

The European Statistical Governance Advisory Board is closely following developments in the Greek statistical system

At its meeting on 7 September, the European Statistical Governance Advisory Board (ESGAB) discussed recent developments concerning the Greek statistical system and the legal proceedings against the former President of the Hellenic Statistical Authority (ELSTAT).

In July 2017 a supplemental Memorandum of Understanding (MoU) was agreed between the Hellenic Republic, the European Commission and the Bank of Greece¹. In the MoU the Greek government agrees to continue to “investigate all the support possibilities available to provide ELSTAT with adequate human resources and sufficient financial means” and to “continue providing effective access to administrative data”. The Board welcomes the fact that the MoU is now taking effect. In particular, the principle of indemnifying ELSTAT officials against costs incurred as a result of legal actions relating to their official duties, which is specified in the MoU, has now been recognised in Greek law. However, ESGAB notes that Eurostat has not yet received the text of the amended law to see how well it addresses the commitments in the MoU.

The Board also discussed recent developments concerning the former President of ELSTAT, Andreas Georgiou. Although in May 2017 the Council of the Appeals Court acquitted Mr Georgiou, and his co-accused, of the criminal charges of falsifying the 2009 deficit figures, in July 2017 the Chief Prosecutor of the Greek Supreme Court proposed to annul this decision and recommended that the case again be re-examined by the Court, but with a different composition. This is the second time that the Chief Prosecutor has taken this action and would be the third occasion in which these criminal charges are pursued by the Council of the Appeals Court.

ESGAB is deeply concerned and disturbed by this behaviour and hopes that the case will soon be finally closed. On the other hand, it should be underlined that, as noted in ESGAB’s Opinion in May, “no legal action has been taken by the Greek government to bring to account those responsible for the misreporting, during two different periods, of Greek deficit and debt data, which was detected following the transmission of revised figures in 2004 and 2009”.

Mr Georgiou has recently been involved in two other judicial cases. In the first case, Mr Georgiou was found guilty of failing to inform the Board of ELSTAT about his decision to transmit revised 2009 deficit figures to the Commission (Eurostat). Such an act is no longer an offence under Greek law, as the President of ELSTAT now has sole responsibility for deciding the content and timing of statistical publications. Mr Georgiou was given a two-year suspended prison sentence.

In the second case, he was ordered by a civil court to pay damages for slander. At the moment, details of the legal arguments underpinning the Court decisions are not available and the amount of damages which Mr Georgiou will have to pay in the slander case is also unknown.

¹ https://ec.europa.eu/info/sites/info/files/smou_final_to_esm_2017_07_05.pdf

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ESGAB is waiting to see the details behind these judgements, as the ability of the President of a national statistical institute to act independently is not only a requirement under EU law², but is essential for the credibility of official statistics and a key principle of the European Statistics Code of Practice³.

As part of its mandate to assess the implementation of the European Statistics Code of Practice in the European Statistical System as a whole, ESGAB will continue to follow events in the Hellenic Statistical System very closely. The next report by the Good Practice Advisory Committee⁴, which reports on institutional aspects of the Hellenic Statistical System, and on which ESGAB is represented, will be an important input into ESGAB's assessment of the situation.

Further information

ESGAB Opinions and Annual Reports are available on ESGAB's homepage (<http://ec.europa.eu/esgab/>). The Annual Report for 2017 is due to be published in November 2017.

Contact for media assistance

To arrange an interview with the ESGAB Chair, Mr Martti Hetemäki, please contact the ESGAB Secretariat: Steve Clarke (estat-esgab@ec.europa.eu), tel. +352 4301-32527.

About ESGAB

ESGAB⁵ provides an independent overview of the implementation of the Code of Practice. It seeks to enhance the professional independence, integrity and accountability of the European Statistical System, key elements of the Code, and the quality of European statistics. Its tasks include the preparation of an annual report to the European Parliament and the Council on the implementation of the Code by Eurostat and the European Statistical System as a whole. ESGAB also advises the Commission (Eurostat) on appropriate measures to facilitate implementation.

European Statistics Code of Practice (the Code)

The European Statistics Code of Practice sets the standards for developing, producing and disseminating European statistics. It builds on a common definition of quality in statistics used in the European Statistical System. The Code is a self-regulatory instrument containing 15 principles which address the institutional environment in which national and EU statistical authorities operate, and the production and dissemination of European statistics. Its implementation is supported by a set of indicators of good practice for each principle.

The **European Statistical System**⁶ (ESS) is a partnership between the European Union's statistical authority, i.e. the Commission (Eurostat), the national statistical institutes (NSIs) and other national authorities (ONAs) responsible in each Member State for the development, production and dissemination of European statistics.

² Article 5a(2) of Amended Regulation (EC) 223/2009 <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0223>

³ <http://ec.europa.eu/eurostat/web/quality/european-statistics-code-of-practice>.

⁴ <http://www.statistics.gr/en/good-practice-committee>

⁵ <http://ec.europa.eu/esgab>.

⁶ <http://ec.europa.eu/eurostat/web/european-statistical-system/overview>.