

# National Statistical System coordination: A tool or a fundamental principle?

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## Abstract

One of the objectives of the amendment of Regulation 223/2009 has been the reinforcement of the coordination role of the NSIs in the National Statistical Systems. The amendment has fleshed out the coordination role harmonizing some minimum requirements to make this tool effective. Now it is time to implement this amendment and the questions are: Is it enough with a “legal” coordination? What is the impact of an effective national coordination in the ESS? In this paper, we will analyse the scope of the coordination role and its impact at EU level. The need for updating the Code of Practices is a fact and is a consequence of its own nature of self-assessment instrument. The Code is an alive tool that has to be adapted to the reality and the emerging needs. The “Coordination” role has been “peer-reviewed” on a voluntary basis since 2006. At this stage, the debate on the importance of coordination is open at EU level. Some Countries and International organizations recognize “coordination” as a principle related with the institutional environment. However, in the European Statistical System, there are still some questions to be answered, as, for example, is coordination a fundamental principle under the EU legal system? What would be the consequences of including it as new principle in the CoP?. This article will go through these issues focusing in the possible existing options.

**Keywords:** Coordination, statistical principles, Code of Practices, institutional environment.

## 1. What do we understand by coordination?

In English language, “Coordination” means the organization of the different elements of a complex body or activity so as to enable them to work together effectively and a “cooperative effort resulting in an *effective relationship*”. Looking at a National Statistical System (NSS), at the European Statistical System (ESS) or a statistical international organisation, we find two different spheres of coordination, the internal and the external. The internal coordination refers to the cooperative efforts among the members of a specific statistical system and the external sphere refers to the cooperative efforts between the statistical system and its stakeholders outside the system (what is sometimes called

international cooperation<sup>1</sup>). This paper is focused only in the internal sphere of coordination.

The identification of coordination as a principle or as a tool to gain efficiency in the National Statistical System depends on the nature of the system. The legal nature of the international organisations, such as United Nations (UN), the International Monetary Fund (IMF) or the Organisation for Economic Co-operation and Development (OECD), and the European Union (EU) is quite different. The EU constitutes a new legal order of international law, as the European Court of Justice stated at the beginning of E U life “*By contrast with ordinary international treaties, the EEC Treaty has created its own legal system which ... became an integral part of the legal systems of the Member States and which their courts are bound to apply. By creating a Community of unlimited duration, having its own institutions, its own personality, its own legal capacity and capacity of representation on the international plane and, more particularly, real powers stemming from a limitation of sovereignty or a transfer of powers from the States to the Community, the Member States have limited their sovereign rights ... and have thus created a body of law which binds both their nationals and themselves.*”<sup>2</sup>. Therefore, the EU is not an organization based on cooperation among its members, it is a real legal system with different rules and needs. Let’s look at the different treatment and content of coordination in the international sphere from a practical point of view.

## **2. NSS Coordination: The current picture**

### *2.1. The coordination principle in international organisations (UN)*

The Fundamental Principles of the United Nations (UNFP) distinguishes between the two spheres of the coordination principle: internal and external (principles 8 and 10 respectively). These ten fundamental principles “*are the basis of any society seeking to understand itself and respect the rights of its members and govern statistical work*”<sup>3</sup>. The General Assembly endorsed the UNFP in 2014. To further analyse the content of these

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<sup>1</sup> The external sphere in the EU refers to the relationship among Member States and Eurostat, the so-called partnership. But also refers to the relations of the whole ESS with its stakeholders. This cooperation idea is already included in Regulation 223/2009 but not as a principle.

<sup>2</sup> Case 6/64 Costa v ENEL

<sup>3</sup> Preamble UNFP

principle and its practical implementation, UN adopted last year an “Implementation guidelines” of the UNFP<sup>4</sup>, as a “living document”. The first aspect to stress from this document is that the coordination principle<sup>5</sup> “applies to all countries with national statistical systems, ranging from more centralized national statistical offices (such as Statistics Canada) to less centralized national statistical offices (such as the United States) and numerous variations in between (such as Germany).” These guidelines include recommendations such as legal frameworks for coordination, and is illuminating how these guidelines mention article 5 of Regulation 223/2009 as a good practices in this sense (even if for us it is not a principle). The guidelines also mention the combination of these legal tools with strong communication and partnership. Another issue already mentioned is the need of having classifications, standards and quality frameworks set up by the NSI for the whole NSS accompanied by exchange of technical knowledge and training. The coordination of the data collections is also included in the content. The guidelines continue with some recommended tools for an effective coordination and examples of good practices (where the CoP is also mentioned as an example).

Moving on within UN to Latin America and Caribbean (ECLAC), we find the Code of Good Practice in Statistics in Latin America and the Caribbean. The Code, submitted in 2011, distinguishes also between the two spheres of the coordination principle. The ECLAC Code enunciates the principle 2 (Coordination of the National Statistical System) as follows “*This will enable the statistics producing entities to plan and implement national statistical activity in a participatory manner, maintain close contact and work jointly to improve the quality, comparability and consistency of official statistics.*” To achieve this goal, there are also several recommended mechanisms (indicators), as having a legal set up of the NSS, appointment of the NSI as the coordinating body, establishment of common guidelines, planning and programming, prioritization or consultative committees with users.

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<sup>4</sup> [http://unstats.un.org/unsd/dnss/gp/Implementation\\_Guidelines\\_FINAL\\_without\\_edit.pdf](http://unstats.un.org/unsd/dnss/gp/Implementation_Guidelines_FINAL_without_edit.pdf)

<sup>5</sup> Principle 8: “Coordination among statistical agencies within countries is essential to achieve consistency and efficiency in the statistical system.”

## 2.2.. *The coordination role as a tool to produce high quality European Statistics*

### How was life before the adoption of the amended Regulation 223/2009?

The first “European statistical law” setting up statistical principles was the Council Regulation 322/1997 on Community Statistics. The aim of these principles was to ensure the best possible quality in both deontological and professional aspects. Article 10 included the principles of impartiality, reliability, relevance, cost-effectiveness, statistical confidentiality and transparency. The implementation of these principles was at that moment in Member States hands. Besides, in 1997 the Amsterdam Treaty introduced a proper legal basis for statistics in a new article (art.285) stating that “*The production of Community statistics shall conform to **impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality; it shall not entail excessive burdens on economic operators***”. The subsequent Treaties have maintained that list of principles that stand currently in new article 338 TFEU. Therefore, when Regulation 223/2009 was adopted replacing the former Regulation 322/1997, the principles remained almost equal in article 2<sup>6</sup>. However, this article added a new key element mentioning that “*The statistical principles set out in this paragraph are further elaborated in the Code of Practice*”. We cannot forget that when Regulation 223/2009 was adopted we had already endorsed our Code of Practices.

This brief historical reference aims just at showing the evolution of the EU statistical principles, among which, the coordination principle is not part of. The first time we find the reference to the coordination role is during the first self-assessment exercise of the ESS in 2006-2008. At that time, Eurostat and the NSIs in Member States decided to analyse, besides some of the principles of the CoP, “the coordination function of each statistical authority within its statistical system”. The results showed a diversity of models among the EU and the reviewers made some recommendations to the different Member States. In fact, Regulation 223/2009 was on the table at that moment, so, the final Commission report on this exercise closed this issue stating: “*Reinforcement of both the NSI’s and Eurostat’s coordination roles is proposed in the new draft Regulation on European Statistics*”.

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<sup>6</sup> Professional independence, impartiality, objectivity, reliability, statistical confidentiality and cost effectiveness.

Indeed, Regulation 223/2009 recognised that the national statistical authority (the NSI) is the institution having the responsibility for coordinating all activities at national level for the development, production and dissemination of European statistics and shall act as the contact point for the Commission (Eurostat) on statistical matters. At European level, Eurostat shall have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases.

However, the content of this coordination role might differ from one Member State to another. Thus, as mentioned above, the implementation depended on each country. If we read the UN recommendations<sup>7</sup>, we can find many different mechanisms to ensure an effective coordination as a legal set up of the coordination role, the use of the statistical programmes as the main instrument for coordinating the NSSs. We find also other ideas, like the delivering of standards and procedural guidelines or recognising that the National Statistical Institute (NSI) acts as the focal point for international statistical cooperation and, even, coordinator for transmissions of official statistics to international organizations. There are recommendations pointing at international capacity building activities and external assessments carried out by international organizations. Moreover, a well-functioning system of Committees and a National Statistical Council working with users is the most effective and important tool to assure effective coordination. Another mechanism is to give power to the NSIs of budgetary allocations for statistical activities. Lastly, many Countries creates a kind of “official statistical brand” which could mean explicitly or implicitly a quality assessment.

*As the results of the first round of peer reviews revealed in 2008 “Where relevant, national strategies are closely related to the NSI’s coordination function in the system. They vary from impressive progress to limited action depending, inter alia, on the NSI’s ability and legal powers to reach out to national producers of Community statistics. (...)This could then form the core of an official statisticians’ network within the country, coordinated and maintained by the NSI. In most countries, a Statistical Council or committee(s) support these tasks and in some, the coordination function is defined in the statistics law. Good*

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<sup>7</sup> The ideas gathered in the Handbook of statistical organization 2003 has been somehow included in the Generic Law on Official Statistics developed under the United Nations Development Account Project for the countries of Eastern Europe, Caucasus and Central Asia submitted to the 64<sup>th</sup> ECE Plenary Session.

*practices include: (a) a national Charter or Code, (b) a common training programme, (c) a common recruitment procedure, (d) sharing resources for methodological work, IT, etc. and (e) a common logo and/or common release schedule to foster coordinated dissemination of official statistics up to (f) a common dissemination platform.”* (European Commission, 2008).

#### The coordination role in the amended Regulation 223/2009

One of the criticism of the legal framework after 2009 was that, as regards the coordination role, there were a lack of uniform rules, or at least, a common understanding of what we comprehend in the “coordination role”<sup>8</sup>. To solve this “gap”, the coordination role of Member states has been reinforced in 2015 with the amendment of Regulation 223/2009 recognising in its recitals that *“the coordinating role already attributed to the NSIs should be clarified as regards its scope, in order to achieve more efficient coordination of statistical activities at national level, including quality management”*. The Regulation now explains that the coordinating responsibility of the NSI shall cover all other national authorities (ONAs) responsible for the development, production and dissemination of European statistics. The NSI shall, in particular, *“be responsible at the national level for coordinating **statistical programming and reporting, quality monitoring, methodology, data transmission and communication on ESS statistical actions**”*. The coordination role, then, is needed in all the phases of the production process, including standards such as the Generic Statistical Business Process Model (GSBPM), but in an integrated way, avoiding the stove-pipe production models within the NSS.

We can see that not all possible elements of coordination have been included in the law but most of them, what is clear is that the EU legislator did not give coordination the status of a principle. Nevertheless, we cannot deny that, at present, the content of the coordination role is better defined, but there are still room for interpretation by the Member States when applying it in their countries. We are not being too much bold saying that everybody can understand what is to “coordinate the statistical programming and reporting”, but another thing is how do you perform this coordination, because there are different mechanisms

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<sup>8</sup> In the meanwhile, the new round of Peer Reviews has analysed again the coordination role and some recommendations have been delivered on this issue.

(Committees, legal procedure defined by law, internal agreements...). Something similar happens with the coordination of data transmission and the communication on ESS statistical actions (it could be enough to be informed of the transmission made by other ONAs). However, there are more doubts as regards the coordination of “quality monitoring” or the coordination of methodology. What is the role expected by the NSI?. We could find a clue in the same Regulation when it states that the Head of NSIs “*shall produce national guidelines, where this is necessary to ensure quality in the development, production and dissemination of all European statistics within their national statistical system and monitor and review their implementation; while being responsible for ensuring compliance with those guidelines solely within the NSI*”. It is clear that this is one of the possible instruments to coordinate the quality monitoring and the methodological issues of the ONAs, to produce quality and methodological guidelines addressed to the whole NSS and monitor the activities of those ONAs through different mechanisms.

When preparing the specific questionnaire to measure the coordination role in the NSS at the Task Force to Develop the Methodology of the Second Round of Peer Reviews, we decided to start from defining the content of this principle. This interpretation, with some amendments, was supported by the European Statistical System Committee (ESSC) and included in the “preamble” of the questionnaire: “*The “coordination role” means the set of activities of a single organisation which ensure that the activities of different members of the system meet the relevant quality standards: For NSIs, the coordination role ensures that all other national authorities within their National Statistical System, especially those which contribute to the development, production and dissemination of European statistics, comply with the standards of the ESS and fulfil the quality requirements for European statistics*”<sup>9</sup>. The questionnaire was structured according to the different areas in which the coordinating activities by NSIs can be expressed within the NSS and linked to aspects included in the current indicators of the CoP: Institutional framework, planning and programming of statistical activities, dissemination and communication, training, standardisation of production processes and release of data.

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<sup>9</sup> There were also some references to the coordination role of Eurostat that are not considered for the purpose of this paper.

As we do appreciate, there are some issues related to the coordination on methodological aspects but none on quality assessment. Here we should let Member States be creative going from annual reports on the ONAs statistical activities to audits on the ONAs made by the NSIs (alone or with the help of an external independent body).

### *2.3. The Coordination in the European Statistics Code of Practices (CoP)*

It is true that our European statistical CoP does not recognize the coordination role as a principle, but it is also true that there are many indicators in the Code related to coordination mechanisms, indirectly or in a more direct way. In general, as mentioned above, all the work needed for planning, prioritizing... implies a coordination role led by the NSI and/or a Committee or body. The same happens with the quality control measures, methodological standards and with the coordinated use of the administrative sources.

The ESS recognised in the Coordination questionnaire of the second round of Peer Reviews, that the following indicators can only be achieved through coordination mechanisms: Planning and programming (Indicators 1.5, 3.2, 3.3, 3.4, 9.1, 11.1 and 11.2), dissemination and communication (Indicators 4.4, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 10.2, 11.1, 11.2, 11.3, 13.3, 15.1, 15.2, 15.5, 15.6 and 15.7), training (Indicators 3.1, 7.6, 7.7), standardization of production process (Indicators 2.2, 7.1, 7.2, 8.1, 8.7, 8.8, 8.9, 9.2, 9.3, 9.4, 9.5, 9.6, 10.2, 10.3, 10.4, 14.3) and release of data (Indicators 6.5, 13.2, 13.4, 7.1, 7.2, 12.1 and 12.2).

Therefore, out of 82 indicators of the Code, 50 indicators have something to do as regards the coordination role.

### **3. NSS Coordination: what is next?**

The Sixth annual report of the European Statistical Governance Advisory Board (ESGAB) included a specific recommendation related with the coordination role. From ESGAB's point of view "*a principle and corresponding indicators addressing the need to coordinate the development, production and dissemination of European statistics should be developed*



*during the next revision of the Code of Practice.*"<sup>10</sup> This idea is mentioned also in the document submitted to the ESSC in May 2016 as regards to the lessons learnt on the Peer Reviews 2013-2015 and recommendations for the future.

Taking into account that the CoP is a self-regulatory instrument that develops the statistical principles contained in the Treaty and Regulation 223/2009, it is necessary to wonder whether the coordination role is or could be a principle in the EU legal framework.

It is a fact that an effective coordination has a positive impact in the quality of national and European statistics. To be effective it is important to have many of the mentioned coordination mechanisms<sup>11</sup>, but also to live in a collaborative atmosphere at the NSS. The NSIs should be seen by the ONAs *“as a coordinating friend rather than a controlling enemy”* (UN Handbook, 2003). Is this positive impact enough to consider coordination as a principle?

We could start by the semantic content of the word “principle” as “a fundamental source or basis of something”. This fundamental source, truth or proposition could exist before the system (as the principles of natural law) or might be defined by the legislator or the members of the system (as the positive law, codes of conducts...).

In the statistical world, the need of having principles, came from the desire of enhancing the credibility of official statistics in relation with the right of information that all the citizens have in a modern society. First came the ISI Declaration on Professional Ethics in 1985 and then the UNFP more focused in the system than in the people. If the coordination role was a UNFP when the ESS designed the Code of Practices, why the EU did not include it as a principle?

The answer is not so easy. In 2004 the ECOFIN boosted the elaboration of the CoP by saying that *“The Council considers that integrity, independence and accountability of data compilers, and the transparency of the compilation methods, underpinned by the appropriate institutional arrangements, are crucial to ensure such high quality statistics. It would therefore be recommendable to develop **minimum European standards** for the*

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<sup>10</sup> ESGAB Annual report 2014 (<http://ec.europa.eu/eurostat/documents/34693/6037760/EN-ESGAB-report-2014>)

<sup>11</sup> We bet for a “hard coordination” in which most of these coordination mechanisms are set up by law.

*institutional set up of statistical authorities.*” The work of the TF on the Revision of EU Statistical Law and the Development of a Code of Practices for the ESS started from this mandate. The first message was, then, to go beyond the mentioned principles of the Treaty (institutional environment, data compilation were not mentioned as “principles” in the Treaty.). For that reason, the TF looked not only to the UNFP but also to other national Codes and, specially, the IMF’s Data Quality Assessment Framework<sup>12</sup>. From the beginning, the TF agreed that, in line with ECOFIN mandate, the institutional environment should be added (in which the mandate of data collection, the adequacy of resources and the quality commitment were included following IMF’s DQAF); the quality dimension included in most of the codes and in the ESS Quality Declaration (currently in article 12 of Regulation 223/2009) was also needed for a holistic approach and the UNFP mention of the use of international concepts, classifications and methods (current paragraph 2 of article 2 of Regulation 223/2009) was subsumed in a more general principle of “sound methodology”. At that moment, we considered that the coordination role was under the subsidiarity principle and, consequently, some elements of coordination were spread out through the Code’s indicators. In fact, the proposed draft for a new statistical law did not contain any article regarding the coordination role of the NSIs. However, the final Regulation 223/2009 on European Statistics introduced the idea of NSS coordination for the first time in e EU legal act. .As mentioned above the legal nature of the EU is different from the international organisations based in cooperation. The EU has a hierarchy of norms and legal binding acts.

From the legal point of view we could say that we have three different categories or hierarchy of principles<sup>13</sup>, the “proper” statistical principles set up in the Treaty (the first category), the statistical principles set up in article 2 of Regulation 223/2009 (the second category) and the “ common standards” contained in the European Statistics CoP (third category).

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<sup>12</sup> To have an idea we attached to this document the comparison table that was prepared for discussion at one of the meetings. It also shows how European CoP principles evolved to the final ones.

<sup>13</sup> See comparative table in Annex II

All this background is needed to answer to the issue of coordination. The first conclusion is that the CoP goes beyond the implementation of the statistical principles by identifying best practices<sup>14</sup>. The current situation is that some of the statistical principles of the Treaty and the European statistical law are embedded in the Code, but “the rest” 9 out of 15 cannot be identified as principles of the same category. Even more, from those 9, there are 5 that are legally binding as quality criteria contained in article 12 of Regulation 223/2009. There is no doubt that coordination is recognised in our statistical law as a tool to enhance coherence and comparability to the European Statistics and some of its elements are already included in many Code indicators<sup>15</sup>. For this reasons the legal coherence creaks when we think on changing the status of coordination and considering it as a new principle in the current EU statistical legal framework. Nevertheless, as we have already shown, nothing is impossible. The Code is a self-regulatory instrument, non-binding, that includes not only principles but also international standards (putting all of them on equal footing). The last conclusion, from our point of view, is that we could include the coordination role in the CoP as a principle<sup>16</sup>, but defining additional indicators related to the coordination role and linking them to the current principles seems more coherent and appropriate with the EU legal architecture. in a potentially revised Code, it would be a principle of “third category” and, apart of the difficulty of agree on a common definition of (statistical) coordination<sup>17</sup>, we will be “over-regulating” this issue, as a principle of the Code and, simultaneously, as a tool according to the current European statistical law. What would be the added value?. ...Floor is open..

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<sup>14</sup> As article 11.1 states that, “the Code of Practice shall aim at ensuring public trust in European statistics by establishing how European statistics are to be developed, produced and disseminated in conformity with the statistical principles as set out in Article 2(1) *and best international statistical practice.*”

<sup>15</sup> Even UN considers article 5 of Regulation 223/2009 as an example of best practices in applying principle 8 of UNFP.

<sup>16</sup> The right place would be, of course, the institutional environment.

<sup>17</sup> Given the important differences between the composition and organization of the national statistical systems in Members States, the meaning of ‘statistical coordination’ may notably differ country by country.

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## ANNEX I

**Table 4 – Comparison of proposed ESS Code of Practice Framework with DQAF**

Proposed ESS Code of Practice Framework		IMF Data Quality Assessment Framework (DQAF)	
<b>I. INSTITUTIONAL &amp; ORGANISATIONAL ARRANGEMENTS</b>			
<b>1. Institutional Framework</b>		<b>0. Prerequisites of Quality</b>	
1.1	Appropriate legal framework	0.1	Legal and institutional environment
1.2	Availability of resources	0.2	Resources
1.3	Research and development	0.3	Relevance
1.4	National/international cooperation	0.4	Other quality management
1.5	Statistical confidentiality	<b>1. Assurances of Integrity</b>	
1.6	Professional independence	1.1	Professionalism
1.7	Scientific & quality standards	1.2	Transparency
1.8	Impartiality	1.3	Ethical standards
1.9	Transparency		
1.10	Monitoring user needs		
<b>II. CORE STATISTICAL PROCESSES</b>			
<b>2. Statistical Processes</b>		<b>2. Methodological Soundness</b>	
2.1	Strategic planning	2.1	Concepts and definitions
2.2	Internationally agreed methodology	2.2	Scope
2.3	Accuracy and reliability	2.3	Classification/sectorisation
2.4	Cost effectiveness	2.4	Basis for recording
2.5	Non-excessive respondent burden	<b>3. Accuracy and Reliability</b>	
2.6	Use of administrative records	3.1	Source data
2.7	Technological productivity gains	3.2	Assessment of source data
2.8	Staff training and development	3.3	Statistical techniques
		3.4	Assessment & validation of intermediate data & statistical outputs
		3.5	Revision studies
<b>III. STATISTICAL PRODUCTS</b>			
<b>3. Statistical Output</b>		<b>4. Serviceability</b>	
3.1	Relevance	4.1	Periodicity and timeliness
3.2	Objectivity	4.2	Consistency
3.3	Coherence	4.3	Revision policies
3.4	Timeliness and punctuality	<b>5. Accessibility</b>	
3.5	Comparability		
3.6	Customer service		
3.7	Equality of access		

## OFFICIAL STATISTICAL PRINCIPLES

<b><u>TFUE</u></b>	<b><u>Reg. 223/2009</u></b>	<b><u>Code of Practice</u></b>	<b><u>UNECE</u></b>
<p><b>ARTICLE 338</b></p> <ul style="list-style-type: none"><li>- <i>Impartiality.</i></li><li>- <i>Reliability.</i></li><li>- <i>Objectivity.</i></li><li>- <i><u>Scientific independence.</u></i></li><li>- <i>Statistical confidentiality.</i></li></ul> <ul style="list-style-type: none"><li>- <i>Cost-effectiveness.</i></li><li>- Not entail excessive burdens.</li></ul>	<p><b>ARTICLE 2</b></p> <ul style="list-style-type: none"><li>- <i><u>Professional independence.</u></i></li><li>- <i>Impartiality.</i></li><li>- <i>Objectivity.</i></li><li>- <i>Reliability.</i></li><li>- <i>Statistical confidentiality.</i></li></ul> <ul style="list-style-type: none"><li>- <i>Cost effectiveness.</i></li><li>- International recommendations and best practice</li></ul>	<p><b>INSTITUTIONAL ENVIRONMENT</b></p> <p><i><u>Professional independence;</u></i> Mandate for data collection; Adequacy of resources; Quality commitment; <i><u>Statistical Confidentiality;</u></i> <i>Impartiality</i> <i>Objectivity.</i></p> <p><b>STATISTICAL PROCESSES</b></p> <p>Sound methodology; Appropriate statistical procedures; <i>Non-excessive burden on respondents;</i> <i>Cost-effectiveness.</i></p> <p><b>STATISTICAL OUTPUT</b></p> <p>Relevance; Accuracy and reliability; Timeliness and punctuality; Coherence and comparability; Accessibility and clarity.</p>	<ol style="list-style-type: none"><li>1. Relevance, impartiality and equal access.</li><li>2. Professional standards and ethics.</li><li>3. Accountability and transparency.</li><li>4. Prevention of misuse.</li><li>5. Sources of official statistics.</li><li>6. Confidentiality .</li><li>7. Legislation.</li><li>8. National coordination.</li><li>9. Use of international standards.</li><li>10. International cooperation.</li></ol>