo's declaration of independence.

² Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine

acquis (the body of law) in statistics. This institutional framework is set out mainly in the laws on official (state) statistics of these countries but other elements can be found in their commitments to implement the ESCoP and the relevant quality mandates/statements as well as in the mechanisms to coordinate the statistical systems of their countries. While for the further improvement of the laws on official statistics some guidelines have been developed and laid down in the "Generic law on official statistics"³, the development and implementation of quality commitments/mandates and the ESCoP are promoted through peer reviews/global assessments of the statistical systems of these countries. In terms of the coordinating role of the National Statistical Institute (NSI) in the statistical system, countries are following some traditional ways of coordinating. Such methods are the development of long-term and annual work programmes, the signature of Memoranda of Understanding with Other National Authorities (ONAs) producing official statistics and common release calendars. Some of the countries have also developed and implemented more innovative ways of coordinating the systems such as the set-up of methodological commissions approving the methodology for the production of official statistics independently on who is the producer, sector working groups supporting the coordination of ONAs, coordination departments in the NSIs, standard templates for coordination agreement, meetings to explain the ESCoP in preparation for the forthcoming peer reviews, etc.. Other, new models are explored such as the establishment of a producer committee and promoting common quality initiatives with ONAs.

This paper summarises the various set-ups of the institutional environment for the three elements mentioned above in the enlargement and ENP East countries, lists challenges in improving this institutional set-up and provides an outlook on how to support the necessary changes in the institutional set-up and coordination mechanisms in these countries.

2. Overview on the institutional environment in the enlargement and ENP East countries

³ Available at <http://www.unece.org/index.php?id=40939#/>

2.1. Laws on official (state) statistics

All countries have a statistical law and while the laws in the enlargement countries mainly use the term "official statistics", in half of the ENP East countries the (still) used term is "state statistics", referring to previous practice of producing statistics mainly for the state (the government) and developing/implementing the state statistics policy. In most of the statistical laws the entire national statistical systems is subject of the statistical law, however without specifying the ONAs and laying down any criteria for defining them. The main principles of official statistics are mentioned specifically in some of the statistical laws (such as transparency, relevance, impartiality) but with a different degree of detail and exhaustiveness and by far not in all of them. The principle of professional independence is explicitly mentioned only in a few statistical laws while the quality principle/dimensions (accuracy, timeliness, accessibility, clarity, consistency) are referred to more often, especially in the statistical laws of the enlargement countries. Provisions on statistical confidentiality are mentioned in all the statistical laws as well as reliability.

The organisation of the National Statistical System and the definition of the NSI as central body responsible for official (state) statistics are part of all statistical laws but are very differently regulated in accordance with national legislation and administrative set-up. The ONAs in the real sense of producers of official statistics are defined in only some of the statistical laws. In most of the ENP East countries there is no clear definition of ONAs. If other bodies are listed then the list includes also providers of administrative data and not all the ONAs are included. In some countries the NSS is defined as the central and territorial body of statistics. In other countries ONAs are defined in the annual statistical work programme rather than in the statistical law. A clear definition of the NSS and criteria for identifying bodies being part of the NSS is not included in any of the statistical laws.

The development, implementation and reporting on the annual statistical work programme is part of all the statistical laws and in most of them also a long-term programme is mentioned but with a varying length from 3-5 years.

A Statistical Council, usually combining both users and also some producers of official statistics, is established by law in all the enlargement countries but in only some of the ENP East countries. In these countries different advisory bodies exist but hardly any of them is a user Council with the functions on advising on the work programme and relevance of produced information. While in some countries such a Council does not exist, it is not functioning in other countries.

In general, most of the statistical laws require revisions in the near future. Nevertheless, in those countries in which the law was revised during the past 4-5 years, more of the above mentioned essential parts are regulated in line with the European statistical law and less essential elements are missing such as the recruitment and appointment procedures for the head of the NSI, the principles according to the ESCoP, the definition of the NSS and ONAs and functioning of a Statistical User Council.

2.2. Quality commitment

In all the countries the understanding of the importance of a clear commitment to quality is present, partly also regulated by the statistical law. All countries have started working on introducing a quality management framework, on developing some kind of a quality mandate, promoting quality guidelines and reporting standards. Some countries have not only committed to implement the ESCoP but have also developed their own, national Code of Practice. In most of the countries a centralised quality department exists and quality is assured for the most important stages of the statistical production process. However, in the large majority of the countries a systematic quality management system and a quality assurance framework fed by publicly available quality statements and a regular quality assessment process are not yet established, Hence a quality culture is not yet rooted in all the staff members of the NSIs, and neither is it promoted to the ONAs.

2.3. Coordination of the NSS

While in most of the enlargement countries the statistical law refers explicitly to the NSI as the coordinator of the NSS, this is not the case in the ENP East countries. Here the concept of

coordination is loosely mentioned in the statistical law and not specifically assigning the coordinating role to the NSI. Members of the NSS are defined either in the statistical law (but only in a few countries in an explicit and clear manner) or in the multi-annual and annual statistical work programmes; however, the list of ONAs seems in most cases to be rather long and most likely includes also providers of data in addition to the ONAs. In a very few cases the statistical law defines only the central office and its territorial bodies as the producers of official statistics. In some countries the coordinating role of the NSI is not mentioned in the law but accepted and recognised by the members of the NSS without a clear legal basis.

Despite the fact that the coordinating role is not always legally defined, a lot of coordination efforts are undertaken by the NSIs. One important aspect is the signature of agreements or memoranda of understanding with the ONAs (and the providers of data), sometimes based on standardised templates to assure a harmonised approach. Such agreements are in place in all the enlargement and ENP East countries.

Another tool for coordination is the multi-annual and/or annual statistical work programme, which should cover the complete list of official statistics independently from its producer being the NSI or an ONA. In all the enlargement countries at least one of the two programmes includes all official statistics to be produced by the NSS (in a few countries there is either no annual programme or the annual programme is not coordinated with the ONAs) and the programmes are - prior to their adoption - discussed with the ONAs in different kind of sector working groups (and with the Statistical Council comprised in most cases of users and producers of official statistics). Annual reports are in most cases also used as an instrument for coordination and cover all official statistics produced during the reporting year. In the ENP East countries this instrument is less used for coordination purposes, only in a few cases the programmes and the implementation reports also include the work of the ONAs. Though sector working groups exist also in the ENP East countries, they seem to be more used for coordination of methodology, this as well as the so-called methodology council/commission being a specific coordination tool used extensively by the ENP East countries.

The release calendar is used by hardly any of the enlargement and ENP East countries as a tool for coordination. In most countries the release calendar only contains the release dates and coverage of official statistics produced by the NSI. In some countries it is planned for the forthcoming strategy to develop a common release calendar for the entire NSS.

Methodological coordination is stronger developed in the ENP East countries than in the enlargement countries. The ENP East countries have established methodological commissions or even councils which are tasked with the adoption of methodology for any kind of official statistics, even those produced by ONAs, the latter being obliged to get the approval of the methodology for new surveys from these methodological councils/commissions. In the enlargement countries the introduction of the European System of Accounts (ESA) 2010 has triggered a closer coordination among the NSI, the National Bank and the Ministry of Finance.

In most of the enlargement countries a statistical council exists and is used for the discussion on the work programmes and their implementation reports while in most of the ENP East countries such an instrument either does not exist or is not operational.

In roughly half of the countries a specific department on coordination exists but in most cases no specific budget for coordination purposes is provided.

3. Challenges

3.1 Laws on official (state) statistics

Challenges to improve the institutional set-up refer in most countries to efforts and decisions that are outside the control and authority of the NSIs. While in many countries the statistical laws are being revised by the NSIs and take into account the provisions of the European statistical law adopted in 2015 as well as of the recently developed Generic Statistical Law on Official Statistics, the process of adoption of these revised laws is slow depending on the government and Parliament. Some of the revised statistical laws include strong provisions on the recruitment and appointment procedures of the head of the NSI, on the reasons for their dismissal, on the coordinating role of the NSI, on the definition of the NSS and ONAs and

also on the Statistical Councils. However, especially the provisions related to the heads of the NSIs pose a particular challenge in the adoption process as very often such positions are regulated in the relevant civil service laws in a different and less compelling way. In the ENP East countries also the provisions on the term "official statistics" and on the Statistical Council raised some discussions. The NSIs lack the authority and power to push for the quick adoption of these modern statistical laws by the respective authorities. Reference to some political agreements and commitments (Association Agreements, European Partnerships and Stabilisation and Association Agreements) can be made but increased promotion of the needs and benefits of such modern statistical laws for the entire society are needed.

3.2 Quality commitment

As for the establishment of quality management systems and quality assurance frameworks the main challenges relate to the introduction of systematic quality management procedures, the creation of a specific department in the NSI with the authority and status to supervise and implement quality assessment, reporting and improvements inside the NSI and to spread a quality management system and commitment to the ESCoP to ONAs. Implementation of the ESCoP by the NSI and the ONAs is another challenge that needs proper communication and training as well as strategies to enforce it. Training on quality issues is important for both spreading a quality culture in the NSI and the ONAs as well as for improved coordination.

3.3. Coordination of the NSS

In terms of coordination of the NSS by the NSIs main challenges are linked to the revision of the statistical laws in order to legally define the status of the NSI as the coordinating body of the NSS, the borders of the NSS and the other producers of official statistics. A clear delineation of the NSS and the ONAs is particularly difficult in the context of a society with a lacking understanding of what official statistics is, what it can provide and what are the main principles of official statistics. Once the NSS and ONAs are defined, it will be necessary to create specific statistical departments in the ONAs so that there are structures that can be encouraged to apply the ESCoP and be partner of the NSI.

Improved and more formalised coordination through Memoranda of Understanding / Cooperation Agreements with the ONAs is another challenge that needs a good level of resourcing as well as willingness and understanding from the ONAs. A proper legal basis would be supportive for the enforcement of this coordination tool. Commitment of ONAs needs to be achieved both via legal obligations and continuous cooperation.

The lack of both human and financial resources specifically dedicated to the coordination of the NSS is a challenge/problem that is present in almost all the enlargement and ENP East countries.

4. Way forward

The revision of the statistical laws is a high priority for many of the countries. The recently developed "Generic law on official statistics" is a very helpful instrument for the NSIs to draft a modern statistical law taking into account the provisions on the recruitment and appointment procedures of the heads of the NSI and ONAs, on the professional independence, on statistical confidentiality and particularly on the establishment of the NSS, the definition of ONAs and the coordinating role of the NSI. All countries currently in the process or intending to revise their statistical laws have expressed the need to receive support for the drafting process. Individual consultations as well as common seminars to explain the generic law, to talk about experiences and best practice are envisaged to support the course of revising the statistical law and of obtaining approval from the relevant authorities.

The next round of global assessments in the ENP East countries and peer reviews in the enlargement countries during the years 2016-2018 will provide recommendations and external expert opinions on the need to revise the statistical laws, on the content of these revisions and in particular on the provisions for defining the NSS and ONAs. Other recommendations on the introduction of systematic quality management and quality assessment and reporting will provide the NSIs with advice on how to address problems and shortcoming in the area of quality management. These assessments will help the countries to prioritise improvements in the legal basis and at the same time provide authority to the changes in the statistical law.

Finally, seminars and workshops to exchange experience and good practice among the countries will help to learn from each other.