

Modernizing Statistical Legislation Data Ethics Panel Session

UNECE – 18th Nov, 2021 – Jan Robert Suesser, discussant (jrsues@wanadoo.fr)

Thank U to the organisers of the session for proposing me to discuss today's presentations. I'll do it, not from any institution, NSO, perspective. But under my own responsibility, my own experience.

Intro

Thank U to our five inspiring presenters for the diversity and quality of their inputs my comments will be built upon. But let me start from another entry point.

Our statistical community refers continuously to the UN principles adopted in the early 90s following the fall of the Berlin wall.

Then, they were nothing new for post WW2 advanced democracies. There, Official statistics had accumulated knowledge in dealing with ethical issues and could share positive experiences as lessons learned from confrontations when our values were under stress. At the time, colleagues from Central Europe were at the vanguard of the demand for tackling the issues at the UN. The Principles came as a welcome summary of established good practices, giving a tool to publicise them and make them universal.

The issue of Data Ethics as part of Ethical Principles is back at the heart of Official Statistics concerns. I would argue that we are addressing the issue as our statistical community is embarked in the challenging times of a continuously renewing data landscape implying we think and secure good practices accordingly.

On one side, we can and we are addressing the issues benefiting of our accumulated achievements. On the other side, issues are to be tackle as they are materialising all along the way. Therefore we must keep our minds alert to any relevant signal that helps anticipate emerging ethical dilemma if not to have to act in a reacting mode.

Development

I cannot enumerate all the relevant inputs present in the literature, neither the crucial ones mentioned in today's presentations.

Let me just comment the three major directions our collective compass points at when dealing with data ethics along the core values our community shares: public/common good, privacy/confidentiality, do not harm/fairness.

- *Public/common good*

All presentations named this crucial issue. It is important to note that, from within our community, ***public good/common good*** is highlighted along various meanings. Some approach the issue saying Official Statistics is a public good per se. The institution is at the centre of the narrative which claims the reasons to support it, to protect it, to care about it. When others approach the issue saying Official Statistics serve the public/common good. It is statistical outputs that constitute the public good. In this vein, informing the Human rights framework or the SDGs achievements, informing public debates and decision making in a proper way are the types of narratives put forward to materialise what lies behind the wording.

I would suggest that we collectively deepen the coherence of our narratives about the public/common good when we go public. We could assess the significance of the diversity of approaches we have. Ultimately it should strengthen the quality of the dialogues we conduct with providers and direct users of data as well as with the public at large.

- Privacy/confidentiality

This issue is historically rooted in Official Statistics Ethics. It reflects the article 12 of the UN UDHR which deals with the relation institutions have to individuals in a vibrant democracy. For our community the respect of privacy and confidentiality materialise the respect we owe to people using their personal information our outputs rely on.

The frame of access to personal information has dramatically changed with the extent to which data has developed in our societies, with the technological capacities to manage them, and also with the wild re-use of data landscape. Today's presentations tell us the solidity of our understanding of the issues, with the data glut providing all kinds of information through a great diversity of providers. What we know and do not know about the data we intend to use need ethical answers all along the journey of the statistical production and dissemination. To succeed, we rely heavily on transparency provided by producers and on statistical methodologies at disposal. We need also transparent and extended dialogues answering public concerns about the use we have of data we mobilise.

The presentations tell us also that our community needs to organise the sharing of relevant practices as capacities to act are not distributed all over our institutions.

- *Do not harm/fairness*

After WW2, advanced democracies were claiming targeting cohesive societies by reducing inequalities, developing collective protections ... At that time, the official statistics' "do not harm" concern could be considered as a responsibility toward individuals, guarding against detrimental consequences of privacy breaches.

In today's societies, almost everywhere, statistical criteria for relevant disaggregation of information is put under stress. Discourses that reject vulnerable, discriminated groups have in many ways penetrated the public sphere with by-effects regarding Official Statistics. We are regularly confronted to statistical outputs incorporated in discourses fuelling stigmatisations, what our professional community rightly consider as misuses of data we disseminate.

How Official Statistics can serve "the good" under such circumstances will be solved neither in isolation (official statistics alone), nor by pushing the issue under the carpet.

We are used to address misuses along "crisis management" modes. But can we alternatively tackle the "do not harm" concern that extend into "collective harm" to communities we describe the situation with our statistics ... from the inside of our data ethics framework? With the extension data is taking in all aspects of our society, the question deserve being discuss thoroughly.

Conclusion

I'll stop here with three final notes:

- The presentations we have heard as well as the many inputs coming from all corners of our community are encouraging as it shows how much we have the ethics concern build-in.
- Our community of Official Statistics can proudly claim it is continuously working hard to address the multifold evolving data ethics issues.
- Our professional ethics' basics are obviously relevant to do so. Are they sufficient? We have a large consensus to say that we have to commit to progress because of continuously evolving, emerging, reshaping, challenges.

Thank you for your attention.