

MODERNIZING STATISTICAL LEGISLATION



Implementing the GLOS:

lessons learned from the UNECE region and beyond

UNECE/EFTA Expert Meeting 18-19 November 2021



Genesis of GLOS /1

Series of Global Assessment of National Statistical Systems

Seminar on Global Assessments of NSS 01 - 03/10/2014 – Ulaanbaatar Mongolia



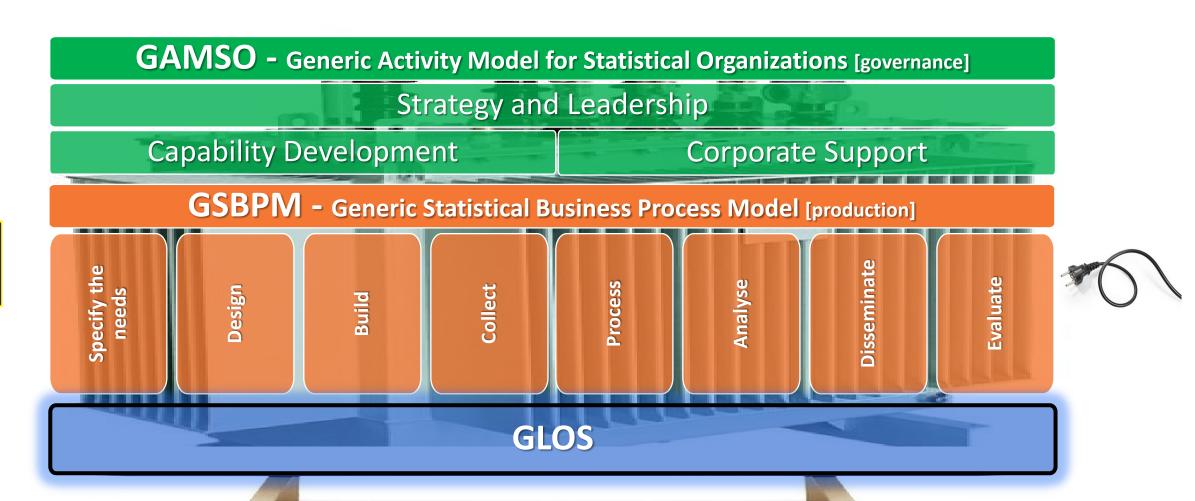
Genesis of GLOS /2

Series of Global Assessment of National Statistical Systems

UNDA 9th tranche: Kick-off meeting 10 - 11/12/2014 — Almaty Kazakhstan

Generic Models: GAMSO - GSBPM - GLOS





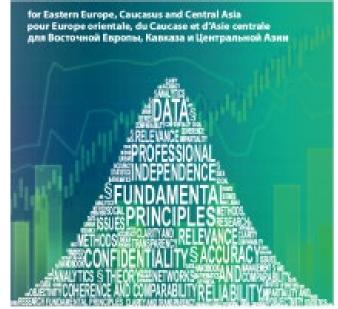


Generic Law on Official Statistics

- Developed by UNECE with the support of Eurostat, EFTA and UNSD under the guidance of an editorial board as a model law
- Originated from recommendations in several Global Assessments of NSS in Eastern Europe, the Caucasus and Central Asia
- Based on the UN Fundamental Principles of Official Statistics
- With the objective to sustain the transformation and modernization of NSS and thus to be regularly updated
- Not a Law on the NSS we have but about the NSS we want! As
 detailed as needed and as concise as possible
- Endorsed at the 2016 plenary session of the CES
- Implemented by several EECCA countries, i.e., Armenia, Moldova, Kyrgyzstan but also Ukraine and Uzbekistan ...

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Generic Law on Official Statistics Loi générique sur la statistique officielle Модельный закон об официальной статистике





Main Provisions of the GLOS



- Definitions and Principles
- Delineation of the National Statistical System (NSS): National Statistical Office (NSO) and other producers of official statistics (OPOS) based on strict application of the Principles
- Chief Statistician
- Statistical Council/Executive Board
- Coordination mechanisms and instruments, Programmes
- Data sources, collection, exchange, processing, dissemination and confidentiality
- Relation with other legislation and infringements
- Other provisions

Extension of the GLOS in ECE region

Guidance on Modernizing Statistical Legislation [link]:

- Developed by a UNECE Task Force composed of experts from national statistical offices and international organizations
- Endorsed by the Heads of statistical offices of more than
 60 countries at the 2018 plenary session of the CES
- Extend and complement the GLOS by providing additional guidance on the modernization process
- Discuss various maturity levels, governance models, and emerging issues with implications for the statistical law

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Statistical Legislation





Adaptation / Implementation of the GLOS Beyond the ECE Region

Generic Law on Official Statistics for Latin America [link]

- Adopted by the Statistical Conference of the Americas of ECLAC in 2019
- Regional model for Latin American countries that are interested in formulating or reformulating the legal basis for the functioning of their NSS and the production of official statistics
- GLOS implemented or in the process to be developed in Costa Rica, Paraguay, Bolivia, Ecuador, Dominican Republic and Nicaragua

Ley Genérica sobre Estadísticas Oficiales pas América Latina



Guide on the Generic Law for Official Statistics in the Arab Countries [link]

- Issued in 2021, it provides guidelines to develop statistical legislation needed to support the modernization of the statistical systems
- The first part presents of laws of official statistics in the Arab region, the second part discuss basic elements of the GLOS, the third part explanatory notes and the forth part emerging issues



ديل القانون العام للإحصاءات الرسمية في الدول العربية في الممر مدن مما ترسان

The GLOS used for the revision/update of statistical legislation in **Africa** (e.g. Benin, Ethiopia and Seychelles) and in **Asia** outside Caucasus and Central Asia (e.g. Maldives)

Lessons Learnt and Feedback /1



Principles and definitions:

- Fundamental Principles to be clearly articulated in the national Law or just a reference
- Terminology and definitions should be clarified and carefully translated into national languages

Delineation of the NSS: NSO and other Producers of Official Statistics (OPOS)

- Delineation of the NSS based on the adherence to the principles but sometimes hardly transposable in a national context (official statistics vs. administrative statistics)
- Professional independence of OPOS to be better articulated
- Central/National Banks reluctant to be part of the NSS due to their independence status
- NSS composed exclusively of public entities; what about private entities?

Chief Statistician:

- The function of "Chief Statistician", as the central figure of the NSS and the guardian of its professional independence, is not always well understood and/or sometimes not supported by other producers
- Recruitment, terms of office, and dismissal under strict conditions is often clashing with other administrative rules and regulations or just not enforced

Lessons Learnt and Feedback /2



Statistical Council and other advisory bodies:

- Confusion between the Statistical Council as high-level strategic body representing the users and technical committees dealing with methodological and operational issues leading that may lead to issues with professional independence
- 50% of members outside ministries, public administration and agencies may be difficult to implement, in particular in small countries with lack of statistical literacy among the population
- Role of the Statistical Council to sustain the authority and image of the Chief Statistician could be enhanced

Governance and Coordination:

- Coordination of the NSS and governance of the national data community (data stewardship) could be better articulated in the GLOS
- The role of the Statistical Council and the Chief Statistician in the process of the preparation and adoption of the programmes could be strengthened
- Procedures for the nomination/dismissal of members of the NSS and authority in that respect of Statistical Council vs. Chief Statistician might be further elaborated

Lessons Learnt and Feedback /3

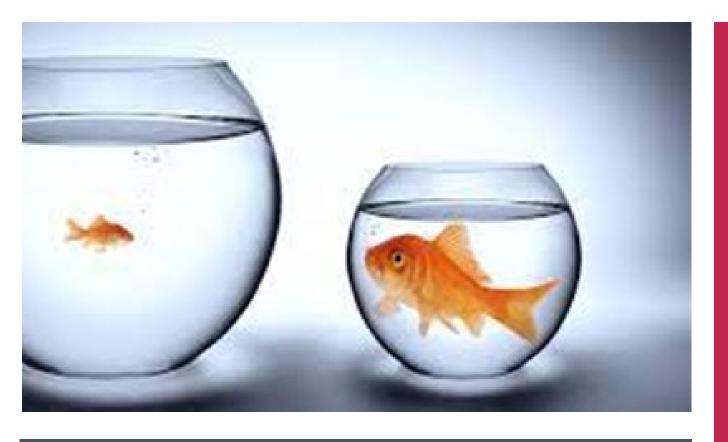


Data Sources, exchange and confidentiality:

- Obligation for public administrations and agencies to give access to their registers, records and data clashing with their own rules and regulations
- Better define what *free of charge* means for data access and exchange, which organization is bearing the costs?
- Exchange of micro data with identifier within the NSS is very restrictive; what is eventually the advantage of being member of the NSS?
- Some specific confidentiality provisions in the GLOS such as the right for the Chief Statistician to waive the protection of statistical confidentiality are somehow confusing

Other legislation and provisions:

- Which provisions from the GLOS are for the Law and which one could be placed in a by-law
- Relationship between Statistical Law and implementing by-laws such as NSO and Council regulations and the Census Law/regulation
- Relationship with other legal frameworks regulating privacy, data protection and access, and open-data covering the entire national data ecosystem



One size does not fit all

What is the NSS a country want?

Is the issue related to the GLOS ...

... or the lack of adequate guidelines?

Before – During- After:

- Advocacy and consultation, not only with the Government but also the public, civil society, data community, media ...
- Identify "champions" to bring the message to all stakeholders
- Seek support from the international community
- Exchange experience with countries that are in the process or recently revised their statistical Legislations
- Identify early in the process other national legislation and by-laws that need to be aligned with the new Law
- Carefully implement and enforce the new legal framework
- Seek feedback and keep communicating on the new legal framework

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Thank you for your attention!

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