



# DATA ACCESS, USE AND EXCHANGE THROUGH A LEGAL LENS: SOME LESSONS LEARNED FROM THE OECD EXPERIENCE

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UNECE

3-5 November 2020



# Challenges to existing ethical frameworks

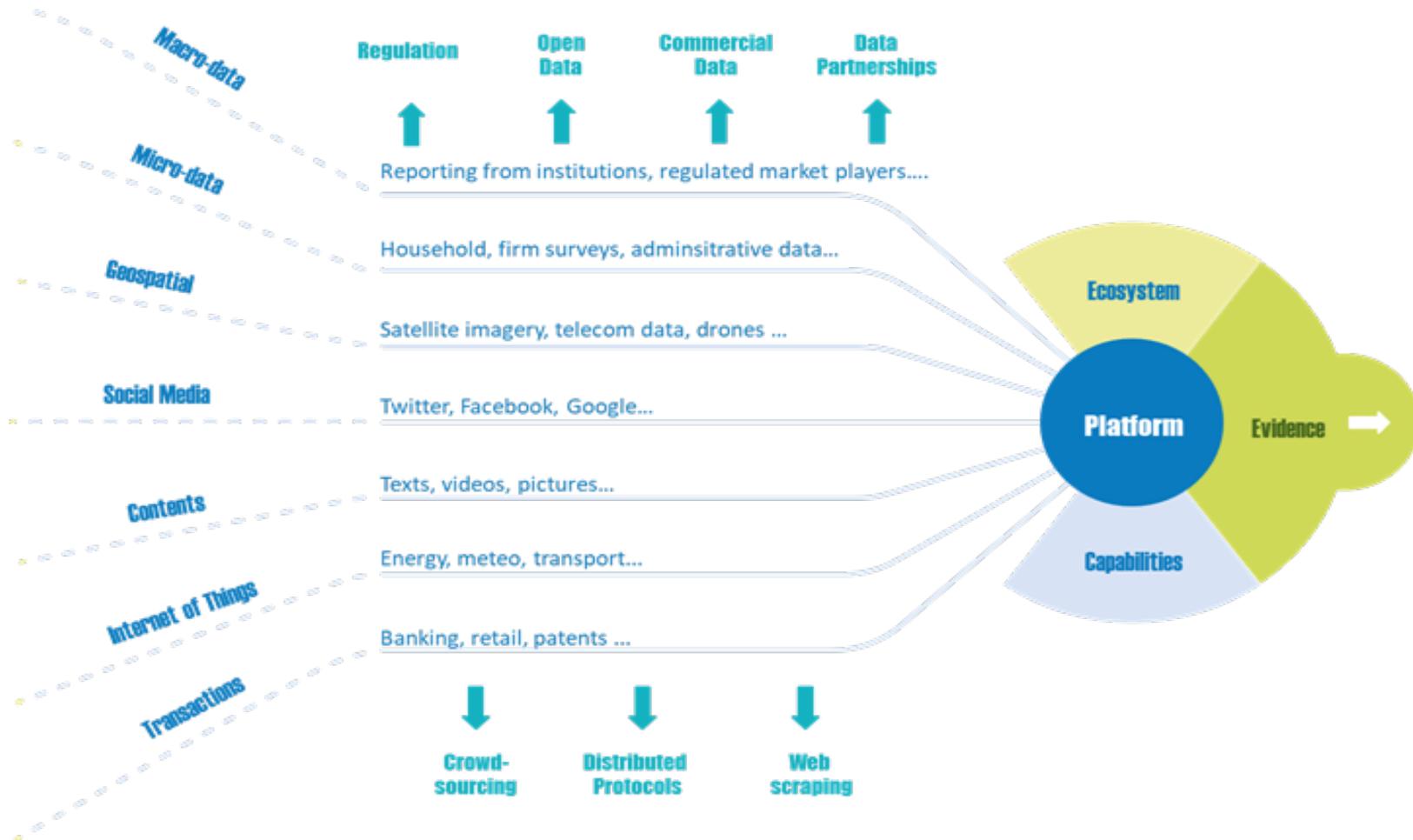
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- Existing (national and international) ethical frameworks are challenged
  - New data environment
  - Digitalisation of economies and societies
  - Artificial intelligence
  - Increasing computing capacity
  - Acceleration due to the Covid-19 crisis
- New demands for statistics
  - More timely
  - More granular evidence-based information
  - High-frequency data, etc.
- Challenges for NSOs and IOs
  - Increasing risks (legal, technical, etc.)
  - Access to and use of new data sources including private data
  - Data sharing and reuse (legal and technical issues)
  - Quality
  - International comparisons
  - Exploring new ways to interpret data through data science techniques
  - Skills



# (new) data sources are increasingly heterogeneous

SOURCE (NEW) DATA





# Data sourcing at the OECD





# How to respond? Data protection

*Link:* <https://www.oecd.org/general/data-protection.htm>

- OECD Data Protection Rules
  - Scope: protection of individual with regard to the processing of personal data
  - Whose data? Can be staff or any other individual
  - Processed by whom? By or on behalf of the OECD
  - Principles:
    - Security
    - Storage limitation
    - Significant limitations related to the processing of sensitive personal data, automated processing, high risk processing
  - Rights of individuals:
    - Transparency and information
    - Right of access
    - Right to request rectification or completion of inaccurate personal data
    - Right to object when processing is not 'necessary'
    - Right to data portability
- OECD Data Protection Commissioner
- OECD Data Protection Officer



# How to respond? Quality by design

- Security, ethical, and legal risks have moved in a central stage in quality management
- Quality by design – multiple sources based statistics
  - IT tools for “quality by design”
  - Specific skills are required
- Revised quality objectives:
  - Intrinsic data quality (accuracy, relevance, coherence, completeness, etc.)
  - Timeliness and punctuality
  - Accessibility
  - Reproducibility and transparency
  - Security (confidentiality – data protection – data integration)
- Dynamic quality assurance framework need ongoing review and development
- Guidance for quality assurance has to be developed in close cooperation between area specialists
- As well as enhanced cooperation
  - with IOs
  - with statistical authorities in countries
- Privacy by design?



# How to Respond? Reaffirm and safeguard existing principles

*Link to the [Toolkit](#) on the implementation of the Recommendation*

- **UN Fundamental Principles, UNECE Generic Law, European Code of Practice, etc.**
- **OECD Recommendation on Good Statistical Practice**
  - Define official statistics
  - Professional independence
  - Exploring new sources and new methods
  - Access to administrative data
  - Confidentiality and data protection
  - Prevent misuse of official statistics
- **Implementation in practice**
  - Identify and share good practices
  - (Peer) reviews
- **Integrate new principles on the access to new sources (including private) and use of new technologies?**
  - Promote the responsible use of personal data?



# How to respond? Better position official statistics as trusted source of information

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- Recognise experience of NSOs
- Embed quality of data and quality management in statistics laws
- Support national and international cooperation in collecting, processing, and sharing personal data - partnerships
- Valorise the dissemination of existing statistics
- Ensure that the public is well informed and the approaches adopted are implemented with full transparency and accountability



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**Thank you!**  
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