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## **STATISTICAL DATA PROTECTION IN THE CZECH STATISTICAL SERVICE**

Submitted by the Czech Statistical Office<sup>1</sup>

### **Contributed paper**

#### **I. INTRODUCTION**

1. The Czech Statistical Office (CSO) has begun to deal with the problems related to individual data protection quite recently. This paper describes activities carried out in this area in the last few years.

#### **II. LEGAL BASIS**

2. The first step in the field of data protection was to prepare basic legal tools. Preparatory work began on the new State Statistical Service Act in 1994. The Parliament of the Czech Republic adopted the Act in April 1995 and it has been in force since 15 June 1996 and has been published under number 89/1995 of the Law Collection.

3. During the course of preparatory work on the Act, a lot of attention was paid to formulating the basic rules of individual data protection. The Act provides a definition of the "individual data" which is considered confidential and "statistical information" which is a product of statistical data processing and has a public character. At the same time, the Act determines circumstances when the statistical information cannot be considered public.

4. Conditions for the protection of individual data obtained by the statistical service for statistical purposes is defined in Articles 16 to 18 of the Act.

**Article 16** presents basic conditions for handling individual data. It declares that the individual data is of a confidential character. As such the individual data are to be protected, must not be published or communicated to anyone outside the state statistical service, and may be used only for statistical purposes.

Article 16 also presents concrete conditions under which individual data can exceptionally be published. Special attention is paid to providing individual statistical data for research purposes. It explicitly stated that the CSO and other bodies of state administration providing

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statistical services are obliged to secure individual data protection and to take such organizational and technical measures which will prevent abuse of these data.

**Article 17** stipulates obligatory discreteness of the employees of the State Statistical Service who are in contact with individual data. To guarantee this requirement, employees are obliged to take an oath of confidentiality when starting their employment.

**Article 18** deals with the conditions of statistical data dissemination to all groups of users. It determines to whom and how the CSO provides statistical information, and obliges the office to publish in advance the extent, method and terms of publishing statistical information.

### III. PRACTICAL STEPS IN DATA PROTECTION

#### III.1 CSO internal regulation

5. The new State Statistical Service Act appoints the CSO to prepare a decree which will specify in detail the conditions for individual data protection. After this Act was adopted in 1995, the CSO began work on the preparation of the CSO decree on individual data protection. However, the Legislation Council of the Czech Government recommended to issue the document initially as an internal Directive of the Office, and only after its verification in practice to prepare it as a legal decree. One of the reasons for the postponement of this legal decree was the need to find a conceptual solution for individual data protection in general, not only in statistics. The present legal documents in force regulate these problems only partially, or only in the area of automated information systems.

6. Taking into account the recommendation of the Legal Council, the CSO decided to prepare the document as an internal regulation which would be valid for the CSO and the workplaces of the state statistical service. In early 1996, the first version of this internal regulation was published and came into force. The document consists of 5 sections which are as follows:

Part I - *General jurisdiction* defines the purpose of the Decree and the basic concepts used. In contrast to the State Statistical Service Act, the Decree defines concepts of the identification data and anonymized data. Quite new is the creation and specification of the post of **data inspector** - i.e. a person responsible for the implementation and the protection methodology, and for the control of observing the rules for data protection.

Part II - *Individual data protection in the course of data collection and processing* defines detailed rules for the collection and processing of statistical questionnaires. It determines the conditions of storage and archiving the questionnaires, specifies the persons who may work with the questionnaires. A separate part is devoted to the technical and organizational measures of individual data protection in the course of their storage, processing and transmission over the telecommunication lines.

Part III - *Handling of individual data within the CSO* defines rules for further use of individual data within the state statistical service.

Part IV - *Transfer of individual data outside the CSO* defines rules and methods of transferring individual data to other work places of the state statistical service outside the CSO. The transfer of such data has to be done in accordance with the conditions presented in the State Statistical Service Act.

Part V - *Final regulations* suspends the previous internal documents concerning data protection, and defines the date when the document will become effective.

### **III.2 Technological measures**

7. With a certain delay, we have also begun dealing with the technological measures to control users' access to the data stored in the computers of the Czech Statistical Office. At the conceptual level, the rules of user access to the PCs to the internal CSO network and to individual services have been specified. Initially, tools provided by the operation systems Novell NetWare and UNIX were used as a solution. To control access to PCs under MS-DOS or MS Windows 3.xx a special software for users' identification and authentication has been purchased.

8. Up to now, the applied control system does not differentiate between different groups of users. Practically all users have the same access rights. We plan to categorise uses and data as soon as possible. Relations between the users and data categories will be specified, and rules implemented into everyday practice.

### **III.3 Information system security**

9. The importance of the protection of individual and other statistical data knowledge of the shortcomings and growing requirements in this area have made it necessary to start a new project on "Security of the CSO Information System". At the end of 1998, an external company was hired to carry out a study on the aspects of statistical data protection and to outline a timetable of activities in the Security Project. The objective of this project is to propose and implement a set of organizational and technological measures to ensure the highest possible level of security according to the IT security evaluation criteria.

## **IV. CONCLUSION**

10. The Statistical Service Act has created for the CSO a basic framework for ensuring protection and confidentiality of statistical data. The first practical results in implementing organizational measures have stressed the need to deal systematically with the technological measures for data protection. The above-mentioned IT security project is an example of implementing this approach.