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Topic (iii): Emerging legal/regulatory issues

**REPORT ON APPLICATION OF THE PRINCIPLE OF  
STATISTICAL CONFIDENTIALITY IN KYRGYZSTAN**

**Contributed paper**

Submitted by the National Statistical Committee of the Kyrgyz Republic

## ***Report on application of the principle of statistical confidentiality in Kyrgyzstan***

Confidentiality of primary data is one of the basic principles of official statistics adopted by the United Nations Statistical Committee in 1994.

In a democratising society, the confidentiality of statistical data becomes an underlying principle in relations between statisticians and their information providers. The confidentiality of primary information serves a two-fold purpose: firstly, to uphold the inviolability of personal privacy and the non-disclosure of state and commercial secrets, and secondly, to foster users' trust in official statistics.

Every country implements the principle of data confidentiality in its own way. This report sets out the main contours of how that principle is implemented in the Kyrgyz Republic, and describes the associated problems.

It goes without saying that putting the principle of confidentiality into practice requires a legislative underpinning.

On the basis of legislation, the State Statistical Service of Kyrgyzstan is building a relationship with both the suppliers and users of statistical data.

The State Statistics Act of the Kyrgyz Republic lays down the rights and obligations not only of persons who collect, process and publish statistical data, but also of those who supply and use the data.

The Act guarantees that commercial secrets contained in statistical data made available by legal and physical persons are respected. In turn, statistical services at all levels of the Republic bear responsibility under the Act for protecting state and commercial secrets and information with a bearing on the private life of citizens. At the same time, the Act lays down the rights and obligations of persons who provide the statistical services with primary information.

Moreover, responsibility for upholding the legal rights and obligations of both sides involved in the process of producing statistical information is laid down in another legislative act: the Administrative Practices Act.

Maintaining data confidentiality is one of the fundamental principles of the Code of Professional Ethics for State Employees, which has been adopted by the Republic's state statistical system.

The principle of confidentiality is also upheld in other legislative acts relating to official statistics (the Population Census Act and the Agricultural Census Act).

These laws guarantee the confidentiality of individual data obtained from censuses. The fact that final data are only published in aggregate form protects citizens from infringement of their constitutional rights and freedoms.

With a view to boosting confidence in state statistics, information providers are kept informed of the confidentiality with which their primary data are treated. To this end, all statistical forms and questionnaires contain a reference to the relevant Articles of the State Statistics Act.

In order to ensure that households participate in the surveys, and to increase their interest in providing reliable information, the National Statistical Committee uses financial incentives and guarantees the confidentiality of the information which it receives. At the same time, however, it endeavours to explain the aims and importance of such surveys to the information providers. This ensures a satisfactory response rate (the non-response rate is about 1-1.5% per annum).

Statistical data on citizens are used only in aggregated or depersonalised form, without any information that would enable the individuals to be identified. Primary data on private individuals or families may not be divulged without their consent.

Applying the principle of confidentiality also entails certain problems.

One of these concerns user access to statistical data. Many users, foremost among them state and political structures, assume that "access to information" means access to individual data. This is because users have only a vague notion of what the principle of statistical confidentiality entails, and why it has to be observed. In order to perform their tasks, therefore, they ask the statistical services for lists of businesses together with a number of statistical indicators.

It is important for users and, above all, government employees, to have a clear, informed understanding of the concept of "confidentiality". An awareness campaign on issues relating to the confidentiality of statistics, involving various seminars and conferences, might be a major step in the right direction.

No less serious is the problem associated with the transmission and storage of data. Under present conditions, with the expanding use of networks via the Internet, the problem of protecting data from unauthorised access and guaranteeing data confidentiality is becoming highly topical. This problem is felt particularly keenly in the regions of the Republic, where the available buildings, premises and technical wherewithal do not allow confidential data to be stored in an appropriate manner. This also has a bearing on electronic data transmission from regional services to the Central Statistical Office.

As part of its technology policy, the National Statistical Committee is working on ensuring that statistical data are protected from unauthorised access. Access to data placed on an intranet is obtained by means of user passwords. PROXY Server software has been installed to protect the local (internal) network from external users.