



American Statistical Association

Promoting the Practice and Profession of Statistics

732 North Washington Street, Alexandria, Virginia 22314 USA
 (703) 684-1221 • Fax: (703) 683-2307 • Email:
 asainfo@amstat.org
 Web site: <http://www.amstat.org/>

August 11, 2011

Mr. Frank La Rue
 Special Rapporteur on the promotion and protection of the right to freedom of opinion
 and expression
 Palais des Nations
 CH-1211 Geneva 10
 Switzerland

Dear UN Special Rapporteur Frank La Rue,

This letter is written to draw your attention to the continuing and escalating attacks by the Government of Argentina directed against a group of statisticians and allied professionals contrary to international law and to seek your good offices in protecting those targeted from further harm. In so doing, you would protect not only them, but also the data users and the civil society that these statisticians are attempting to serve.

We are writing on behalf of the American Statistical Association (ASA), a scientific society of some 18,000 members from the United States, Canada, and elsewhere supporting excellence in the development, application, and dissemination of statistical science through meetings, publications, membership services, education, accreditation, the promotion of sound methodology and ethical standards, and advocacy. Our members work in industry, government, and academia in more than 90 countries, advancing research and promoting sound statistical practice to inform public policy and improve human welfare.

Since February 2011 the Government of Argentina has been systematically harassing and endeavoring to punish a number of individual statisticians and research organizations that, as part of their ongoing professional and scientific work, collect, compile, and/or disseminate price statistics using methods that are not approved of by the Argentine Government. These attacks, beginning in February 2011, first took the form of levying of confiscatory fines (500,000 Argentine pesos, about US\$125,000) based on a law that originated during the military dictatorship of Reynaldo Bignone (1982-1983), and more recently have escalated to multiple fines and, reportedly, to threats of imprisonment under the criminal law.

These recent attacks are a major extension of actions initially taken by the Government in 2007. In response to the high inflation rate then reported by the Argentine national statistical office (INDEC) using internationally approved methods, it reorganized INDEC's work on consumer price statistics, forced the resignation of several of the professional staff who had hitherto been responsible for directing INDEC's activities in this area, and began issuing unrealistically low inflation data.

As a consequence of these earlier actions directed against the scientific work of INDEC, many users of inflation and price data in Argentina, recognizing the deficiencies in the official inflation and price data issued by INDEC since 2007, have turned to several private consulting firms and research organizations (some commercial and some not-for-profit) to obtain more reliable price data. It is those attempting to provide these estimates free of political manipulation that the Government is now targeting.

These actions by the Government of Argentina are a direct contravention of Article 15 of the International Covenant on Economic, Social and Cultural Rights and Article 19 of the International Covenant on Civil and Political Rights, both to which Argentina is a party. They also violate Article 13 of the American Convention on Human Rights, "the Pact of San Jose, Costa Rica," and Article 14 of the Additional Protocol to the American Convention on Human Rights in the area of economic, social and cultural rights, "the Protocol of San Salvador," both also ratified by Argentina.

In addition to the directly targeted statisticians and research organizations, the victims of these human rights violations include a wide range of users of statistics in Argentina and elsewhere, (for example, researchers, the press, the business sector, and members of the general public), whose access to "unapproved" inflation indicators and consumer price indices they prefer are being jeopardized. Moreover, with distortions in price data, uses of many other statistical series are seriously jeopardized.

Some of the background to these attacks by the government is set out in the first section of the document, "Informe Alternativo Para El Comité De Derechos Económicos, Sociales Y Culturales 46° Período De Sesiones / Evaluación Sobre Argentina," under the heading "1. Problemas relacionados con el acceso a la información," submitted by the NGO Coalition in Argentina to the just completed Pre-Sessional Working Group of the Committee on Economic, Social and Cultural Rights (23-27 May 2011). These initial and continuing actions by the Argentine government directed against professional credibility and scientific standards at INDEC have also been widely documented and subject to international criticism (see, for example, letter from Sally C. Morton, President, ASA, to Juan Carlos Abril, President, Sociedad Argentina de Estadística, November 18, 2009; letter from Jef Teugels, President, International Statistical Institute, to Juan C. Abril, President, Sociedad Argentina de Estadística, December 14, 2009; Edmundo Berumen and Victor A. Beker, "Recent developments in price and related statistics in Argentina" *Statistical Journal of the International Association of Official Statistics* (Vol. 27, No. 1-2 / 2011); and International Monetary Fund, World Economic Outlook Database, April 2011, Argentina, country/series specific note for all series on inflation, "Private analysts estimate that consumer price inflation has been considerably

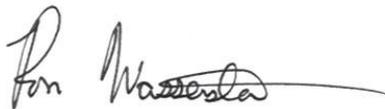
higher than the official estimates of inflation since 2007” [accessed on 5/26/11 at

The evolution of the direct attacks during 2011 on individual statisticians and research organizations engaged in providing price data to interested data users has also been well documented (see, for example, “Argentina Ramps up Offensive on Price Data,” *The Wall Street Journal Latin America*, WSJ.com, 2/2/2011 [accessed on 5/26/11 at <http://online.wsj.com/article/SB10001424052748703437304576120714192455994.html>]; “Argentina: Wrong number,” *Emerging Markets* (28/03/2011) [accessed on 3/29/11 at <http://www.emergingmarkets.org/Article/2793017/ARGENTINA-Wrong-number.html>]; “Lies and Argentine statistics - Stalinist practices in Buenos Aires,” *The Economist*, 4/20/2011 [accessed on 5/26/11 at <http://www.economist.com/node/18587317>]; and “Amenazan con denuncia penal - Moreno pide traje a rayas para los consultores que divulgan su inflación,” *Perfil.com*, Edición Impresa, 5/22/2011 [accessed on 5/23/2011 at http://www.perfil.com/ediciones/2011/5/edicion_574/contenidos/noticia_0034.html]).

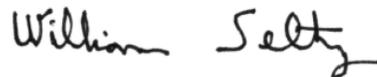
Summary information on the individual targeted statisticians and organizations is presented Annex A. Examples of two initial intimidation letters and two letters levying the 500,000 Argentine peso fines, sent by the Government to these targeted individuals and organizations are attached in Annex B, along with two other harassing letters. (Both annexes are marked confidential at the request of several of those targeted, as they fear possible additional harassment by the Government for publicly speaking out on this matter.) The officials in Argentina most identified with taking the leading role in these attacks are: Lic. Amado Boudou, Minister for Economics and Public Finance, and Lic. Guillermo Moreno, Secretary for Internal Commerce.

We attach great faith in your ability to use your good offices to safeguard those targeted from further harm. We fear that, unless the Government is dissuaded from acting on the threats that they have so far made, considerable harm may befall a group of statisticians simply carrying out their work in accordance with the highest professional and ethical standards and that a great disservice will be done to civil society in Argentina.

Respectfully yours,



Ron Wasserstein,
Executive Director
American Statistical Association



William Seltzer,
Chair, Committee on Scientific
Freedom and Human Rights
American Statistical Association

Annex A

Summary Information about Organizations and Persons Targeted by the Government of Argentina for their Statistical Work

**(REDACTED TEXT of confidential annex A
provided to the UN Special Rapporteur)**

Prepared by the American Statistical Association and its Committee for
Scientific Freedom and Human Rights, with the assistance of colleagues in
Argentina, August 2011

[Any errors in this Annex are the sole responsibility of the American Statistical
Association and its Committee for Scientific Freedom and Human Rights]

Annex A -- Summary Information about Organizations and Persons Targeted by the Government of Argentina for their Statistical Work	
(REDACTED TEXT of the confidential annex provided to the UN Special Rapporteur)	
Number	1
Individual or organization	Organization
Full name of individual or organization	Organization #1
If organization	
Nature of organization	Non profit
Name(s) of principal professionals	Information redacted
Profession	Information redacted
Full address	Information redacted
Initial intimidation letter	Received
Initial fining letter	Received
Criminal prosecution threat letter	Not known if received
Second fining letter	Not known if received
Other treating or harrassing letters	Not known if received
Responses by individual or organization and current status or disposition	Response made, nature not known

2	3
Organization	Organization
Organization #2	Organization #3
Consultant firm	Consulting business
Information redacted	Information redacted
Information redacted	Information redacted
Information redacted	Information redacted
Received	Received
Received	Received
No	No
Not known if received	Not known if received
Not known if received	Not known if received
Response(s) made, nature of response redacted	Response(s) made, nature of response redacted

4	5
Organization	Organization
Organization #4	Organization #5
Corporation	Consulting firm
Information redacted	Information redacted
Information redacted	Information redacted
Information redacted	Information redacted
Received	Received
Received	Received
No	Received, but text not available
Received, but text not available	Not known if received
Response made, nature not known	Response(s) made, nature of response redacted

6	7
Organization	Organization
Organization #6	Organization #7
Consulting business	Consulting firm
Information redacted	Information redacted
Information redacted	Information redacted
Information redacted	Information redacted
Received - Copy reproduced in annex B	Received
Received - Copy reproduced in annex B	Received
No	Not known if received
Not known if received	Not known if received
Several received -- see annex B	Not known if received
Response(s) made, nature of response redacted	Information not available

8	9
Individual	Organization
Individual #1	Organization #8
Not applicable	Corporation
Information redacted	Information redacted
Information redacted	Information redacted
Information redacted	Information redacted
Received - Copy reproduced in annex E	Received
Received - Copy reproduced in annex E	Received
Not known if received	Not known if received
Not known if received	Not known if received
Not known if received	Not known if received
Information not available	Response(s) made, nature of response redacted

10	11
Organization	Organization
Organization #8	Organization #9
Corporation	Association
Information redacted	Information redacted
Information not available	Information not available
Information redacted	Information redacted
Received	Received
Received	Received
Not known if received	No
Not known if received	Not known if received
Not known if received	Not known if received
Information not available	Information not available

12
Organization
Organization #10
Consulting business
Information redacted
Information not available
Information redacted
Received
Received
No
Not known if received
Not known if received
Information not available

Annex B

Examples of Selected Letters Sent To Organizations and Persons Targeted by The Government of Argentina for their Statistical Work

(The entire text of this annex provided to the UN Special Rapporteur on a confidential basis has been redacted)

Prepared by the American Statistical Association and its Committee for Scientific Freedom and Human Rights, with the assistance of colleagues in Argentina, August 2011

[Any errors in the labels used in this Annex are the sole responsibility of the American Statistical Association and its Committee for Scientific Freedom and Human Rights]