











Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2023/0237(COD) Awaiting Council's 1st reading position
European statistics Amending Regulation 2009/223	2007/0220(COD)
Subject 8.60 European statistical legislation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Economic and Monetary Affairs	 VAN OVERTVELDT Johan	19/07/2023
		Shadow rapporteur	
		 FERBER Markus	
		 HEINÄLUOMA Eero	
		 HLAVÁČEK Martin	
Council of the European Union European Commission	Committee for opinion	Rapporteur for opinion	Appointed
	 Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	 Industry, Research and Energy	The committee decided not to give an opinion.	
	 Internal Market and Consumer Protection	The committee decided not to give an opinion.	
	 Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
	Commission DG Eurostat	Commissioner GENTILONI Paolo	

Key events			
10/07/2023	Legislative proposal published	COM(2023)0402	Summary
11/09/2023	Committee referral announced in Parliament, 1st reading		

28/11/2023	Vote in committee, 1st reading		
28/11/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
04/12/2023	Committee report tabled for plenary, 1st reading	A9-0386/2023	Summary
11/12/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/12/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
04/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE759.700 PE759.702	
13/03/2024	Results of vote in Parliament		
13/03/2024	Decision by Parliament, 1st reading	T9-0152/2024	Summary

Technical information

Procedure reference	2023/0237(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation 2009/223 2007/0220(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 338-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	ECON/9/12697

Documentation gateway

Legislative proposal	COM(2023)0402	10/07/2023	EC	Summary
Document attached to the procedure	SEC(2023)0269	10/07/2023	EC	
Document attached to the procedure	SWD(2023)0240	10/07/2023	EC	
Document attached to the procedure	SWD(2023)0241	10/07/2023	EC	
Document attached to the procedure	N9-0091/2023 OJ C 000 20.11.2023, p. 0000	06/09/2023	EDPS	
European Central Bank: opinion, guideline, report	CON/2023/0029 OJ C 000 20.11.2023, p. 0000	28/09/2023	ECB	
Committee draft report	PE754.703	12/10/2023	EP	
Amendments tabled in committee	PE754.854	18/10/2023	EP	
Committee report tabled for plenary, 1st reading/single reading	A9-0386/2023	04/12/2023	EP	Summary
Text agreed during interinstitutional negotiations	PE759.700	21/02/2024	EP	

European statistics

PURPOSE: to make the legal framework governing European statistics fit for the future and significantly improve the responsiveness of the ESS to data need.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the current legal framework governing European statistics is Regulation (EC) No 223/2009. It was revised in 2015 to strengthen the overall governance of the European Statistical System (ESS) and, notably, its professional independence. Since then, this strengthened governance has proved to be effective.

The recent financial, migration and Covid-19 crises followed by the Russian military aggression against Ukraine have, however, amplified demands for and expectations of timelier and more detailed European statistics, needed to inform EU decision-making and ensure the best possible EU response to crises.

At the same time, the ESS operates in a context driven by profound digital transformation that have created new information needs alongside the emergence of many digital data sources. These sources are ready to be tapped and can help generate European statistics that can meet these needs in a more efficient, extensive, and timelier manner.

To address growing expectations for timelier, more frequent and more detailed European statistics as well as for a faster and more coordinated ESS response to urgent statistical demands in times of crisis, it is necessary to amend Regulation (EC) No 223/2009.

CONTENT: the purpose of this Regulation is to ensure that European statistics stay relevant by taking into account those changing and more demanding user needs, notably by tapping the full potential of digital data sources and technologies, by enabling their re-use for European statistics, by making the ESS more agile and able to respond effectively and swiftly to crises, and by promoting data sharing and strengthening coordination among ESS partners.

The proposed measures will:

- ensure sustainable and fair use of digital data sources for European statistics by establishing a mechanism whereby private data holders can be required on a mandatory basis to enable the reuse of the data they hold for the purpose of developing and producing such statistics;
- allow to initiate statistical actions conducted directly at EU level in response to crisis and extraordinary circumstances;
- mandate data sharing among the partners of the ESS for statistical purposes where relevant and justified;
- allow the Commission (Eurostat) to share data with the NSIs via a secure infrastructure; and
- enable the NSIs to assume data governance in their respective data ecosystems, thereby enhancing data interoperability and standardisation

Thanks to these measures, the ESS will be able to produce statistics that are more relevant, available more promptly, and more detailed. This will improve efficiency and reduce the costs and burdens on the Member States and survey respondents.

European statistics

The Committee on Economic and Monetary Affairs adopted the report by Johan VAN OVERTVELD (ECR, BE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Selection procedure for heads of NSIs

The report suggested that Member States should ensure that the procedure for the selection and recruitment of the heads of national statistical institutes (NSIs) is in line with international best practices, and that appointments are based on clear professional criteria, in particular as regards statistical reputation and a high level of competence in the field of statistics. The heads of NSIs should be selected for a fixed, non-renewable term of up to 10 years.

The Director-General of the Commission (Eurostat) should be selected for a fixed, non-renewable term of seven years.

Statistical response to crisis and urgent policy needs

The Member States may decide, separately and on a voluntary basis, to participate in these temporary statistical actions. The Commission (Eurostat) should strive towards the relevance of temporary statistical actions and sufficient coverage of the crisis situation in the Union. When participating in temporary statistical actions, the Member States should comply with the agreed common timespan, frequency and quality requirements for the national data to be provided to the Commission (Eurostat).

Measures should remain in force for a period no longer than the duration of the crisis situation, and in any event not exceeding 12 months that may be extended by way of an implementing act for an additional 12-month period in duly justified cases.

Obligations of NSIs and the Commission (Eurostat) in reusing data made available for development and production of European statistics

The report stressed that the NSIs and the Commission (Eurostat) should put in place appropriate safeguards relating to the processing of

personal data for statistical purposes, in particular in order to ensure compliance with the principle that data is to be rendered anonymous.

Data sharing in the ESS and between the ESS and the ESCB

Members proposed that data sharing should take place between the European Statistical System (ESS) and a member of the European System of Central Banks (ESCB) in areas of shared responsibility or common interest and where the data are used exclusively for statistical purposes and for improving the quality of European statistics developed and produced by that member of the ESCB.

Moreover, the NSIs participating in the data sharing within the ESS should provide all necessary safeguards with regard to the physical and logical protection of data confidentiality. The Commission (Eurostat) should set up a secure infrastructure to facilitate data sharing. The NSIs, and when relevant the ONAs or members of the ESCB, may use that secure data sharing infrastructure.

Researchers should have access to databases constituted by the Commission (Eurostat) that include data from private sources, in particular access to microdata. Private data owners should be informed about the use of their data by researchers and given the opportunity to deny access, if such access would unduly harm their interests.

Improved coordination

The report noted that the lack of coordination may lead to inefficiencies and inconsistencies and raise issues of quality of European statistics. Union bodies and agencies should systematically consult the Commission (Eurostat) on statistical methodologies and data quality when developing new statistics in their fields of competence.

European statistics

The European Parliament adopted by 568 votes to 22, with 12 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European Statistics.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Selection procedure for the heads of the National Statistical Institutes (NSIs)

The amended text stressed the importance of ensuring professional independence is fundamental for providing objective and impartial European statistics and for building public trust in decisions and policies based on them.

Therefore, Member States and the Commission should follow international best practice in the selection, appointment and dismissal of the Heads of the NSIs and the Director-General of the Commission (Eurostat), respectively, on the basis of clear professional criteria such as statistical reputation and a high level of competence in statistics. The reasons for early termination of contract should not compromise professional independence; they should be well justified, specified and communicated in an appropriate way, while respecting the rights of the person concerned.

Statistical response to urgent policy needs in crisis situations

The Commission (Eurostat) should examine crisis situations and may undertake urgent statistical actions where both of the following conditions are met: (a) it is strictly necessary to respond to urgent policy needs which arise from the crisis situation concerned following the activation of established emergency mechanisms in accordance with Union legal acts; (b) those urgent policy needs cannot be met under the European statistical programme.

The urgent statistical actions should be carried out by the Commission (Eurostat) at Union level in close cooperation with the NSIs and other national authorities.

When assessing the need for urgent statistical actions, the Commission (Eurostat) should promptly inform and consult the ESS Committee and duly take into account its professional guidance. Urgent statistical actions to be undertaken are subject to prior examination by the ESS Committee. To that end, the Commission (Eurostat) shall provide the ESS Committee with thorough information on the actions to be undertaken, their justification on a cost-effectiveness basis, the means and timetables for achieving them, the assessment of the response burden on survey respondents and the financial contribution of the Union to cover the incremental costs incurred by the NSIs and other national authorities.

A financial contribution should be made available from the Single Market Programme to the NSIs and other national authorities to cover the incremental costs incurred from the implementation of such urgent statistical actions.

Access, use and integration of administrative data for the development, production and dissemination of European statistics

The NSIs and the Commission (Eurostat) should be consulted on, and involved in, the initial design, subsequent development and discontinuation of administrative data sources, databases or interoperability systems built up and maintained by other bodies.

Where data and metadata needed for European statistics are only available in databases and interoperability systems maintained by Union bodies and agencies, the Commission (Eurostat) may, upon request, share those data with the relevant NSIs or other national authorities responsible for the development, production and dissemination of European statistics.

Obligation of private data holders to make data available for developing, producing and disseminating European statistics

Data requests for privately held data by the NSIs or the Commission (Eurostat) should follow the principle of data minimisation and be proportionate to the statistical need in terms of the level of detail and volume of the data and the frequency with which the data are to be made available. Any processing of data in connection with such data requests should be without prejudice, inter alia, to the General Data Protection Regulation.

The access to data should be free of charge. Where data are requested by an NSI, Member States may provide compensation to the private data holder that is limited to the processing service according to the specifications requested, except where national legislation does not allow NSIs or other national authorities to compensate data holders. Where data are requested by the Commission (Eurostat), it should propose reasonable compensation to the private data holder that is limited to this specific processing service according to the specifications requested.

Non-confidential data sharing in the ESS and between the ESS and the ESCB

Under the amended text, the sharing of non-confidential data, including data made available by private data holders, should take place between the ESS and a member of the ESCB upon request, if necessary and if available in an aggregated form, in areas of shared responsibility or common interest and where the data are used exclusively for statistical purposes and for improving the quality of European statistics developed and produced by that member of the ESCB.

Access to confidential data for research purposes

Access to confidential data, including data made available by private data holders, which allow only indirect identification of statistical units may be granted, by the Commission (Eurostat) or by the NSIs or other national authorities in their respective fields of competence, to researchers carrying out statistical analyses for scientific purposes.

Transparency			
FERBER Markus	Member	28/11/2023	DATEV eG