

International Responses to Governmental Targeting of Statisticians and Research Organizations in Argentina

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Abstract

The paper describes the range of responses by the ASA and others to attacks launched by the Argentine Government on statistics, statisticians, and allied professionals who are compiling and disseminating consumer price statistics using methods not approved of by that Government.

The Argentine Government had begun to manipulate official price data for political purposes in 2007. In early 2011 the Government started a campaign of harassment directed against several statisticians and research organizations that were producing price data using internationally acceptable methods. The political manipulation of data and harassment are continuing. The Government actions are in violation of scientific and human rights norms.

In response, the ASA's Committee on Scientific Freedom and Human Rights, with the active support of the ASA Board and staff, initiated a series of activities designed to build an international coalition to assist our Argentine colleagues targeted for political repression. The paper reviews the actions taken, the results so far, and some of the challenges faced in mobilizing this coalition.

Key Words: human rights, political manipulation, price statistics, international cooperation, American Statistical Association, ethics

1. Introduction

What has happened in Argentina has been well-documented in several papers by Berumen and Beker [2009; 2012], as well as in international media such as *The Economist*. I will not repeat that information here. Instead, I shall focus on the various responses that those outside of Argentina have made to the events in Argentina, focusing primarily on what was done, the obstacles encountered, and to a lesser extent, what we might have done better.

Before proceeding any further I need to make a disclaimer: This paper and the presentation on which it was based are my own and should not be taken as necessarily reflecting the views or positions of either (1) the ASA Committee on Scientific Freedom and Human Rights (ASASF&HR), the Committee which took the initiative for this session and which I chair, nor (2) the American Statistical Association itself.

As described by Berumen and Beker the actions of the Argentine government gave rise to two different, but related, threats to civil society of concern to statisticians outside Argentina:

- (a) Beginning in 2007 the politically-inspired manipulation of consumer price statistics compiled and disseminated by the Argentine National Institute for Statistics and Censuses (INDEC), and
- (b) Beginning in 2011, the persecution of a number of Argentine statisticians and allied professionals by means of repeated fines and threats of criminal prosecution for compiling and disseminating consumer price data free of such politically-inspired manipulation.

Subsequently, the Argentine government has also identified a third group to target in related human rights repressions: the public media who are attempting to cover the other two repressions. Of course, another set of victims are the domestic and international users of Argentine price statistics.

Reemphasizing one of Berumen and Beker's [2012] sad conclusions, despite all that has been said and done (and left undone) by various entities, these violations of the norms of civil society and the international statistical community by the government of Argentina continue to this day.

The balance of this paper is organized in terms of various entities of civil society that might be expected to take an interest in the violations these norms. Actions of the following entities are specifically examined:

- a) the American Statistical Association (ASA),
- b) other national statistical professional societies,
- c) the International Statistical Institute (ISI),
- d) the International Association of Official Statistics (IAOS),
- e) the United Nations Statistical Commission,
- f) the International Monetary Fund (IMF),
- g) the international, regional, and national human rights mechanisms, and
- h) various forms of public media.

In view of the ongoing nature of the events recounted here, the written version of this paper provides information on some developments that were not included in the original presentation at JSM 2012, including a few that occurred after the session itself.

Finally, I will conclude with a brief discussion focusing on an assessment of what has been accomplished and how we might have been more effective.

2. Review of Agency Actions

2.1 American Statistical Association (ASA)

In November 2009, ASA President Sally Morton wrote to the President of the Argentine Statistical Society offering support of efforts in that country to keep official statistics free of political manipulation [Morton, 2009].

In April 2011, shortly after learning of allegations that the Argentine Government had begun to target statisticians for disseminating inflation estimates that contradicted official government figures, the chair of the ASASF&HR Committee wrote to concerned officials in the Argentine government asking them to comment on these allegations [Seltzer, 2011]. No response was received.

On the advise of those targeted in Argentina, the ASA avoided acting unilaterally in this matter but sought to mobilize an international coalition. Accordingly, in August 2011, after assembling evidence documenting actions by the Argentine government targeting named individual Argentine statisticians and research organizations and obtaining ASA Board approval, the ASA officially wrote to the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression [Wasserstein and Seltzer, 2011] “to seek your good offices in protecting those targeted from further harm.”

Later in August 2011 in Dublin, ASA President, ASA Executive Director, chair of ASA SF&HR Committee, and others in ASA leadership were active at the 58th World Statistics Congress, in promoting action by the ISI in support of targeted Argentine statisticians (see section 2.3 below).

In September 2011, Ron Wasserstein, ASA Executive Director, wrote to a number of statistical societies in other countries calling their attention to the ASA letter to the UN Special Rapporteur and inviting them to write letters of support (see section 2.2 below) [Wasserstein, 2011].

Later in 2011, an ASASF&HR Committee proposal for an invited session on the situation in Argentina for JSM 2012 was accepted by ASA program committee. The present session was the result.

Just before the start of JSM 2012, the Argentine Embassy in Washington, DC [2012] wrote to the ASA transmitting an extensive note prepared by INDEC [2012] and requested that the note be made available to participants attending the session dealing with the situation in Argentina. The note pointed to alleged deficiencies in both the pre-2007 price collection work by INDEC and the compilation efforts by the targeted statisticians and research organizations, defended both the current work of INDEC and the need for the Government to proceed against those compiling and disseminating price data using unapproved methods, and concluded with a short annex summarizing INDEC’s work relevant to human rights statistics. As requested, the ASA made the letter and note available to session participants as well as posting them on the ASA website.

In addition, the ASA Executive Director and the chair of the ASASF&HR Committee replied to the Ambassador in a letter dated August 9, 2012 [Wasserstein and Seltzer, 2012a], forwarding a 2-page statement by the ASA dealing with the main allegations in the INDEC note [ASASF&HR Committee, 2012] closing with the hope that

the Argentine government will recognize the right of individuals and independent organizations to produce their own estimates and immediately rescind the fines and end the threats of criminal sanctions against individuals, organizations, and the press. Only then can the questions of appropriate methodology for computing the CPI and the extent of inflation in Argentina be debated in an atmosphere free of repression and intimidation.

Pursuing another approach, in early 2012, after further contact with those in Argentina and others in the region, the ASACSF&HR Committee confirmed that the government harassment was continuing. Subsequently, the Committee initiated work on appeal to Inter American Commission on Human Rights. However, fact that the appeals of those

targeted were not yet exhausted made it unlikely that this approach would be successful. Accordingly, the effort was abandoned. Instead, on advice from human rights experts consulted, the ASA wrote to the Assistant Secretary of State in charge of the U.S. State Department’s Bureau of Democracy, Human Rights, and Labor, in a letter dated September 7, 2012 [Wasserstein and Seltzer, 2012b],

to draw [his] attention to a continuing pattern of harassment and human rights violations, including the repeated imposition of confiscatory fines and threats of criminal sanctions, carried out by the Government of Argentina against a group of statisticians and allied professionals for compiling and disseminating price statistics using methods not approved of by that government.

The letter also requested that the State Department “explicitly include information about the Argentine government’s repressive actions directed against statisticians and data users” in its 2012 human rights country report for Argentina and to “use its good offices with the Government of Argentina to resolve this continuing violation of basic human rights to scientific freedom and free speech.”

2.2 Other National Statistical Professional Societies

A number of professional statistical societies have written to the UN Special Rapporteur in support of the ASA letter. These include:

- the Societe Francaise de Statistique (SFdS) [The French Statistical Society] [Poggi, 2011]
- the Institute of Mathematical Statistics [Williams, 2011]
- the Korean Statistical Society [Choi, 2011]
- the UK Royal Statistical Society [Isham, 2011]
- the Brazilian Meeting on Bayesian Statistics [2012]

Several other national statistical societies indicated that they were considering writing, but to my knowledge, they did not.

2.3 International Statistical Institute (ISI)

2.3.1 Scientific sessions

Edmundo Berumen and Victor A Beker presented a contributed paper at 57th session of the ISI in Durban, South Africa, [Berumen and Beker, 2009]. (At the same session, Jean-Louis Bodin [2009] also presented a paper that dealt, in part, with the situation in Argentina.)

2.3.2 Organizational activities

In December 2009, ISI President Jef Teugels [2009] wrote to the President of the Argentine Statistical Society about the Argentine Government’s interference with the compilation of the CPI by the national statistical office and, citing the United Nations’ Fundamental Principles for Official Statistics, expressing deep concern about these violations of the professional conduct of official statistics and endorsed the efforts of the Statistical Society to safeguard the integrity of official statistics in Argentina.

In May 2011, ISI President Jeff Teugels [2011] wrote to the Director of the ILO Statistics Division pointing out that the manipulation of price statistics in Argentina violated a number of ILO and other norms and urged him to address this situation and modify the

documentation on the methods used for the compilation of the Argentine CPI, which was no longer accurate.

During a meeting of the ISI Council in early August 2011, at which the ASA President and Executive Director took part as invited guests, the Council approved a proposal that the ISI support the ASA letter on Argentina. There were also very extensive discussions outside the Council prior to and during the ISI session in Dublin in August 2011 as to whether, and on what basis, the ISI should further address the ongoing attacks on statisticians by the government of Argentina, including writing a letter in support of the ASA letter.

In these discussions, the views expressed fell mainly under three heads:

- One view: do nothing as this is purely a political attack against the government organized by the opposition in Argentina;
- Another view: we can only criticize the government on the basis of the ISI Code of Professional Ethics;
- A third view: our criticisms can be based on either the ISI Code of Professional Ethics or the UN Fundamental Principles of Official Statistics.

Nevertheless, the views of outgoing ISI Council that the ISI should support the ASA letter prevailed and in September 2011, the new ISI President J.C. Lee wrote such a supporting letter to the UN Special Rapporteur citing both the ISI and UN norms [Lee, 2011].

2.4 International Association of Official Statistics (IAOS)

2.4.1 Scientific activities

A special issue of the *Statistical Journal of the IAOS*, focused on Official Statistics and Ethics, was published in December 2011. A special guest editor was responsible for this issue. It included papers by Berumen and Beker and by Bodin that dealt with manipulation of price data in Argentina. The guest editor wrote to the director of INDEC in April 2010 inviting her to prepare a response to these two papers. Despite repeated requests, no response was forthcoming.

2.4.2 Organizational activities

Surprisingly, the IAOS, the ISI associated organization most concerned with the subject found itself unable to take any formal action. It was my understanding that the then current leadership of that organization, as well as some heads of national and international statistical agencies, considered that it was inappropriate for the IAOS to criticize any NSO.

2.5 United Nations Statistical Commission

The United Nations Statistical Commission has traditionally operated under a consensus decision-making process. In part to make this procedure work, Commission members have avoided focused criticisms of individual countries. Nevertheless, in connection with the 2011 session of the Statistical Commission, a high level forum was organized by the UN Statistics Division on the topic, “Fundamental Principles of Official Statistics: Threats and Responses.” Pali Lehohla, Statistician General of South Africa, in his invited remarks at the forum explicitly identified the ongoing targeting of Argentine statisticians by the government for collecting and disseminating price statistics using unapproved

methods as a violation of the Fundamental Principles [Lahohla, 2011]. Jean-Louis Bodin in his oral presentation at the forum also referred to the situation in Argentina.

It is also worth recalling that in the midst of Pali Lahohla's presentation two gentlemen, who identified themselves as staff members at the Argentine mission to the UN, began shouting their objections from the floor about the statements being made about events in Argentina. They continued shouting for several minutes more as Pali Lahohla attempted to proceed with his presentation, and then they very publicly walked out of the High Level Forum.

2.6 International Monetary Fund (IMF)

The IMF position about events in Argentina has slowly evolved from one of extremely cautious reaction to charges of manipulation of price statistics by the government to one of quite direct criticisms of the government. Nevertheless, all of the IMF concern has centered on the manipulation of data rather than the mistreatment of statisticians by the government.

This evolving response may be illustrated by successive statements by the IMF about the situation in Argentina:

- From the statement by the IMF Executive Board on Argentina, July 2011 [IMF, 2011]:

Given the obligations of all member countries to provide accurate data to the International Monetary Fund (IMF), on July, 13 2011, the Executive Board met to consider a report presented by Fund management on the quality of reporting by Argentina of its official data on Consumer Price Index for Greater Buenos Aires (CPI-GBA) and Gross Domestic Product (GDP).

The Executive Board welcomed the commitment recently made by the Argentine authorities to work closely with IMF staff **to improve the quality of Argentina's reporting of the CPI-GBA and GDP data, so as to bring data reporting into compliance** with the obligations under the Articles of Agreement and to implement appropriate measures based on discussions already underway with staff. The Executive Board decided to meet again within 180 days to assess the progress made and decide on any necessary measures, based on recommendations from staff.

- From the statement by the IMF Executive Board on Argentina, February 2012 [IMF, 2012a]:

Given the obligations of all member countries to provide accurate data to the International Monetary Fund (IMF), on February 1, 2012, the Executive Board met to consider the Managing Director's report on proposals for remedial measures.

The Executive Board regretted the absence of progress in aligning the CPI-GBA with international statistical guidelines and took note of the authorities' intentions to adopt some remedial measures to address the quality of its reported GDP data.

The Executive Board approved a decision that calls on Argentina to implement specific measures, within a period of 180 days, to address the quality of reported CPI-GBA and GDP data, with a view to bringing the quality of the data into compliance with the obligation under the Articles of Agreement. **The Managing Director shall, by September 6, 2012, report** to the Executive Board on the status of implementation by Argentina of the above-mentioned measures.

- From the statement by the IMF Executive Board on Argentina, September 2012 [IMF, 2012b]:

The Executive Board **regretted the lack of sufficient progress in implementing the remedial measures** since its February 1, 2012 meeting and expressed to the authorities its concern that Argentina has not brought itself into compliance with its obligations under the IMF's Articles of Agreement by implementing the said measures. The Board took note of the ongoing dialogue between the IMF and the authorities regarding the measures, and **called on Argentina to implement the measures without delay.**

Furthermore, the IMF Managing Director, Christine Lagarde, in commenting on the situation was quoted by Reuters as hoping that "Argentina could avoid IMF sanctions over its flawed economic data and has three months to improve the quality of its growth and inflation statistics. . . If no progress has been made, then the red card will be out," she told a Washington audience, drawing from a soccer analogy for penalizing players. I was quite comforted to see the Argentinian authorities' reaction over the weekend ... of their determination to work cooperatively with us," she said. "I hope we can avoid the red card but if the data is not suitable, not appropriate, does not meet the standards, then all players are the same ... despite how good they are at soccer," she added [Reuters, 9/24/2012, downloaded from <http://www.reuters.com/article/2012/09/24/uk-imf-lagarde-argentina-idUSBRE88N0SC20120924>].

Another clear of the indicator of the IMF position is the following note in the IMF's World Economic Outlook Database, September 2011:

“Country/Series-specific Notes

Argentina: Inflation, average consumer prices (Index)

Source: Haver Analytics

Latest actual data: 2010

Notes: Private analysts estimate that consumer price inflation has been considerably higher than the official estimates of inflation since 2007.”

2.7 International, Regional, and National Human Rights Mechanisms

2.7.1 International

There is no public indication that the UN Special Rapporteur took any action on the letter from the ASA, although we understand he received it. However, the issue of the political manipulation of price statistics by INDEC and the Argentine government was raised by a coalition of Argentine NGOs during the course of the fourth periodic review of Argentina by the UN Committee on Economic, Social and Cultural Rights in late 2011.

The Council responded in its report of its Forty-seventh session, held in Geneva, 14 November-2 December 2011 [United Nations Economic and Social Council, 2011, para. 11] that it

is **concerned** that, since 2007, the introduction of different statistical methods within the national statistical system (INDEC), which are not always publicly available, pose difficulties for the correct interpretation of data and comparison of progress and challenges to the enjoyment of the Covenant rights by all. It also **notes with concern** the data and calculation discrepancies between certain provincial and national official statistics as well as **doubts raised by national and international civic, research, and financial institutions with regard to the credibility of data produced by INDEC.**

2.7.2 Regional

No action has yet been taken. A proposed appeal to the Inter American Commission on Human Rights was abandoned because such an appeal required that all domestic legal appeals had been exhausted.

2.7.3 National

The U.S. Department of State [2011] has included in the Status of Freedom of Speech and Press Section of its Country Reports on Human Rights Practices for 2011 for Argentina, information on a September 2011 order by an Argentine federal court that affects censorship or content restriction by journalists covering inflation statistics in Argentina. The State Department report also observed, that

the official inflation statistics had been criticized in some newspapers as inaccurate. The court had previously requested information regarding advertisements for private economic consultants in the newspapers as part of a case filed by the domestic trade secretary accusing those consultancies of publishing erroneous information about the national government's price measurements.

However, the State Department report did not explicitly address the human rights abuses experienced by the statisticians and data users involved.

2.8 Various Forms of Public Media

One of the bright spots in responses to the situation in Argentina has been the coverage of these events by public media both inside and outside Argentina, although some of the coverage related to attacks by the government on media organizations covering the story rather than to the attacks on the statisticians themselves. In the international media this coverage has included:

- *The Wall Street Journal* ("Argentina Ramps Up Offensive on Price Data," 2/2/11)
- *The Economist* ("Lies and Argentine statistics: Stalinist practices in Buenos Aires," 4/20/11)
- *The New York Times* ("Argentina: Judge Subpoenas Newspapers Over Inflation Reports," 9/23/11)
- *Bloomberg Business Week* ("Argentina targets media reporting inflation data," 9/23/11)
- *The New York Times* ("Deflating Inflation," 8/30/12)
- Reuters Edition US - online ("IMF chief says hopes Argentina can avoid "red card" over data," 9/24/12)

3. Some Concluding Thoughts

3.1 About the Situation in Argentina

The first question that those of outside Argentina must address is whether the Argentine government's actions with respect to price statistics, statisticians, journalists, and the users of these data are:

- (a) the normal reactions of a democratic state in the ebb and flow of domestic politics, or
- (b) such a serious departure from the norms of civil society that some sort of international response is needed?

It is clear that the Argentine government strongly asserts the former, but that many well-informed observers both in Argentina and elsewhere, including the ASA, have reached a quite different conclusion.

One of the implicit assumptions of human rights work is that by publicizing the regrettable actions of erring governments, the behavior (if not the beliefs) of these governments will change because they determine that the price they are paying in terms of loss of prestige or other items of value is not worth the possible gains from continuing the criticized behavior or actions. It is clear that the government of Argentina has not yet reached that point. If one has any doubt about that, please see the statement that INDEC prepared for this session or the statement the Argentine President made to the United Nations General Assembly on September 25, 2012 [*Washington Post*, "Argentina's president rejects IMF questioning of her government's economic statistics," 9/25/12].

The implication of this situation is that our work remains unfinished.

3.2 About Human Rights Work in Statistics

Measured solely by the criteria of whether we have brought about change by the Argentine government in its treatment of statistics, the users of statistics, and statisticians, we have achieved, up to now, almost nothing. There were perhaps two positive results: first, we have provided a measure of moral support to our colleagues in Argentina; and second, we learned some lessons about the obstacles we face in trying to deal with such challenges to international human rights norms that affect the field of statistics in Argentina and elsewhere.

Each of us might come up with our own list of lessons learned. For what it is worth, here is mine, consisting of nine points. (I would add only that circumstances change and the very act of listing something as an obstacle may help in addressing the issue.)

1. In the large sweep of things, no one much cares much about statisticians but their loved ones and other statisticians. This means that if we, as statisticians, don't speak up about the fate of our fellow statisticians, no one will. Journalists realize this about their own profession, not all statisticians seem to have come to the same realization.

2. It is very hard in an organization such as the ASA, dependent as it is primarily on volunteers with varying degrees of expertise and with other full or part time professional responsibilities to find the time and expertise required to address human rights issues in an effective and timely manner.

3. In these circumstances, building alliances across nations and professions should be given a high priority.

4. Identifying users of data as additional victims in cases of political manipulation of statistics may help in developing more powerful alliances.

5. Once decisions on human rights issues are made on the basis of professional and moral considerations, using effective communications and media skills are essential in helping to mobilize support and to deter perpetrators. (In this connection, the decision of the ASA to create a new full-time, in-house position to provide the ASA and its programs expert guidance and assistance in the area communications and media relations is particularly welcome.)

6. Another important tool we do have available for dealing with issues of scientific freedom and human rights is the long-standing ASA policy of permitting the ASA Committee on Scientific Freedom and Human Rights to write politely-worded inquiries to government officials in this country and elsewhere about possible human rights violations we become aware of. This tool often permits the ASA to take lead among national and international professional societies in identifying such problems. Moreover, some these letters of inquiry have themselves halted further abuse.

7. Once a problem seems to have been identified, in international work it is important to work jointly with those in other countries and, where possible, use international and regional treaties to bring about needed change. Put another way, avoid a USA only approach, unless those targeted think it would be the most effective way of proceeding.

8. Recognize that in a number of countries and most international organizations there is great reluctance to criticize other governments, so that in mobilizing support for a human rights initiative, considerable discussion is often needed.

9. Finally, and most importantly, proceed with prudence so as not to place victims or potential victims at additional risk. Whenever possible, be guided by the wishes those targeted about what to do and how to go about it. Saying this, one should be aware that the widespread experience in the human rights field is that those in prison or under threat do benefit from attention being drawn to their circumstances.

3.3 An Afterword

At several points in this paper, I have commented that despite the various efforts on behalf of those fined and threatened in Argentina, the Argentine government and courts have proceeded unchecked in their continuing harassment of those compiling and disseminating price statistics using methods not approved by the government. Fortunately, one wrong, as at least temporarily, been righted. On September 13, 2012 an Argentine judge dismissed the criminal prosecution of Graciela Bevacqua, a former INDEC staff member, thus freeing her at least for now of the threat of a two to six year prison sentence [Champkin, 2012]. Of course, the government may appeal this decision, prosecutions against other defendants before other judges can proceed, and Bevacqua and the others targeted still must resolve multiple administrative fines previously levied against them for their statistical work. Accordingly, the court decision does not mean that the situation is resolved, particularly in light of the strong statement by the Argentine President to the United Nations on September 25, 2012 rejecting criticism of her government's economic figures. Rather it only underscores the importance of continued efforts on behalf of our Argentine colleagues and in support of data free of political manipulation.

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