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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (part 2)/Council
Subject: Proposal for a regulation of the European Parliament and the Council amending Regulation (EU) No 99/2013 of the European Parliament and of the Council on the European statistical programme 2013-17, by extending it to 2018-2020 (1st reading)
- General approach

Delegations will find in the annex the compromise text on the above proposal as agreed by the working party on statistics on 6 December 2016.

Changes compared to the previous version¹ are underlined/alternatively [...].

Additions/changes to the Commission proposal are marked in **bold**. Deletions are marked with "[...]".

¹ 14889/16

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) No 99/2013 of the European Parliament and of the Council on the European statistical programme 2013-17, by extending it to 2018-2020

(Text with relevance for the EEA and Switzerland)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Reliable and relevant evidence based on European statistics is absolutely essential to measuring the progress and evaluating the efficiency of the Union's policies and programmes, especially in the context of the Europe 2020 strategy and the Agenda for jobs, growth, fairness and democratic change.

² OJ C [...], [...], p. [...].

³ OJ C [...], [...], p. [...].

- (2) Under Regulation (EC) No 223/2009 of the European Parliament and of the Council⁴, the European statistical programme is to provide the framework for the development, production and dissemination of European statistics, setting out the main fields and objectives of the actions envisaged for a period corresponding to that of the multiannual financial framework. **The European statistical programme should be implemented by individual statistical actions decided in accordance with Article 14 of Regulation (EC) No 223/2009. The work and activities needed for this implementation should be part of the Commission Annual Work Programmes.**
- (3) Regulation (EU) No 99/2013 of the European Parliament and of the Council⁵ covers the period from 2013 to 2017 only, whereas the current multiannual financial framework extends to 2020. It should therefore be amended to extend the European statistical programme to 2020.
- (4) In the context of Better Regulation, Union policies should increasingly be designed and monitored on the basis of solid evidence. European statistics have a distinct role to play in that respect and can make a real difference, especially in policy areas where responsiveness is key for policies to be successful.
- (5) [...] **High-quality** statistics are therefore crucial to achieving [...] **reliable** results and contributing to a better Europe, and greater efforts should be made to boost investments in official statistics at both European and national levels. [...] **The European statistical programme** should **also** provide guidance in priority policy areas and for capacity-building [...] and ongoing re-prioritisation. [...] **Furthermore, in order to ensure the harmonised approach in achieving the objectives of this Regulation, a closer cooperation with international organisations should be strengthened.**
- (5a) **More specifically, action should be taken to tackle the most urgent statistical gaps, increase timeliness and support political priorities and economic policy coordination through the European Semester. The Commission (Eurostat) should also provide new population projections in close cooperation with the national statistical institutes to update the analysis of the economic and budgetary implications of population ageing.**

⁴ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

⁵ Regulation (EU) No 99/2013 of the European Parliament and of the Council of 15 January 2013 on the European statistical programme 2013-17 (OJ L 39, 9.2.2013, p. 12).

- (6) Experimental ecosystem accounts and climate-change statistics, including those relevant to climate-change adaptation and ‘footprints’, should be further developed **using existing datasets**, particularly in support of the implementation of the 2015 Paris Agreement and the 2030 Agenda for Sustainable Development. The European Energy Union and the 2030 framework for climate and energy, which aims to make the Union’s economy and energy system more competitive, secure and sustainable, will require new statistics on energy consumption, energy efficiency, renewable [...] **energy sources**, energy dependence and security of supply.
- (6a) Statistics developed, produced and disseminated under the European statistical programme 2013 to 2020, in particular innovation, research and development statistics, social statistics, environmental statistics as well as energy and transport statistics should allow the monitoring of objectives and targets of the 2030 Agenda for Sustainable Development to be set at the Union and Member States level.**
- (7) The extension of the programme is an opportunity to make adaptations and reflect the new orientations, **in particular in line with ESS Vision 2020**, to complement the existing objectives and ongoing prioritisation.
- (8) An appropriate increase of the budget for statistics at EU level should support these changes to the programme and [...] **the ongoing efficiency work of the European Statistical System by bringing** significant added value and results through large-scale projects, structural leverage effects and economies of scale benefiting statistical systems across the Member States.
- (9) This Regulation establishes a financial envelope for the extension of the European statistical programme to cover the years 2018 to 2020. This is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission⁶, during the annual budgetary procedure.
- (10) Since the objective of this Regulation, namely to extend the European statistical programme to cover the years 2018 to 2020, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

⁶ Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (OJ C 373, 20.12.2013, p. 1).

- (11) In accordance with Regulation (EC) No 223/2009, the draft proposal for an extension of the European statistical programme for the period 2018 to 2020 has been submitted for prior examination to the European Statistical System Committee, the European Statistical Advisory Committee established by Decision No 234/2008/EC of the European Parliament and of the Council⁷ and the Committee on Monetary, Financial and Balance of Payments Statistics established by Council Decision 2006/856/EC⁸,
- (12) Regulation (EU) No 99/2013 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 99/2013 is amended as follows:

- (1) In Article 1, the following paragraph is added:

‘The programme shall be extended to cover the period 2018 to 2020.’

- (1a) Article 3 is replaced as follows:**

1. This Regulation provides the programming framework for the development, production and dissemination of European statistics, the main fields and the objectives of the actions envisaged for the period from 2013 to 2020, in accordance with Articles 13 and 14 of Regulation (EC) No 223/2009.

2. The programme does not cover measures provided for by the Programme for the Modernisation of European Enterprise and Trade Statistics (‘the MEETS Programme’), established by Decision No 1297/2008/EC of the European Parliament and of the Council, until the end of the MEETS Programme on 31 December 2013, but includes objectives in the area of enterprise and trade statistics planned to be implemented from 2014 to 2020.’

- (2) In Article 7(1), the following paragraph is inserted:

‘The Union financial envelope for the implementation of the programme for 2018 to 2020 shall be EUR 218.1 million, covered by the programming period 2014 to 2020.’

⁷ Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC (OJ L 73, 15.3.2008, p. 13).

⁸ Council Decision 2006/856/EC of 13 November 2006 establishing a Committee on monetary, financial and balance of payments statistics (OJ L 332, 30.11.2006, p. 21).

(3) Article 13 is replaced as follows:

‘Protection of the financial interests of the Union

1. The Commission shall take appropriate measures ensuring that, when activities financed under this Regulation are implemented, the financial interests of the Union are protected through the application of preventive measures against fraud, corruption and any other illegal activities, through consistent and effective checks and, if irregularities are detected, through the recovery of the amounts wrongly paid and, where appropriate, through effective, proportionate and dissuasive administrative and financial penalties.
2. The Commission and the Court of Auditors or their representatives shall have the power of audit, on the basis of documents and on-the-spot checks, over all grant beneficiaries, contractors, subcontractors and third parties who have, directly or indirectly, received Union funds under the Programme.
3. The European Anti-Fraud Office (OLAF) may carry out on-the-spot checks and inspections on economic operators concerned directly or indirectly by such funding in accordance with the procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council⁹ and in Council Regulation (Euratom, EC) No 2185/96¹⁰ with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract funded, directly or indirectly, within the framework of this Regulation.
4. Cooperation agreements with third countries and international organisations and grant agreements and grant decisions and contracts resulting from the implementation of this Regulation shall expressly empower the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot checks and inspections.
5. Where the implementation of an action is outsourced or sub-delegated, in whole or in part, or where it requires the award of a procurement contract or financial support to be given to a third party, the contract, grant agreement or grant decision shall include the contractor's or beneficiary's obligation to impose on any third party involved explicit acceptance of those powers of the Commission, the Court of Auditors and OLAF.
6. Paragraphs 4 and 5 shall apply without prejudice to paragraphs 1, 2 and 3.’

⁹ OJ L 248, 18.9.2013, p. 1.

¹⁰ OJ L 292, 15.11.1996, p. 2.

(3a) In Article 15 the following paragraph (2a) is added:

‘2a. The Commission (Eurostat) shall submit a progress report on the implementation of the programme to the ESSC by 31 December 2018. That report shall be submitted to the European Parliament and to the Council for information purposes.’

(4) Article 15(3) is replaced by the following:

‘By 31 December 2021, the Commission shall, after consulting the ESSC and the European Statistical Advisory Committee, submit a final evaluation report on the implementation of the programme to the European Parliament and to the Council. The report shall evaluate in particular the outcome of reprioritisation and cost evaluation of statistical products, as well as the actions taken by the European Statistical System to reduce the implementation and production costs for Member States and to limit the overall burden stemming from the statistical projects and fields covered by the programme.’

(5) The Annex is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2018.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX

The Annex to Regulation (EU) No 99/2013 is amended as follows:

(-1) The name of the annex is replaced by the following:

"Statistical infrastructure and objectives of the European statistical programme 2013 to 2020"

(-1a) Introduction is amended as follows:

(a) The second paragraph is replaced by the following:

"The European statistical programme provides for the legislative framework for the development, production and dissemination of European statistics over the period 2013 to 2020."

(b) The fourth paragraph is replaced by the following:

"Statistics developed, produced and disseminated under the European statistical programme 2013 to 2020 ('the programme') contribute to the implementation of the Union's policies as reflected in the TFEU and Europe 2020 and its respective flagship initiatives and other policies set out in the Commission's strategic priorities."

(1) Point I. Statistical Outputs is amended as follows:

(a) In Objective 1.1.1, the first paragraph is replaced by the following:

"Provide high-quality statistical information, which should be available in a timely manner for the European Semester, to monitor the implementation of Europe 2020. New indicators shall, to the extent possible, be based on available statistical data."

(b) In Objective 1.2.1, the second indent is replaced by the following:

"— providing statistical input for an enhanced Stability and Growth Pact specifically aimed at the production and provision of high-quality statistics on government deficit and debt;"

(c) In Objective 1.3.1, the third indent is replaced by the following:

"— the analysis of the global value chains, possibly through appropriate input/output tables, and foreign trade and business statistics, including micro-data linking; and the [...] coordination of [...] outputs of this analysis with [...] the international initiatives of Union interest; and"

(d) Point 2 is replaced by the following:

"2. Accounting frameworks

The Commission Communication of 20 August 2009 entitled 'GDP and beyond: Measuring progress in a changing world', and the publication of the Stiglitz-Sen-Fitoussi Report on the Measurement of Economic Performance and Social Progress have given new impetus to the key challenge for the ESS, namely how to achieve better statistics on cross-cutting issues and more integrated statistics to describe complex social, environmental and economic phenomena beyond the traditional measures of economic output. Work on GDP and beyond within the ESS focuses on three priority areas: statistics for the household sector and statistics measuring the distribution of income, consumption and wealth; measuring quality of life in a multidimensional way; and measuring environmental sustainability. The new worldwide Sustainable Development Goals (SDGs) adopted in 2015 provide further impetus. The European System of National and Regional Accounts (ESA) offers an integrated and consistent framework for all economic statistics that should be complemented by other indicators in order to provide more comprehensive information for policy- and decision-making. Full implementation of the ESA 2010 will be supported by regular quality and compliance assessments, taking into account the progressive expiry of derogations until 2020, leading to further improvements in the timeliness and availability of indicators."

(e) Objective 2.1.1 is amended as follows:

i) The fourth indent is replaced by the following:

"— reinforcement of links with national accounts in the areas of social protection, health and education"

ii) Two new indents are inserted after the fifth indent as follows:

"— [...] **further** development of timely social indicators, including advanced techniques for now-casting and flash estimates;

— supporting international data sharing for macroeconomic data to reduce the burden for data producers and improve the availability of comparable and consistent data to users;"

(f) In Objective 2.1.2, the last indent is replaced by the following:

"— the availability and extension of harmonised housing price statistics for all Member States."

(g) In Objective 2.2.1, the indents are replaced by the following:

"— [...] **further** development of a coherent system of environmental accounts as 'satellite accounts' to the main national accounts, providing information on atmospheric emissions, energy consumption, flows of natural resources, trade in raw materials, environmental taxation and spending on environmental protection, possibly including green growth/procurement;

— [...] **further** development of experimental ecosystem accounts **that would allow the use of existing datasets, including those compiled by EU institutions, as part of a long-term data integration initiative;**

— [...] **further** development **work to better use existing data collections for [...]** climate change-related statistics [...]; and

— [...] **further** development of indicators measuring environmental "footprints" **based on existing datasets."**

(h) Objective 3.1.1 is amended as follows:

i) The first paragraph is replaced by the following:

"Increase the efficiency and effectiveness of statistical production processes. [...] **In line with the [...] Better Regulation Agenda, [...]** the **existing** legislation related to the pillar of business statistics **needs to be streamlined [...]. In this context [...]**, due consideration should be given to the limitations of the resources available to producers and the overall burden on respondents in line with the Commission Regulatory Fitness and Performance Programme (REFIT). Provide high-quality statistics on key areas where enterprises are the centre of interest, such as business statistics, short-term indicators, their investment in human capital and skills, international transactions, globalisation, internal market monitoring, [...] **research, development** and innovation, and tourism. Special attention should be paid to the availability of data in high value-added industrial or services sectors, in particular in the green, digital or social economy (such as health and education)."

ii) The first indent is replaced by the following:

"— the reuse of data available in the statistical system or in society, a common legal basis for [...] business [...] statistics and the production of a common infrastructure and of common tools;"

(i) Objective 3.2.1 is amended as follows:

-i) The first paragraph is replaced by the following:

"Provide statistics on key areas of social policy where the citizen is the centre of interest, such as well-being, sustainability, social cohesion, poverty, inequalities, demographic challenges (in particular population ageing and migration), the labour market, education and training, including childhood education, adult learning, vocational training and learning mobility of young people, culture, physical activity, quality of life, safety, health, disability, consumption, free movement and the internal market, mobility of young people, technological innovation and new lifestyle choices. Those statistics shall be disaggregated by gender where appropriate, for groups that are of special interest to social policy makers. Priorities shall be set in accordance with Article 6. In line with the Better Regulation Agenda, the existing legislation related to the pillar of social statistics needs to be streamlined. In this context, due consideration should be given to the limitations of the resources available to producers and the overall burden on respondents in line with the Commission Regulatory Fitness and Performance Programme (REFIT)."

i) The seventh indent is replaced by the following:

"— the implementation of actions of the work programme on mainstreaming of migration statistics taking into account new challenges, in particular international developments;"

ii) A new indent is inserted after the seventh indent as follows:

"— the provision of population projections and of their annual updates;"

iii) Two new indents are added as follows:

"— the development of a methodology for a gender based violence survey of the voluntary nature in cooperation with the European institutions acting in this field;

— the putting in place of a common legal basis for social statistics and the production of a common infrastructure and of common tools."

(j) In Point 3.3, the third paragraph is replaced by the following:

"Agriculture will remain an important Union policy area. The Common Agricultural Policy underlined needs for its main objectives namely for viable food production, for sustainable management of natural resources and climate action as well as for balanced territorial development. Focus will be on environmental, biodiversity/ecosystem-related, economic, human health and safety and social dimensions."

(k) Objective 3.3.1 is amended as follows:

i) The first paragraph is replaced by the following:

“Support evidence-based policy-making by a more flexible and increased use of spatial information combined with social, economic and environmental statistical information for regions, regional typologies, cities and the degree of urbanisation.”

ii) Two new indents are added as follows:

“— the implementation of land use and land cover statistics [...];

— coordination of statistical data for regions, [...] cities and [...] **territorial typologies.**”

(l) Objective 3.3.3 is amended as follows:

i) A second paragraph is inserted as follows:

“In line with the 'European Energy Union' priority of the Commission particular, **and to the highest possible extent based on existing data**, focus will be given to statistics related to energy consumption, energy efficiency, renewable [...] **energy sources**, energy dependence and security of supply. Furthermore, energy statistics will need to support the 2030 policy framework for climate and energy that aims to make the Union's economy and energy system more competitive, secure and sustainable.”

ii) A new indent is added as follows:

“— energy dependence and security of supply.”

(m) **Objective 3.3.4 is amended as follows:**

i) The first paragraph is replaced by the following:

“Provide agriculture, fisheries and forestry statistics for the development and monitoring of the Common Agricultural and Fisheries Policies, reflecting key European strategic objectives related to sustainability as well as rural development by carrying out regular activities related to the development, production and dissemination of statistics. In line with the Better Regulation Agenda, the existing legislation related to the agricultural statistics needs to be streamlined. In this context, due consideration should be given to the limitations of the resources available to producers and the overall burden on respondents in line with the Commission Regulatory Fitness and Performance Programme (REFIT).”

ii) New indents are added as follows:

"— the preparation and implementation of the Agricultural Census scheduled for 2020;

— the putting in place of a common legal basis for agriculture related statistics and the production of a common infrastructure and of common tools."

(2) Point II. Production Methods of European Statistics is amended as follows:

(a) The first paragraph is replaced by the following:

"The ESS is currently facing a number of challenges: the expectations on the scope, quality and comparability of European statistics are increasing; with globalisation, a complex reality has emerged that has to be captured by official statistics and raises methodological challenges; the ever increasing availability of data from private and public providers offers a [...] potential to improve the timeliness and relevance of official statistics as well as to reduce response burden. To face these challenges, **while at the same time confronted with constraints on resources**, the European Statistical System will gradually implement strategic goals defined [...] **in the ESS Vision 2020**, building upon a holistic approach to reach quality and efficiency gains:

- to engage proactively in a regular dialogue with users to understand deeper their needs, recognising that different user groups have different needs that need to be addressed in the right way.
- to provide high quality products and services and apply a quality approach to the management, organisation, and governance of the ESS.
- to base statistical products and services on both traditional surveys and [...] **other** sources, including administrative data, geospatial and, where possible, big data. To get access to new data sources, create methods and find suitable technology in order to use [...] **such** data sources to produce European statistics in a reliable way.
- to improve the efficiency of statistical production by further intensifying the sharing of knowledge, experiences and methodologies but also by sharing tools, data, services and resources where [...] **duly justified**. [...] **The** collaboration will be based on agreed standards and common elements of technological and statistical infrastructure.
- to implement a dissemination **and communication** strategy for European statistics which is flexible enough to adapt to emerging technologies, gives guidance in a world of data revolution and serves as a reliable pillar of democracy."

(b) In Objective 1.1, the first indent is replaced by the following:

"— the introduction of new integrated, effective and fit-for purpose quality **assurance** mechanism based on the Code of Practice and the ESS Quality Assurance Framework;

— assessment of compliance with the Code of Practice;"

[...]

(d) In Objective 4.1, a new indent is added as follows:

"— the identification of current and future data requirements to provide multi-purpose and customised end-user products [...] **and** services [...];"

(e) In Objective 5.1, a new indent is inserted after the third indent as follows:

"— the analysis of needs for new skills related to data science and **their** integration into training programmes;"

(3) Point III. Partnership is amended as follows:

(a) In Objective 1.4, three indents are inserted after the fourth indent as follows:

"— raising awareness of Union citizens to the importance of official statistics and its communication to all stakeholders by celebrating the European Statistics Day on 20 October each year;

— disseminating relevant statistical data to support the European Neighbourhood Policy and the respective Association Agreements;

— promoting European values and initiatives such as the European Statistics Code of Practice, [...] **ESS Quality Assurance Framework**, standardisation and harmonisation approaches to third countries and regions;"