



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**setting up a European Advisory Committee on Community Statistical Information
Policy**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1) CONTEXT OF THE PROPOSAL

Grounds for and objectives of the proposal

The creation of CEIES (the European Advisory Committee on Statistical Information in the Economic and Social Spheres) was proposed by Jacques Delors, then President of the European Commission, and Henning Christophersen, then Vice-President, during the seminar of April 1989 on the future of the European Statistical System (ESS). Because of the changes which would take place in economic and social fields as a result of the European Single Act, the need was felt for a committee which would reflect the opinion of the European society at large on Community statistics. The aim was to create a structure for dialogue and consultation between producers and users of statistics and to situate this dialogue at Community level, thus complementing existing national user-producer consultation authorities, which were obviously more focused on national preoccupations.

The need for profound reform of the functioning and composition of CEIES, in particular after enlargement of the EU to 25 Member States, is widely perceived in the ESS. The CEIES Bureau itself called for reflection on reform as early as 2002. The reform issues identified mainly centred on the need for a smaller, more efficient body which should have a more strategic role with regard to the development of European statistical information policies.

In addition to the reform issues identified above, a more general re-drawing of the European Statistical landscape as outlined in the Commission Communication and Commission Recommendation on the independence, integrity and accountability of the national and Community statistical authorities (COM(2005) 217 final) added to the reform requirements: the Communication envisages a new external advisory body that would be entrusted with overseeing implementation of the Code of Practice by the ESS as a whole, in addition to advising at European level on statistical priorities. The ECOFIN Council, in its conclusions of 8 November 2005, indicated the need for the reformed CEIES and the future high level advisory body to remain two separate bodies.

With its proposal for a European Parliament/Council Decision on a European Advisory Committee on the Community Statistical Information Policy, the Commission addresses the issues for reform of the existing CEIES identified in the conclusions of the Task Force mentioned below and the Council conclusions of 8 November 2005.

- **General context**

The Statistical Programme Committee (SPC) decided to create a small Task Force comprising SPC and CEIES members to carry out an in-depth reflection on the future of the CEIES and in particular on the CEIES' remit, tasks and composition, and relation to the SPC. The Task Force met twice, on 26 March and 14 May 2004. Based on the work of the Task Force, Eurostat presented the broad outlines of a reformed CEIES body in an orientation paper to the 54th meeting of the SPC on 17-18 November 2004. The document highlighted the need for a smaller body, with a maximum of 20 members (currently 79) and a more strategic role, which should assist

the Council, the European Parliament and the Commission with coordination of the objectives and priorities of the Community's statistical information policy.

With regard to the CEIES in particular, the Council, in its conclusions of 8 November 2005:

- noted the Commission's intention to propose a major reform of the CEIES so as to have a smaller and more efficient body;
- stated that “a reformed CEIES would contribute to the improvement of the governance of the European Statistical System and to the enhancement of the quality of Community statistics”;
- stated that “the reformed CEIES should be given the task to voice the interests of non-government users and respondents to European statistics. With regard to composition it must be in a position to give representation to all stakeholders of European statistics”.

- **Existing provisions in the area of the proposal**

According to the Council Decision of 1991 (91/116/EEC) setting up the European Advisory Committee on Statistical Information in the Economic and Social Spheres (CEIES), the task of the Committee is to: “assist the Council and the Commission in the coordination of the objectives of the Community's statistical information policy, taking into account user requirements and the costs borne by the information producers”. In practical terms, this means that CEIES should give its opinion on the relevance of the Community statistical programme, on the way in which it is monitored and on the associated costs incurred by the Community, the National Statistical Institutes and the providers. As advice from users, respondents and producers on the objectives of the Community's statistical information policy would be obtained through the new Committee, it is proposed to repeal Council Decision 91/116/EEC.

For the fulfilment of its tasks, the reformed CEIES could also rely on the work of groups of experts in charge of assisting the Commission for identifying the need for data in specific domains, such as the group on policy needs for data on crime and criminal justice, established by the Commission Decision 2006/581/EC of 7 August 2006.

- **Consistency with the other policies and objectives of the Union**

Not applicable.

2) CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

- **Consultation of interested parties**

Consultation methods, main sectors targeted and general profile of respondents

The proposal was drafted in the light of consultation of the members of the existing European Advisory Committee on Statistical Information in the Economic and Social

spheres and of the Statistical Programme Committee.

Summary of responses and how they have been taken into account

The consultation process showed the need for a smaller body with a maximum of 20 members (currently 79) and a more strategic role to assist the Council, the European Parliament and the Commission with coordination of the objectives and priorities of the Community's statistical information policy. The current proposal reflects and takes into account the reform issues identified.

- **Collection and use of expertise**

There was no need for external expertise.

3) LEGAL ELEMENTS OF THE PROPOSAL

- **Summary of the proposed action**

The proposal aims at the setting up of the European Advisory Committee on Community Statistical Information Policy. The Committee will assist the Council, the European Parliament and the Commission by ensuring that user requirements and the costs borne by information providers and producers are taken into account in coordinating the strategic objectives and priorities of the Community's statistical information policy.

- **Legal basis**

The proposal is based on Article 285 of the Treaty, which is the legal basis for measures adopted by the European Parliament and the Council on the production of Community statistics and defining the principles which they should follow.

- **Proportionality principle**

The proposal complies with the proportionality principle for the following reason(s).

The proposal relates to advice from users, respondents and producers on the objectives of the Community's statistical information policy and does not affect the roles of similar bodies at national level.

The proposal should reduce any existing burden on Community and national operators by streamlining existing procedures.

- **Choice of instruments**

Proposed instruments:

In its Staff Working Paper of 27 July 2005 (C(2005)2817) on a "Framework for Commission's expert groups: horizontal rules and public register", the Commission

concluded that, from an institutional point of view, expert groups, i.e. groups comprising national and/or private sector experts who assist the Commission in exercising its power of initiative and in its tasks of monitoring and coordination with Member States, should be created by a Commission Decision.

In this case, however, the Commission had to take into account the fact that the current committee (CEIES) was based on a Council Decision which would have to be repealed and that the objective of the new committee would be to assist not only the Commission but also the Council and the European Parliament in coordinating the strategic objectives and priorities of the Community's statistical information policy

Therefore, given the objective and content of the proposal, a Decision of the European Parliament and of the Council is the most appropriate instrument.

4) BUDGETARY IMPLICATION

The budgetary implications of the proposal relate to holding meetings and conducting any studies needed. Given the budgetary and human resources arrangements for the CEIES, the proposal should have no net budgetary impact.

5) ADDITIONAL INFORMATION

- **Repeal of existing legislation**

The adoption of the proposal will lead to the repeal of existing legislation.

- **European Economic Area**

The proposed act concerns an EEA matter and should therefore extend to the European Economic Area.

- **Detailed explanation of the proposal**

- The essential changes with regard to the existing CEIES are as follows:
- Name changed to European Advisory Committee on Community Statistical Information Policy (Article 1(1)) and focus on user requirements in the coordination of strategic objectives and priorities of the Community's statistical information policy (Article 1(2)).
- Stronger position in the preparation of the Community statistical programme and the annual statistical work programme of the Commission (Article 2(1)).
- Committee may also advise on better meeting the quality needs of users (Article 2(2)).
- Commission has to report back annually on how it has taken the Committee's opinions into account (Article 3(2)).
- Membership is reduced from the current 79 to 25 (Article 4). The new committee

will be composed of members reflecting civil society, institutional users of statistics and the Director-General of Eurostat.

- Temporary working parties may be set up to report back to the Committee (Article 6(3)).

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(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) Consultation of users and producers of statistical information and respondents to requests for such information is essential to preparing and developing Community Statistical Information Policy.
- (2) The European Advisory Committee on Statistical Information in the Economic and Social Spheres set up by Council Decision 91/116/EEC¹ currently assists the Council and the Commission in the coordination of the objectives of the Community's statistical information policy, taking into account user requirements and the costs borne by information providers and producers.
- (3) While the European Advisory Committee on Statistical Information in the Economic and Social Spheres has proved useful, changes which have taken place in the Community, especially its enlargement to 25 Member States, require a number of changes to be made as regards its role, mandate, composition and procedures. In the interests of clarity, it is appropriate to replace the Committee by a new Committee.
- (4) The new Committee should contribute to improving the governance of the European Statistical System and to enhancing the quality of Community statistics. To this effect, close collaboration should be maintained with the Statistical Programme Committee,

¹ OJ L59, 6.3.1991, p. 21. Council Decision as amended by Council Decision (EC) No 255/97 (OJ L 102, 19.4.1997, p.32).

established by Council Decision 89/382/EEC/Euratom, and with the Committee on Monetary, Financial and Balance of Payments Statistics, established by Council Decision 91/115/EEC.

- (5) A balance must be achieved between the need to reduce membership in order to enable the Committee to work efficiently in an enlarged Community and the need to allow representation of all stakeholders in Community statistics, as requested by the Council in its conclusions of 8 November 2005.
- (6) The need to better assess and balance the benefits and costs of Community statistical requirements and to rebalance and reduce the burden of Community statistical legislation, so facilitating compliance with increasing demand, means that the Committee should play a stronger role in preparing and implementing the Community statistical programme.
- (7) The new Committee should serve as a channel for advice from users, respondents and producers of statistical information on the objectives of the Community's statistical information policy. Decision 91/116/EEC should therefore be repealed.

HAVE DECIDED AS FOLLOW:

Article 1

Advisory Committee

1. The European Advisory Committee on Community Statistical Information Policy (hereinafter "the Committee") is hereby established.
2. The Committee shall assist the European Parliament, the Council and the Commission by ensuring that user requirements and the costs borne by information providers and producers are taken into account in coordinating the strategic objectives and priorities of the Community's statistical information policy.
3. This assistance shall cover all statistical domains relevant to the Community's statistical information policy.

Article 2

Tasks

1. The Committee shall be consulted by the Commission at an early stage in the preparation of the Community statistical programme. It shall deliver an opinion addressing in particular:
 - (a) the relevance of the Community statistical programme to the requirements of European integration and development, as expressed by the Community institutions, national and regional authorities, the various economic and social categories and scientific circles;

- (b) the relevance of the Community statistical programme in relation to the activities of the Community, taking into account economic, social and technical developments;
 - (c) the balance (priorities and resources) between different areas in the Community statistical programme and the annual statistical work programme of the Commission;
 - (d) the resources needed to implement the Community statistical programme, including the costs directly incurred both by the Community and national authorities;
 - (e) the costs related to the provision of statistical information by information providers;
2. The Committee shall also draw the Commission's attention to areas in which it may be necessary to develop new statistical activities and shall advise the Commission how the quality needs of users can better be met, taking into account the costs for information providers and producers.

Article 3

Relations with European institutions and other bodies

1. At the request of the European Parliament, the Council and the Commission, the Committee shall deliver an opinion on matters relating to user requirements in the development of the Community's statistical information policy, priorities of the Community statistical programme, the evaluation of existing statistics, data quality and dissemination policy.
2. The Committee shall deliver opinions and present reports on user requirements and the costs borne by data providers in the production and dissemination of Community statistics to the European Parliament, the Council and the Commission whenever it considers this necessary for the fulfilment of its task.

The Commission shall report on a yearly basis on how it has taken account of the Committee's opinions.

3. In order to accomplish its task, the Committee shall cooperate with the Statistical Programme Committee and the Committee on Monetary, Financial and Balance of Payments Statistics. It shall send copies of its opinion and reports to those two committees.
4. The Committee shall establish relations with national statistical user councils.

Article 4

Composition and procedure for appointment

1. The Committee shall consist of 25 members.

Fourteen members of the Committee shall be appointed by the Commission, after consultation of the European Parliament and the Council. With a view to the

appointment of these members, each Member State shall provide the Commission with a list of two candidates with a well-established qualification in the field of statistics. The Commission shall endeavour to ensure that the composition of the membership fairly reflects civil society, including the scientific community, and adequately covers the various statistical domains covered by the Community statistical programme.

Ten members shall be directly appointed by the bodies to which they belong, as follows:

- (a) one representative of the European Parliament,
- (b) one representative of the Council,
- (c) one representative of the European Economic and Social Committee;
- (d) one representative of the Committee of the Regions,
- (e) one representative of the European Central Bank,
- (f) two representatives from the Statistical Programme Committee,
- (g) one member representing the Union of Industrial Employers' Confederation of Europe (UNICE),
- (h) one member representing the European Trade Union Confederation (ETUC),
- (i) one member representing the European Association of Craft Small and Medium-sized Enterprises (UEAPME).

The Director-General of Eurostat shall be an ex-officio member of the Committee.

The list of members shall be published in the Official Journal of the European Union, C series.

Article 5

Duration of mandate

1. Members of the Committee shall be appointed for a term of four years, renewable once. On expiry of their term of office, members shall remain in office until they are replaced or their appointments are renewed.
2. If a member resigns before the expiry of his term of office, he shall be replaced for the remainder of the term by a member appointed in accordance with Article 4.

Article 6

Structure and operation of the Committee

1. The Committee shall elect its chair from among the members appointed by the Commission. The Chair shall be appointed for a term of four years, renewable once.
2. The Chair shall convene the Committee at least once a year, either on his own initiative or at the request of at least one third of the members.
3. For preparing opinions on highly complex statistical matters, the Committee may propose that the Commission set up temporary working parties to be chaired by a Committee member. Each working party shall be made up of experts providing an appropriate balance of professional backgrounds and geographical distribution. The Chairs of these working parties shall present the results of their proceedings in the form of a report at a meeting of the Committee.
4. Representatives of any Commission departments concerned may participate in the meetings of the Committee and the working parties as observers.

The Chair may authorise other observers to attend meetings of the Committee.

5. Secretarial services shall be provided for the Committee and the working parties by the Commission.

Article 7

Decision-making procedures

1. An opinion delivered by the Committee shall be valid if two thirds of its members are present in person or by other means to be specified in the internal rules of procedure.
2. Only members may vote. A member may delegate his vote to another member. No member may receive more than two delegations.
3. An opinion delivered by the Committee shall state the reasons on which it is based. It shall be delivered by a simple majority of the votes. In the event of a tied vote, the Chair shall have an additional casting vote.

Article 8

Confidentiality

Without prejudice to Article 287 of the Treaty, Committee members shall be required not to disclose information to which they have gained access through Committee or working party proceedings if the Commission informs them that the opinion requested or the question raised is of a confidential nature.

Article 9

Internal Rules of Procedure

After consulting the Commission, the Committee shall adopt its rules of procedure. The rules of procedure shall be transmitted for information purposes to the European Parliament and the Council.

Article 10

Repeal

Decision 91/116/EEC is repealed.

Article 11

Entry into force

This Decision shall enter into force on [].

Done at Brussels,

For the European Parliament
The President

For the Council
The President