

American Statistical Association

Promoting the Practice and Profession of Statistics

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September 7, 2012

Mr. Michael H. Posner
Assistant Secretary of State
Bureau of Democracy, Human Rights, and Labor
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Assistant Secretary Posner,

We write on behalf of the American Statistical Association (ASA)—an 18,000-person professional association with members drawn from academia, government, and industry—to draw your 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.

We note that the U.S. State Department included in the Status of Freedom of Speech and Press Section of its Country Reports on Human Rights Practices for 2011 for Argentina information about a September 2011 order by a federal court in Argentina that affects censorship or content restriction by journalists covering inflation statistics in Argentina. The 2011 country 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.” Unfortunately, the report did not explicitly address the closely related human rights abuses experienced by the statisticians and the data users involved.

Accordingly, we request that the State Department explicitly include information about the Argentine government’s repressive actions directed against statisticians and data users in the Argentine country report for 2012.

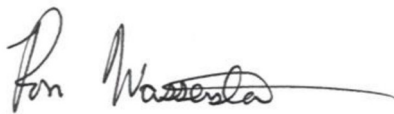
To assist you in developing this portion of your 2012 report, we enclose the following documents:

- (1) A copy of a letter the ASA sent to the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Frank La Rue, dated August 11, 2011
- (2) A copy of a paper by Edmundo Berumen and Victor Beker, "Argentina: An update on credibility in CPI and other Official Statistics, and perils endured by some statisticians," presented at a session organized by the ASA's Committee on Scientific Freedom and Human Rights, "Repression of Statistics and Statisticians by the Argentine Government," at the ASA's 2012 Joint Statistical Meetings
- (3) A letter dated July 25, 2012, and a statement sent to the ASA by the Argentine Ambassador in Washington, DC, prior to the 2012 Joint Statistical Meetings
- (4) A copy of a letter dated August 9, 2012, and a statement sent by the ASA to the Argentine Ambassador in Washington, DC, in response to his July 25 letter and statement

We also ask that the United States government use its good offices with the Government of Argentina to resolve this continuing violation of basic human rights to scientific freedom and free speech.

If you wish to discuss this matter directly with either of us, our contact numbers are (703) 684-1221 (Ron) and (215) 283-7023 (Bill).

Respectfully yours,



Ronald L. Wasserstein
Executive Director
American Statistical Association



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



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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]).

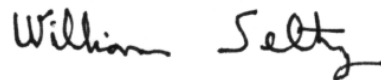
Summary information on the individual targeted statisticians and organizations is presented Annex A. Examples of two initial intimidation letters and two letters levying the 500,000 Argentine peso fines, sent by the Government to these targeted individuals and organizations are attached in Annex B, along 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

"Argentina. An update on credibility in CPI and other Official Statistics, and perils endured by some statisticians."

Edmundo Berumen

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Victor A Beker

*Director del Centro de Estudios de la
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Abstract. At its meeting in Dublin, Ireland on 25 august 2011, the General Assembly of the International Statistical Institute Official Statistics presented a review and expressed ISI concerns regarding the Argentine CPI and the statistical Profession in Argentina. Previous to and following this meeting, statisticians from different countries, several statistical associations and multilateral organizations also expressed and communicated their concerns, some directly addressed to relevant Argentine Government Officials. Incidents of continued harassment to private statistical local research agencies and individual statisticians (several ex-INDEC technical staff) have continued to occur. The paper reviews most recent local developments and outside support to help stop these harassments and promote a quick return to the good professional practices in the compilation and dissemination of the CPI following the international standards that ensure its reliability, credibility, independence and scientifically sound basis.

Key words and phrases: Continued harassment, good practices, credibility and independence.

At the 57th ISI Session held in Durban SouthAfrica in August 2009, the authors presented a paper "Argentina. An update on credibility in CPI and other Official Statistics, and perils endured by some statisticians."; the paper gave an account of gross manipulation and tampering with the Consumer Price Index that began at the end of 2007, a review of several national indicators that resulted contaminated and suffered significant distortions. And last, but not least, the loss of public credibility of all statistics produced by INDEC, a highly regarded institution that built its well deserved good professional reputation since 1968 up to 2007. In the process, several professional and technical support staff with long outstanding expertise in producing solid CPI statistics were fired including the Head of the CPI Department, who held this position for 10 years. In the discussion of the paper, "ISI delegates gave full support to identify actions that can help restore INDEC previous standard in producing technically robust and reliable statistics, promote an official position of the ISI Council regarding the issue, and support colleagues that have been unjustly fired and may want to return to INDEC and help restore it's credibility. The need to promote in general an autonomous status of National Statistical Offices was also mentioned. Finally, it was suggested that

the issue be kept in the agenda of future ISI and affiliate associations in future meetings until it is satisfactorily resolved.”

Continued Manipulation of the CPI

Manipulation of the CPI continues to be the rule of government at INDEC. In February 2012 the Association of State Employees at INDEC (ATE-INDEC) released a study illustrating with several figures used by INDEC to produce official data for the CPI how costs were imputed for items such as: one kilogram of beef (asado) as costing \$11.92 and bread \$3.51, whereas in the market place prices were \$35 for beef and \$7 for bread. INDEC stopped releasing prices for goods and services since April 2008.

The report presented to INDEC top level authorities by ATE-INDEC was publicly released early this year after Amado Boudou, then Minister of Economy, met for two days with several universities that integrate the Academic Council for Evaluation and Follow-up (CAES). At this meeting Boudou, Roberto Feleti (then Vice Minister of Economy), Guillermo Moreno (Secretary of Commerce) and top INDEC officials, stood up to defend the current procedures used by INDEC since January 2007 when Moreno took over the leadership and established new procedures to compute the CPI. Representatives of the World Bank were present at this meeting.

CAES attendants were reported to be satisfied with the meetings and the Ministry of Economy, as declared by Feleti a few days later, committed to send to Congress a report summarizing the position of CAES and IMF among others.

In several academic fora, but specially one led by “Universidad de Buenos Aires” (UBA), has released a report prepared by members from the faculties of Economics, Exact Sciences, Social Sciences, and Law; all of which integrate an Advisory Board to the Head Dean of UBA (ABDUBA), who in turn is the one the members the “Academic Council for Evaluation and Follow-up of INDEC Activities” designated by Minister Boudou. UBA has released the report prepared by the ABDUBA where they clearly state the involuntarily departure and displacement of professional and technical staff from their long standing positions to others that clearly implies a loss of accumulated expertise which in turn deteriorates good and long established professional practices and procedures at INDEC. It also points out that on average almost a third of current technical and professional staff at INDEC has at most 3 years experience. The report singles out several queries regarding the validity and reliability of several indicators produced by INDEC, with the largest number concentrated in relation to the CPI. In short, the report concludes that evidence at hand leads them to the conclusion that INDEC no longer has technical solvency even when verifying the new procedures (“Rothwell’s formula”) they declare to follow in the elaboration of the new CPI.

Particular concerns expressed in the report are: the acceptance by INDEC of prices reported by the Ministries of Tourism and Health, with unspecified procedures, instead of doing direct data collection as before; the growth of nominal wages way above inflation rates derived from CPI, without either employers or employees considering this an acute and unreasonable increment in costs or spending capabilities, as would be the case if the CPI figures from INDEC were to be considered valid and reliable. Thus, the discredit of data released by INDEC is not only an issue solved by methodological changes that return to best practices, it is now more correlated to measures that revert

the institutional context generated as of 2007, with the assistance of the professional staff displaced since then. This has been so recognized by Congress and has issued a directive mandate to intervene INDEC to promote its return to “normality”.

One major concern is the silence, so far, of the judicial power, where the seriousness of the matter merits the direct intervention of the Supreme Court according to several experts from the Academia and Congress.

Victor Beker, coauthor of this paper, recently wrote and illustrated how the increasing manipulation and inconsistencies draw an inexistent fantasy land for Argentina, in particular when gross sub-estimation of prices gives the impression of spectacularly high wage increases and seriously underestimates people living in poverty or worse as indigents. Some of his illustrations follow.

Wages in Paradise. According to INDEC during 2011 prices increased only 9.5%, and then follows to state that in the same period wages increased 29.4%! This is to say that in real terms on average wages increased almost 20% in 2011. Since for the same period GNP grew 8.9%, simple arithmetic tell a story that invites everyone to move to Argentina were real salaries grow at least at double the rate of inflation and GNP!

Poverty and indigence. According to INDEC in the second semester of 2011 there were 2.6 million people living in poverty in Argentina, 6.5% of total population, and only 0.682 million living as indigents, 1.7% of total population. The mystery behind these figures lies in the answer to the following question: why then do 1.5 million households receive a helping hand from government for each child, which implies a total of 6 million Argentineans benefiting and requiring this support, more than double the total population living in poverty according to INDEC!

Other participants will give a summary account on what has been done outside Argentina to increase awareness of gross and grave irregularities at INDEC, but we appeal to your indulgence to quote from an article published in *The Economist* last February 2012.

“Don’t lie to me, Argentina

Why we are removing a figure from our indicators page Feb 25th 2012 | from the print edition.

IMAGINE a world without statistics. Governments would fumble in the dark, investors would waste money and electorates would struggle to hold their political leaders to account. This is why *The Economist* publishes more than 1,000 figures each week, on matters such as output, prices and jobs, from a host of countries. We cannot be sure that all these figures are trustworthy. Statistical offices vary in their technical sophistication and ability to resist political pressure. China’s numbers, for example, can be dodgy; Greece underreported its deficit, with disastrous consequences. But on the whole government statisticians arrive at their figures in good faith.

There is one glaring exception. Since 2007 Argentina’s government has published inflation figures that almost nobody believes. These show prices as having risen by between 5% and 11% a year. Independent economists,

provincial statistical offices and surveys of inflation expectations have all put the rate at more than double the official number (see article). The government has often granted unions pay rises of that order.

What seems to have started as a desire to avoid bad headlines in a country with a history of hyperinflation has led to the debasement of INDEC, once one of Latin America's best statistical offices. Its premises are now plastered with posters supporting the president, Cristina Fernández de Kirchner. Independent-minded staff were replaced by self-described "Cristinistas". In an extraordinary abuse of power by a democratic government, independent economists have been forced to stop publishing their own estimates of inflation by fines and threats of prosecution. Misreported prices have cheated holders of inflation-linked bonds out of billions of dollars.

We see no prospect of a speedy return to credible numbers. The trade secretary, Guillermo Moreno, who led the assault on INDEC, is still one of the president's closest advisers. The IMF has "noted" that Argentina is failing in its obligation to provide it with reliable figures, and made recommendations and set deadlines for it to improve. However, when Argentina ignores it, the fund merely wrings its hands, laments the "absence of progress"—and feebly sets a new deadline.

In 2010 we added a precautionary footnote to our statistical tables. From this week, we have decided to drop INDEC's figures entirely. We are tired of being an unwilling party to what appears to be a deliberate attempt to deceive voters and swindle investors. For Argentine consumer-price data we will look instead to PriceStats, an inflation specialist, which produces figures for 19 countries that are published by State Street, a financial services firm. Had we switched to one of the provincial statistical offices still generating reliable figures, we fear it would have come under government pressure. One of the country's best independent analysts made us a generous—and brave—offer of its data against legal advice and on condition that we conceal the source and lightly disguise the numbers. That might have generated confusion.

PriceStats is based in the United States, beyond the Argentine government's reach. The oodles of online prices on which its index is based are tamper-proof. Argentina will no doubt say that it measures consumption by the rich rather than the poor, who may not shop online. But PriceStats' methods are based on solid, peer-reviewed research and have proved an impressive match for (dependable) official figures in countries such as Brazil and Venezuela.

We hope that we can soon revert to an official consumer-price index for Argentina. That would require INDEC to be run by independent statisticians working unhindered. Until then, readers are better served by a credible unofficial figure than a bogus official one."

Several incidents as the one above has led to a severe loss of credibility not only for the CPI produced by INDEC but also for most statistical estimates derived from surveys and other data collection procedures.

This loss of confidence in official statistics has led to several attempts to fulfill the void such as:

Índice Barrial de Precios – IBP (NCPI: Neighborhood CPI)

- An ad-hoc effort conducted by almost 100 committed local women from 20 of the poorest Districts in Buenos Aires Metro Area, that in a recent period covering 10 months report an inflation rate of 25% for goods in the basic food basket that includes the same 50 products used by INDEC; and also an index that using the official figures of a monthly income of \$3,288.90 for a family of four, two adults and two children, as sufficient not to be classified as poor; according to NCPI is insufficient for 24% of these population that are now living in poverty. NCPI monthly figures are gaining increasing credibility amongst the metro population. As recent as last April the monthly NCPI figure were 4.58% vs 0.8% reported by INDEC. This exercise has begun to replicate in other parts of the country in the Greater Buenos Aires region.¹
- It all began with funds allotted to a small group, of economist by the “Universidad Nacional de Córdoba” to develop the NCPI. The “successful” experience quickly traveled to Buenos Aires and set solid roots in June 2011 in one of the most depressed areas in Buenos Aires: the “Conurbano” (suburban areas), with the support in training the local women and later reviewing, editing and processing collected data by several organizations: CIPPES, ISEPCi and “Barrios de Pie” (Neighborhoods Standing-Up).
- Monthly prices are collected in three days in a monthly random sample of 330 establishments (out of a population of around 3000 establishments) within the 20 districts and where neighbors usually buy their goods.

Alternate CPI’s from eleven private research organizations and efforts of one professional

- At the end of 2007, Graciela Bevacqua, former Head of the CPI at INDEC for 10 years, was replaced by a political appointee who acts as the Secretary of Commerce dictates without regard to any deviations from previously defined and robust professional practices long established at INDEC to produce reliable and credible CPI figures. Graciela has personally suffered an unjust removal from INDEC, followed by official harassment that finally developed in several law suits that put in peril her lifelong personal patrimony including her home and opportunity to freely work as a private consultant that can produce alternate CPI estimates.
- Other alternatives were offered by eleven different market research and private consultant agencies.

Continued Government Harassment to Alternate Estimates of the CPI

Official harassment to individuals, such as Graciela Bevacqua, and private organizations leading ultimately to one or several law suits, with fines up to 100 thousand dollars each, has achieved one of its goals: no private consultant or researcher publishes any

¹ As reported by “La Tecla.info on May 26, 2012.

more the CPI they estimate. Some have even stopped estimating it; others go on calculating it but they don't publish it; they pass it off-the-record to some members of Parliament, who report to the press the average of those estimations without disclosing who the authors are in order to avoid further penalties. These law suits are all supported on a law passed during the years of military dictatorship in Argentina.

Though the names of the eleven organizations no more publishing their estimated alternate CPI are known, as well as the authors collaborating in "collective" critiques that circulate every now and then among interested and concerned professionals, involved academics and Parliament when INDEC releases new figures related to CPI, poverty, employment, inflation and others; we keep them in confidence and do not share here as most of them are facing ongoing law suits and continued personal harassment which can increase if we reveal their names. This harassment may be construed to be in the brink of a violation of one Human Right: the right of citizens to be correctly informed in any democratic society.

Our best hope is to keep alive efforts from ISI, ASA, the French Statistical Society, IMF, WB, UN and other multilateral and bilateral agencies, as well as globally recognized publications such as The Economist, The New York Times and of course local publications in Argentina, all committed to bringing back normality at INDEC for the wellbeing of their staff and rescue of best practices they once had.

Women at INDEC

Statistical contributions in building and putting to practice robust and up to international standards and scrutiny at INDEC before 2007 relied heavily over many years on hard working professionals, with hard working and committed women always playing a major role.

No row call is intended here and we certainly miss many, but we cannot avoid fond memories of some key players such as Martha Sanjurjo, Leila Boeri de Cervetto, Clyde Charre de Trabuchi, of course Graciela Bevacqua and so many others we had the fortune to meet and work elbow to elbow with them.

Finally, allow me to remind the strong support received up to her last breath towards the resolution of this cause from Martha Aliaga, in this and many international fora defending her dear Argentina and INDEC colleagues.

Our gratitude for her achievements and firm determination will always inspire us to keep moving forward.

*Embassy
of the
Argentine Republic*

VEU /2012

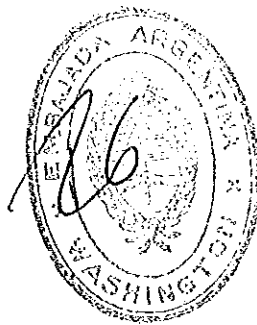
The Embassy of the Argentine Republic presents its compliments to the American Statistical Association and has the honor to refer to the 2012 Joint Statistical Meeting, which will take place in San Diego, California.

In this regard, please find attached a document from the Argentina's National Institute for Statistics and Census regarding the methodology followed in our national official statistics.

We would greatly appreciate its distribution to those attending the panel entitled "Argentina: An Update on Credibility in CPI and Other Official Statistics and Perils Endured by Some Statisticians".

The Embassy of the Argentine Republic avails itself of this opportunity to renew to American Statistical Association all the assurances of its highest consideration.

Washington, D.C., July 25th, 2012



AMERICAN STATISTICAL ASSOCIATION
732 North Washington Street
Alexandria, VA 22314-1943



DEBATE Y CUESTIONAMIENTOS

Desde algunos sectores se han venido planteando, desde época reciente, diversos cuestionamientos referidos a la elaboración de las estadísticas oficiales argentinas. Muchos de estos cuestionamientos desconocen lo dispuesto por el plexo normativo argentino, ignoran la calidad técnica de la producción del Instituto y peor aún, se desentienden de la promoción del desarrollo y bienestar del pueblo argentino.

Por otro lado, una nueva y revigorizada acción se está gestando, a partir del accionar de varios profesionales argentinos e internacionales, que basándose en sus relaciones económicas y financieras con instituciones internacionales han redireccionado su campaña de descrédito hacia el INDEC acusando al Instituto y al Gobierno Argentino de supuesta "violación de los derechos humanos" (se adjunta un Anexo en el cual se detallan los avances alcanzados en el Instituto en materia de derechos humanos).

Con la finalidad de echar luz sobre algunos de los temas en debate, se exponen a continuación una serie de puntos para información del Ministerio de Relaciones Exteriores y Culto de la Nación y por su intermedio, de los entes u organizaciones a las que corresponda informar.

LAS ESTADÍSTICAS PÚBLICAS EN EL ESTADO ARGENTINO

Nuestra norma de mayor jerarquía fija el norte político que inspira la elaboración de estadísticas públicas en Argentina. Así, la Constitución Nacional establece en una de las llamadas *cláusulas de progreso* que es facultad del Congreso de la Nación: *"Proveer lo conducente al desarrollo humano, al **progreso económico con justicia social**, a la productividad de la economía nacional, a la generación de empleo, a la formación profesional de los trabajadores, a la defensa del valor de la moneda, a la **investigación y desarrollo científico y tecnológico**, su difusión y aprovechamiento."* (Art. 75 inc. 19)

Por ello, la producción de estadísticas y censos se realiza teniendo en cuenta, a nivel general, dos aspectos fundamentales: por un lado, los **más avanzados criterios científicos**; por otro, las **políticas orientadas a promover el desarrollo y bienestar del pueblo argentino**. Ambos aspectos revisten la mayor importancia y deben armonizarse. No tiene sentido contar con información elaborada con el mayor rigor técnico si la misma no responde a las realidades y necesidades del país, como tampoco tiene sentido el abandono de pautas metodológicas en pos de un desarrollo desordenado o arbitrario.

En el diseño institucional del Estado argentino, el Instituto Nacional de Estadística y Censos (INDEC) **es parte integrante del Poder Ejecutivo Nacional** (Ley N° 17.622, Decreto N° 927/2009). Ello se debe a que dicha tarea queda fuera de la función específicamente deliberativa de las cámaras legislativas, y hace a la toma de decisiones y planeamiento de políticas, funciones propias de la rama ejecutiva del Estado. Además, el legislador argentino así lo ha normado.



El legislador también ha dispuesto que el INDEC sea, a su vez, el organismo rector del Sistema Estadístico Nacional, y el Poder Ejecutivo precisó esas funciones (Ley N° 17.622 y Decreto N° 1359/2004). Así, le compete al Instituto: *“Ejercer la Dirección superior de todas las actividades estadísticas oficiales que se realicen en el territorio de la Nación.”* Ello implica que a sus funcionarios les compete, entre otras funciones, el establecimiento de las normas metodológicas y los programas de ejecución de las estadísticas oficiales del Estado. (Artículo 5° inc. c, Ley 17.622)

Actualmente, y por primera vez en la historia, la Dirección del INDEC está encabezada por una funcionaria de carrera altamente calificada, quién ingresó al instituto mediante concurso público y que cuenta con más de treinta (30) años de trayectoria en el Organismo.

ÍNDICE DE PRECIOS DE CONSUMO (IPC-GBA)

Estado actual y legalidad de las modificaciones

El actual Índice de Precios al Consumidor del Aglomerado Gran Buenos Aires (IPC-GBA) se elabora según los criterios explicitados en el documento de trabajo denominado Metodología 13 y en la actualización metodológica, que pueden encontrarse en la página oficial del Instituto (www.indec.gov.ar). Dicha metodología constituye un Manual de Procedimientos integrado por un conjunto de herramientas y pautas orientativas, recopiladas en un trabajo que recoge la experiencia acumulada por la Dirección de Índices de Precios de Consumo, e incluye sugerencias de organismos nacionales o internacionales.

Como puede apreciarse, estos criterios son el resultado de un complejo proceso histórico de trabajo que reúne el conocimiento estadístico de nuestros especialistas y las recomendaciones internacionales en la materia. El documento Metodología 13 fue publicado en agosto de 2001 y los lineamientos que adopta se encuentran vigentes, con algunas actualizaciones. Todos estos documentos, disponibles -como se dijo, en el sitio oficial del Instituto-, pueden proveerse a cualquier particular que así lo solicite. (Decreto N° 1172/2011)

La modificación de las metodologías se encuentra incluida dentro de las competencias del INDEC, y puede realizarse en cada oportunidad que así se resuelva, sin ningún requisito normativo previo (Ley N° 17.622, Decreto N° 3.110/70). A su vez, según la Resolución del Ministerio de Economía y Producción N° 779/2004, la Dirección del Índice de Precios de Consumo del INDEC se encuentra facultada a ejercer, entre otras, las acciones que permitan mantener actualizadas las estructuras de ponderaciones del IPC.

Por su parte, el Decreto N° 1.359/04, que determina las competencias primarias de las Direcciones de primera apertura, establece las misiones y funciones específicas de las Direcciones Nacionales de Estadísticas de Condiciones de Vida (entre las que se encuentra la Dirección de IPC) e incluye entre ellas *“...desarrollar metodologías y elaborar índices de precio al consumidor...”* y *“...diseñar, programar e implementar metodologías para la elaboración de indicadores sobre características socioeconómicas, estructura social, mercado laboral, ingresos, consumo y paridad de poder de compra de la población,*



canastas de consumo, pobreza e indigencia...".

De lo expuesto hasta aquí se desprende que, desde su adopción en el año 1999, no se han dispuesto cambios en la metodología de cálculo del IPC-GBA. Además, la metodología observada para el cálculo del IPC-GBA puede ser modificada cuando las autoridades del Instituto lo consideren pertinente, con el objeto de cumplir los objetivos fijados por las normas vigentes.

Período 2000-2011

En el mes de noviembre del año 2000 se publicó por primera vez el Índice de Precios de Consumo designado técnicamente como IPC-GBA base 1999=100. Por entonces este índice reflejaba la estructura de consumo derivada de la Encuesta de Gastos e Ingresos de los Hogares del año 1996, y la muestra de locales informantes tenía como base los datos del Censo Nacional Económico del año 1994.

A partir del año 2006, el organismo del cual dependía el INDEC –la Secretaría de Política Económica- y la entonces señora Ministro de Economía comenzaron a verificar, con base en exhaustivos análisis realizados, que durante el período 2001-2006 el IPC-GBA base 1999=100 empezó a apartarse y a dejar de cumplir, en los hechos, con lo establecido en la Metodología N° 13. El apartamiento de los criterios señalados por la metodología concernía diversos aspectos relevantes, todo lo cual empezó a convertir al IPC-GBA en un indicador no representativo de los fenómenos que debía representar.

En ese sentido se detectó que el IPC-GBA base 1999=100 no había actualizado sus procedimientos según los principales avances metodológicos que realizaron sus pares, quedando al margen de las mejores prácticas internacionales. Asimismo se detectaron distintos tipos de sesgos tales como los resultantes del reemplazo de locales, los asociados a las áreas territoriales bajo estudio, y a la selección de las variedades a través de la definición de las especificaciones y sus atributos.

Por otro lado el IPC-GBA no reflejaba el impacto en el gasto de los hogares o en la determinación de las variedades involucradas por la aplicación de políticas públicas (por ej. en medicina prepaga, medicamentos y turismo). A su vez se detectó una de las distorsiones más significativas en el proceso del cálculo del índice que resultaba de la imputación de precios faltantes en los productos con alta estacionalidad definida.

Algunos ejemplos dignos de mención dan cuenta de la situación en la que se encontraba, por entonces, la medición del IPC-GBA.

Al instruir procedimientos de consistencia de la Metodología 13 con el Índice de Precios al Consumidor, el personal afectado a la tarea detectó que la muestra que se utilizaba para relevar cuánto cobraba el "personal doméstico" estaba integrada por los propios empleados del INDEC y del Ministerio de Economía y Finanzas Públicas. Es decir, que en el mejor de los casos, entre los mismos empleados del INDEC se consultaba cuánto se abonaba al servicio doméstico, -llegándose al extremo de que también se consultaba a quien no disponía de servicio doméstico en su domicilio-, y esa era la información que se volcaba para el cálculo. Resulta francamente difícil comprender las motivaciones y



comportamiento de quienes defienden los procedimientos no éticos aplicados al cálculo del indicador.

Así también para el cálculo de la variedad "turismo", por ejemplo, no se tomaban en cuenta los datos que el propio INDEC, a pedido del Ministerio de Turismo de la Nación, generaba. Por ello, el Ministro de Turismo de la Nación, durante el mes de enero de 2007, envió una nota oficial al entonces Director del INDEC, Licenciado Lelio Mármora, mediante la cual le informó cuáles fueron las variaciones de precios registradas por la variedad "Alojamiento".

La situación descripta determinó que se llevaran a cabo tareas conducentes a restaurar la calidad del IPC, eliminando sesgos inadmisibles y prácticas estadísticas contrarias tanto a la metodología adoptada como a elementales criterios éticos en el cumplimiento de la función pública.

A partir del análisis de los resultados de la Encuesta Nacional de Gastos de los Hogares 2004/5, que no había sido procesada hasta mediados de 2007, se efectuó un cambio de base que determina el actual cálculo IPC-GBA base abril 2008=100. En lo referente a las fórmulas de cálculo, se mantuvieron las características que se describen en la Metodología Nº 13. Se introdujo como innovación en el cálculo, la utilización de canastas estacionales para aquellas variedades que integran los Grupos: Frutas, Verduras, Indumentaria y Calzado. Se establecieron métodos de especificación y control informático que representan una sustantiva mejora de calidad en la producción del IPC. Se actualizó la participación de los tipos de negocios entre grupo tradicional y supermercado a partir de los datos de la ENGH 04/05. Se incorporó una instancia de análisis para el cálculo de cambios de calidad y se previó la utilización de instrumentos matemáticos soportados por el programa informático.

Asimismo, se han agregado locales informantes ubicados en áreas territoriales que no habían sido tenidas en cuenta en la muestra anterior, a fin de representar de modo exhaustivo las zonas geográficas y tipos de negocios de la población que reside en el Aglomerado Gran Buenos Aires.

Como puede apreciarse, no se han adoptado cambios respecto de la metodología empleada para el cálculo del IPC-GBA. Por el contrario, cuanto se hizo fue aplicarla en toda su dimensión. Especialmente en lo referido a su apartado 4.3 *"Los índices de precios al consumidor"*, dicha metodología refiere que *"si con el paso del tiempo no se aceptara introducir cambios en el listado de bienes y servicios de la canasta del índice y de los negocios informantes de los precios, el índice perdería representatividad y dejaría de ser útil para muchas de sus aplicaciones"*. Asimismo, en el apartado 7.1 de la Metodología 13 *"Especificación de las variedades"* se postula que *"se decidió que las especificaciones (abiertas o cerradas) puedan cambiarse con el tiempo sin esperar a una nueva encuesta de gastos de los hogares, para mantener la representatividad de la canasta del IPC"*.

LAS ESTADÍSTICAS PRIVADAS EN EL ESTADO ARGENTINO

Las actividades de prospección de datos y elaboración de índices estadísticos no



han suscitado la atención del legislador en lo que se refiere al establecimiento de una normativa especial que las regule integralmente. Las normas que se han dictado versan sobre distintos aspectos del funcionamiento de los organismos oficiales abocados a dichas tareas.

Por ello, la actividad estadística privada puede considerarse sujeta únicamente al marco legal aplicable a toda actividad productora de bienes o servicios. Este marco legal tiene como raigambre la Constitución Nacional que, en consonancia con los tratados internacionales en la materia, dispone:

*"Artículo 42- Los consumidores y usuarios de bienes y servicios tienen derecho, en la relación de consumo, a la **protección de su salud, seguridad e intereses económicos**; a una **información adecuada y veraz**; a la libertad de elección, y a condiciones de trato equitativo y digno.*

*Las autoridades proveerán a la protección de esos derechos, a la educación para el consumo, a la **defensa de la competencia contra toda forma de distorsión de los mercados**, al control de los monopolios naturales y legales, al de la calidad y eficiencia de los servicios públicos, y a la constitución de asociaciones de consumidores y de usuarios.*

La legislación establecerá procedimientos eficaces para la prevención y solución de conflictos, y los marcos regulatorios de los servicios públicos de competencia nacional, previendo la necesaria participación de las asociaciones de consumidores y usuarios y de las provincias interesadas, en los organismos de control."

Además, a nivel legal, la información producida por instituciones privadas debe respetar lo establecido en la legislación vigente sobre Defensa del Consumidor (Ley N° 24.240), Lealtad Comercial (Ley N° 22.802) y Defensa de la Competencia (Ley N° 25.156). Estos instrumentos legales regulan la actividad privada con el propósito alcanzar los objetivos expresados por la Carta Magna. Es decir, concretar la protección de los usuarios y consumidores de bienes y servicios, de sus derechos y asegurar el buen funcionamiento del mercado.

EL CONTROL DE LA PRODUCCIÓN ESTADÍSTICA Y LOS CASOS PARTICULARES

El Instituto Nacional de Estadística y Censos no tiene, en principio, injerencia sobre el control de la producción estadística privada. Las leyes mencionadas en el apartado anterior establecen cuáles son las correspondientes autoridades encargadas de velar por el cumplimiento de lo establecido normativamente.

La Secretaría de Comercio Interior es la autoridad de aplicación de la Ley de Lealtad Comercial N° 22.802, de la Ley de Defensa del Consumidor N° 24.240 y de la Ley de Defensa de la Competencia N° 25.156. En aquellos casos en que existan violaciones a las normas, es dicha secretaría la encargada de iniciar los procedimientos tendientes a sancionar a los infractores y corregir los efectos negativos de su accionar. Cabe resaltar que frente a estos procedimientos administrativos, siempre existe la posibilidad de ocurrir ante los tribunales de justicia, conforme lo establecen nuestra Constitución Nacional y los



tratados internacionales.

En fecha reciente, el 17 de febrero de 2011, el INDEC participó en carácter de perito especialista en un procedimiento administrativo iniciado ante la Secretaría de Comercio Interior por la Cámara de Operadores Mayoristas Frutihortícolas del Mercado Central de Buenos Aires (CO.MA.FRU.).

La denuncia del ente asociativo CO.MA.FRU., versaba sobre el perjuicio sufrido por comerciantes del sector frente a la difusión de índices inflacionarios elaborado por consultoras privadas, que provocaban una retracción del consumo y por consiguiente, una perturbación de su actividad. La Secretaría de Comercio, por intermedio de la Dirección Nacional de Comercio Interior inició los trámites tendientes al esclarecimiento de los hechos denunciados, y en el marco de dicho procedimiento el INDEC actuó como perito.

En ejercicio de su rol técnico, el INDEC evaluó mediante cuestionarios y solicitudes de documentación la labor de las consultoras. Luego de un examen de las respuestas y la documentación brindadas, los técnicos del Instituto concluyeron que en la elaboración de los índices privados existían numerosas falencias metodológicas.

Pueden citarse como ejemplo de las deficiencias encontradas las siguientes:

a) Consultora privada Eco Go S.A.: *"A partir de la respuesta de Eco Go S.A. se determinó que tanto el índice que elabora, como los indicadores que se derivan a partir del mismo, no son válidos, dado que la metodología aplicada presenta falencias entre las que se destaca la falta de representatividad: la consultora informó que realiza los relevamientos sólo en locales grandes y que "el grueso de la información es relevada por Internet", con lo cual se trata de una muestra sesgada que evidencia falta de rigor técnico al no estar representados en el cálculo los precios de pequeños y medianos negocios. La empresa no contestó la pregunta sobre la composición de su canasta, tampoco describió los criterios usados para la construcción de ponderadores ni de las fuentes que toma en cuenta. El relevamiento de precios sería, según informó la consultora, semanal, quincenal o mensual, en ningún caso dispone de un relevamiento diario, lo cual no permite determinar la evolución de los precios."* Fte: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>

b) Consultora privada FIEL: *"En las respuestas de la empresa FIEL se informa que la muestra sólo abarca la Ciudad Autónoma de Buenos Aires, con procedimientos especiales en barrios seleccionados, añadiendo que la cantidad de locales informantes varía por distrito, rondando los 1500, sin informar la distribución de éstos. Esta información no es estadísticamente rigurosa por no definir con precisión la cobertura territorial del producto que elabora.*

En cuanto a la canasta de bienes y servicios con sus ponderaciones al máximo nivel de desagregación, la firma presentó un listado que no permite conocer la cantidad de variedades de productos ni su correspondiente ponderación, advirtiéndose que no están desagregadas al nivel requerido. De esta manera, es imposible determinar si la cantidad de precios para cada una de las variedades es estadísticamente representativa.

La canasta cuenta con una serie de variedades que fueron eliminadas del IPC-GBA



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del INDEC en 2008 por su falta de representatividad. Por estas razones, la canasta de bienes y servicios presentada por la firma resulta obsoleta y no representativa de la estructura de consumos de la población.

FIEL informó que cuenta con 12 personas, no especificando si esto incluye a encuestadores, supervisores y analistas de gabinete, por lo que se consideró insuficiente la dotación, en términos de proveer un indicador representativo de las variaciones de precios en el área territorial referida". Se aclara que estos criterios obedecen a recomendaciones internacionales en la materia.

"De las respuestas brindadas por FIEL se concluyó que a partir de un débil, parcial e insuficiente ensayo de medición, se transmite a los consumidores y comerciantes una información que en modo alguno es exacta, siendo asimismo capaz de generar confusión e incertidumbre." Fte: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>

La gravedad de las falencias encontradas determinó que la Dirección de Lealtad Comercial, dependiente de la Secretaría de Comercio, imputara a diversas consultoras por haber cometido la infracción del Artículo 9º de la Ley 22.802. Dicha norma expresa:

"ARTÍCULO 9º — Queda prohibida la realización de cualquier clase de presentación, de publicidad o propaganda que mediante inexactitudes u ocultamientos pueda inducir a error, engaño o confusión respecto de las características o propiedades, naturaleza, origen, calidad, pureza, mezcla, cantidad, uso, precio, condiciones de comercialización o técnicas de producción de bienes muebles, inmuebles o servicios."

Esos procedimientos concluyeron con la aplicación de multas de hasta 500 mil pesos a las empresas Eco Go S.A. (Estudio Bein & Asociados), Finsoport S.A, Economía y Regiones S.A., Gabriel Rubinstein y Asociados, Fundación de Investigaciones Económicas Latinoamericanas (FIEL) y a Graciela Bevacqua (responsable de los informes que se publican bajo el nombre "Buenos Aires City"), por infringir la Ley de Lealtad Comercial, (Disposiciones Nros. 115, 116, 118, 122,163 y 164 del año 2011).

Se encuentra disponible en Internet un resumen de las entidades multadas, el quantum de las sanciones aplicadas y sus fundamentos: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>

El orden normativo que la Secretaría de Comercio consagró en los hechos mediante la aplicación de las multas, tiene la finalidad de proteger diversos bienes jurídicos. Los agentes del sistema económico se ven severamente perjudicados cuando se difunden datos obtenidos con base en metodologías deficientes e insuficientes. La conducta irresponsable de quienes buscaron el rédito económico poniendo en riesgo la estabilidad económica del país, la actividad comercial de otros sectores y el derecho a la información veraz de la ciudadanía argentina, pudo haber causado mayores daños si se permitía su continuación.

El derecho a expresarse libremente y a trabajar no puede implicar la consagración de un ámbito de irresponsabilidad que habilite a generar confusión e inestabilidad económica a partir de la difusión de datos inexactos y a provocar daño a otros sectores de la sociedad.



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Como se demostró en el presente documento, la aplicación del derecho positivo vigente argentino, no puede importar jamás algún tipo de "persecución" en un estado de derecho, máxime cuando todas las garantías del debido proceso se encuentran aseguradas.

Finalmente, la intervención del Estado Argentino a través de sus procedimientos legales, en defensa de los consumidores y usuarios de bienes y servicios, es una práctica que éste gobierno desarrolla y propicia, aunque de ella resulten dañados intereses foráneos o financieros.

LA CALIDAD EN EL INSTITUTO NACIONAL DE ESTADÍSTICA Y CENSOS

Con referencia a la adecuación de la producción estadística del INDEC a los principios básicos de calidad, aceptados en el ámbito internacional, existe correspondencia entre éstos y los objetivos, los procesos y las operaciones estadísticas llevadas adelante por el Instituto.

Así, por ejemplo, en virtud de factores tales como a) el marco legal vigente, b) la aplicación de metodologías estadísticas de avanzada, c) la asignación de recursos efectuada, d) la transparencia en los actos realizados y e) la experiencia del personal del Organismo, existe correspondencia total entre las acciones llevadas a cabo por el Organismo y los principios de Calidad establecidos y utilizados, inclusive, por los Institutos u Organismos Internacionales vinculados con la más avanzada gestión estadística del mundo. Por ejemplo, si se tienen en cuenta principios básicos de Calidad generalmente utilizados en el ámbito internacional, se observa que el INDEC cumple con los conceptos e indicadores incluidos en los siguientes principios: a) Mandato legal para recopilación de datos, b) Confidencialidad estadística, c) Procedimientos estadísticos apropiados, d) Utilización de carga administrativa no excesiva con relación a los respondentes, e) Eficiencia, f) Coherencia y comparabilidad y g) Adecuación de los recursos.



ANEXO

LOS DERECHOS HUMANOS Y EL INDEC

En el caso particular del INDEC, como Institución pública fiel representante de un Estado defensor de los derechos humanos, este ha acompañado las políticas de inclusión hacia los diferentes sectores de la población que, hasta el momento, habían sido excluidos de los instrumentos de recolección de información.

Estos grupos han sido incluidos en el Censo y en encuestas específicas, con el objetivo de brindar información precisa y de calidad respecto de aquellas poblaciones o grupos sociales vulnerables, con el objetivo primordial de contar con información útil y precisa que permita el desarrollo *a posteriori* de acciones y políticas públicas tendientes a mejorar sus condiciones de vida, zanjando una deuda de larga data en la República Argentina.

Los pueblos originarios, los afrodescendientes, las personas con discapacidades y los adultos mayores son objeto de relevamiento censal y de operativos específicos pos-censales o de encuesta.

Si bien algunos temas ya habían sido incorporados en el Censo 2001 y en posteriores operativos (como es el caso de pueblos originarios y discapacitados), es en el Censo 2010 donde se mejoran los instrumentos de relevamiento y se realizan una serie de incorporaciones en la fase de recolección de información: tema afrodescendientes, condiciones organizativas que dan lugar a la participación de afrodescendientes y pueblos originarios y los casos de las parejas del mismo sexo.

Además, las temáticas y enfoques, así como la capacitación de los encuestadores fueron consensuadas con las instancias directamente involucradas, garantizando así la cobertura de problemáticas específicas y un adecuado abordaje para el logro del objetivo.

Pueblos originarios

Como medida tendiente a garantizar la inclusión de los pueblos originarios en el Censo, se realizaron spots de difusión bilingües (castellano y diversas lenguas de pueblos originarios como el quechua y el huarpe).

Afrodescendientes

Se apuntó a la identificación o autopercepción de alguno de los miembros que componen el hogar, descendiente de africanos/as.



La campaña de difusión realizada para promover el Censo 2010, a la que se llamó "Soy Afroargentino", fue preparada con la participación del INADI (Instituto Nacional contra la Discriminación, la Xenofobia y el Racismo); se desarrolló además una guía interactiva denominada "Los afrodescendientes en la historia estadística".

Personas con discapacidad

La pregunta sobre discapacidad se incluyó por primera vez en el Censo 2001 y apuntaba al registro de hogares con algún miembro con discapacidad. En el Censo 2010, en cambio, se encuestó directamente a la persona con discapacidad. Esto permitió el conocimiento del tipo de limitación, las características demográficas básicas y condiciones de migración, educativas y ocupacionales de cada individuo con discapacidad.

El INDEC además participa activamente en las reuniones de la CONADIS (Comisión Nacional de Discapacidad), donde coordina el grupo de trabajo de Estadísticas y es miembro del Grupo de Washington sobre estadísticas de la discapacidad y del grupo de expertos de la Organización Mundial de la Salud que trabaja en dicha temática.

Parejas del mismo sexo

Un cambio metodológico importante respecto del Censo 2001, pudo observarse en lo que concierne a las parejas del mismo sexo. Hasta el Censo 2001 aquellos hogares que figuraban conformados por una pareja del mismo sexo eran considerados registros erróneos.

El INDEC cambió esto durante el Censo 2010 y posteriormente publicó información relativa a parejas homosexuales convivientes. Ello, en consonancia con la Ley de Matrimonio Igualitario, sancionada por el Congreso de la Nación en julio de 2010, que reconoce los mismos derechos a las parejas del mismo y de distinto sexo.

Población Trans

El INDEC, con la participación de las organizaciones sociales que trabajan la temática de la diversidad sexual, desarrolló la "Primera Encuesta Piloto sobre Población Trans: Travestis, Transexuales, Transgéneros y Hombres Trans", cuyo operativo definitivo se realizará en 2013.

El objetivo de esta encuesta es describir las condiciones de vida y las características sociodemográficas de la población Trans y a su vez investigar sus experiencias sobre discriminación, alfabetización jurídica y acceso a la Justicia, la Salud y la Vivienda.

Adultos mayores

En conjunto con el Ministerio de Desarrollo Social a través de la Dirección Nacional de Políticas para Adultos Mayores de la Secretaría Nacional de Niñez, Adolescencia y



Familia, el INDEC está preparando un relevamiento de la situación social, económica y de salud de los adultos mayores en Argentina. Este estudio se realiza como parte de la política de integración de los mismos en una vida activa y plena, con protección y prevención por parte del Estado.

Violencia de género

El INDEC está trabajando junto y el Consejo Nacional de la Mujer, en la sistematización y armonización de los registros de violencia de género que se generan en diferentes instituciones del Estado (Nacional y Provincial) así como los registros del Poder Judicial. Se busca establecer un set único de variables o indicadores estadísticos respecto a perfiles sociodemográficos de víctimas, victimarios o agresores.

Dicha armonización, junto con la recolección de información sobre víctimas de violencia de género, servirán para la definición de políticas públicas para estas mujeres que han sido objeto de violencia.

Victimización y violencia ciudadana

Junto con la Dirección de Política Criminal del Ministerio de Seguridad se está trabajando con el objetivo de aportar a la identificación, captación, sistematización, análisis y difusión de datos e informaciones concernientes al monitoreo de la seguridad en el territorio nacional y su potencial geo-referenciación.

Se prevé además la realización de una Encuesta Nacional de Victimización en el año 2013.

TRADUCCIÓN-----

DEBATE AND CRITICISM

For some time, certain sectors have been raising several issues relating to the preparation of Argentina's official statistics. Many of these issues ignore Argentine rules and regulations, disregard the technical quality of the work of the Institute and, what is even worse, do not take into account the promotion of development and the well-being of the Argentine people.

At the same time, a new and stronger action is emerging, as a result of the activities of several Argentine and international professionals who, based on their economic and financial relations with international institutions, have redirected the focus of their campaign to discredit INDEC by accusing the Institute and the Argentine Government of an alleged "violation of human rights" (an Annex providing details on the progress made by the Institute as regards human rights is attached to this document).

For the purpose of shedding light on some of the matters at issue, we will address below a number of aspects in order to provide appropriate information to the Argentine Ministry of Foreign Affairs and Worship and, through it, to the relevant entities or organizations.

PUBLIC STATISTICS IN THE ARGENTINE STATE

The Argentine Constitution sets the political aim to be pursued when preparing public statistics in Argentina. Thus, in one of its so-called *progress clauses*, it sets forth that the Congress has the power to: "*Provide for any actions leading to human development, economic progress with social justice, national economic productivity, job creation, professional training of workers, the defence of currency value, scientific and technological research and development, and their dissemination and use.*" (Art. 75(19))

Therefore, the preparation of statistics and censuses is carried out bearing in mind, in general, two fundamental aspects: on the one hand, **the most advanced scientific criteria**; on the other, **policies aimed at promoting the development and well-being of the Argentine people**. Both aspects are extremely important and must be harmonized. There is no sense in having information that has been gathered following the highest technical standards if such information is not consistent with the realities and needs of the country, just like there is no sense in setting aside methodological guidelines to achieve disorganized or arbitrary development.

Within the institutional framework of the Argentine State, the Argentine Institute of Statistics and Censuses (INDEC) **is an integral part of the Argentine Executive** (Law No. 17,622, Presidential Decree No. 927/2009). This is due to the fact that this task is not part of the specifically deliberative function of the houses of congress but of the decision- and policy-making functions that are characteristic of the Executive Branch. Furthermore, Argentine lawmakers have established so.

The lawmakers have also provided for INDEC to be the organization in charge of the National Statistical System, and the Executive has defined those functions (Law No.

17,622 and Presidential Decree No. 1359/2004). Thus, it is incumbent on the institute to: "Direct all official statistical activities performed within the Argentine territory." This means that its officials are responsible for, among other things, establishing methodological rules and enforcement programmes for Argentine official statistics. (Section 5(c), Law No. 17,622)

Currently, for the first time in its history, a highly qualified career official, who entered the Institute through competitive examination and has worked there for more than thirty (30) years, is the Director of INDEC.

CONSUMER PRICE INDEX (CPI-GBA)

Current status and lawfulness of modifications

The current Consumer Price Index for Greater Buenos Aires (CPI-GBA) is prepared on the basis of the criteria specified in the working document known as "Methodology 13" and in the methodological update available at INDEC's official web page (www.indec.gov.ar). That methodology makes up a Manual of Procedures comprising a set of guiding tools and standards, compiled in a work that contains the experience of the Consumer Price Index Office and includes suggestions from domestic and international organizations.

As can be seen, these criteria are the result of a complex historical process of work that gathers the statistical knowledge of our specialists, as well as the relevant international recommendations. The document "Methodology 13" was published in August 2001 and the guidelines included in it are currently in force, as updated. All of these documents (available at INDEC's official web site) may be provided to any person upon request (Presidential Decree No. 1,172/2011)

The modification of methodologies is one of the functions of INDEC and may be carried out when so decided, since it is not subject to prior fulfilment of any regulatory requirement (Law No. 17,622, Presidential Decree No. 3,110/70). Moreover, according to Resolution No. 779/2004 of the Ministry of Economy and Production, the Consumer Price Index Office of INDEC has the power to, among other things, take such actions as may lead to keep the CPI calculation structures updated.

In turn, Presidential Decree No. 1,359/04, which establishes the primary functions of top operating Offices, sets forth the specific missions and functions of the Argentine Offices of Statistics on Living Conditions (one of which is the CPI Office), including "... *to develop methodologies and prepare consumer price indexes...*" and "... *to design, programme and implement methodologies in order to prepare indexes based on socio-economic characteristics, social structure, labour market, income, consumption and purchasing power parity among the population, consumer baskets, poverty and extreme poverty...*".

All of the above leads to the conclusion that, ever since its adoption in 1999, no changes have been made to the calculation methodology of the CPI-GBA. Furthermore, the methodology used for calculation of the CPI-GBA may be modified when deemed appropriate by the authorities of the Institute, with a view to achieving the objectives set by the applicable rules.

2000-2011 Period

The Consumer Price Index (technically referred to as CPI-GBA — base 1999=100) was first published in November 2000. Back then, the index reflected the consumption structure resulting from the Household Income and Expenditure Survey of 1996 and the sample of reporting stores was based on the data provided by the National Economic Census of 1994.

Starting in 2006, the agency to which INDEC reported —the Secretariat of Economic Policy— and the then Minister of Economy began to notice, based on thorough analyses, that during 2001-2006, the CPI-GBA — base 1999=100 actually started to depart from and cease to comply with the provisions of Methodology 13. The departure from the criteria set forth by the methodology involved several important aspects, all of which began to turn the CPI-GBA into an indicator that did not represent the phenomena that it was supposed to reflect.

In this regard, the procedures of the CPI-GBA — base 1999=100 were found not to have been updated according to the main methodological advances made with respect to other indexes, which amounted to a failure to apply international best practices. Furthermore, different types of bias were detected, such as that resulting from the substitution of stores, that relating to the territorial areas under study and that relating to the selection of varieties through the definition of the specifications and their attributes.

In addition, the CPI-GBA did not reflect the impact on household expenditure or on the determination of the varieties involved caused by the application of public policies (for example, as regards prepaid medical care plans, medicines and tourism). One of the most significant distortions detected in the index calculation process resulted from the estimation of missing prices for products with high defined seasonality.

Some examples illustrate the situation of the CPI-GBA calculation at that time.

When checking the consistency of Methodology 13 with the Consumer Price Index, the personnel in charge of that task found that the sample used to survey the amount charged by “domestic workers” comprised the employees of INDEC and the Ministry of Economy and Public Finance. This means that, in the best case scenario, INDEC’s own employees were asked about the amount paid to domestic workers, but even those who did not hire domestic workers at their homes were consulted. That information was used for the calculation. Quite frankly, it is difficult to understand the motivations and behaviour of those who defend the unethical procedures followed for the calculation of the index.

Likewise, in the calculation of the item “tourism”, for example, the data generated by INDEC itself, at the request of the Argentine Ministry of Tourism, was not taken into account. In this respect, in January 2007, the Argentine Minister of Tourism sent an official letter to the then Director of INDEC, Mr. Lelio Mármora, informing about the variations in prices for the item “Accommodation”.

This situation led to the performance of tasks aimed at restoring the quality of the CPI by removing any inadmissible bias and statistical practice contrary to both the methodology adopted and the fundamental ethical criteria to be applied in the fulfilment of public functions.

Based on the analysis of the results of the National Household Expenditure Survey of 2004/5, which was not processed until mid-2007, the base that determines the calculation was changed to its current version (CPI-GBA — base April 2008=100). With respect to the calculation formulas, the same characteristics described in Methodology 13 were maintained. The use of seasonal baskets for varieties that are part of the Fruit, Vegetables, Clothing and Footwear Groups was an innovation in the calculation. Computer control and specification methods which represent a significant improvement in the preparation quality of the CPI were implemented. The participation of business types between traditional groups and supermarkets was updated on the basis of the information contained in the National Household Expenditure Survey of 04/05. An analysis stage was incorporated for calculation of quality changes and the use of mathematical instruments supported by the computer programme was provided for.

Furthermore, reporting stores located in territorial areas which had not been taken into account in the previous sample were added, in order to comprehensively represent the geographical areas and business types of the population residing in Greater Buenos Aires.

As can be seen, no changes have been made with respect to the methodology used for calculation of the CPI-GBA. On the contrary, such methodology has been applied in full. In particular, as regards paragraph 4.3 (*“Consumer Price Indexes”*), that methodology provides that *“if, over time, no changes were accepted to be made to the list of goods and services included in the basket for the index and the list of the stores reporting the prices, the index would lose representativeness and would cease to be useful for many of its applications.”* Furthermore, paragraph 7.1 of Methodology 13 (*“Specification of Varieties”*) sets forth that *“we decided that specifications (whether open or not) may be changed without waiting for a new household expenditure survey, in order to keep the CPI basket representative.”*

PRIVATE STATISTICS IN THE ARGENTINE STATE

Data prospecting and statistical index preparation activities have not drawn the attention of lawmakers for the enactment of a special law that may comprehensively govern such activities. The rules established address different aspects of the operation of the official agencies that perform those activities.

Therefore, private statistical activities may be deemed to be subject only to the legal framework applicable to any activity for the production of goods or services. This legal framework has its roots in the Argentine Constitution which, in line with international treaties on the matter, provides as follows:

“Article 42.- As regards consumption, consumers and users of goods and services are entitled to the protection of their health, safety, and economic interests; to adequate and truthful information; to freedom of choice and to equitable and decent treatment.”

The authorities shall provide for the protection of said rights, the education for consumption, the defence of competition against any kind of market distortion, the control of natural and legal monopolies, the control of the quality and efficiency of public utilities, and the formation of consumer and user associations.

The legislation shall establish efficient procedures for conflict prevention and settlement, as well as regulatory frameworks for federal public utilities, and shall provide for the necessary participation in control agencies by consumer and user associations and interested provinces.”

Furthermore, from a legal viewpoint, the information provided by private institutions must respect the provisions of the applicable laws on Consumer Defence (Law No. 24,240), Fair Trade (Law No. 22,802) and Defence of Competition (Law No. 25,156). These legal instruments govern private activities with a view to attaining the goals set forth in the Constitution; i.e., achieving the protection of users and consumers of goods and services, as well as their rights, and ensuring the proper operation of the market.

STATISTICAL PRODUCTION CONTROL AND SPECIFIC CASES

In principle, the Argentine Institute of Statistics and Censuses has no influence over the control of private statistical production. The abovementioned laws list the authorities in charge of ensuring compliance with the laws.

The Secretariat of Domestic Trade is the authority in charge of enforcing Law No. 22,802 on Fair Trade, Law No. 24,240 on Consumer Defence and Law No. 25,156 on Defence of Competition. In the event of violation of any of those laws, that Secretariat must institute proceedings aimed at punishing offenders and remedying the negative effects of their actions. It should be noted that, in the face of these administrative proceedings, the courts may be resorted to, as established by the Argentine Constitution and international treaties.

Recently, on 17 February 2011, INDEC participated as an expert witness in an administrative proceeding brought before the Secretariat of Domestic Trade by the Chamber of Fruit and Vegetable Wholesale Businesses of the Buenos Aires Central Market (CO.MA.FRU.).

The claim by CO.MA.FRU was based on the losses sustained by businesspersons of the industry as a result of the release of inflation indexes prepared by private consultants, which caused lower consumption and thus a disruption in their business. The Secretariat of Trade, through the National Office of Domestic Trade, started the relevant proceedings for clarifying the events on which the claim was based. In the context of such proceedings, INDEC appeared as an expert witness.

In performance of its technical functions, INDEC assessed, through questionnaires and requests for documents, the work of the consultants. Following an examination of the answers and documents provided, INDEC personnel concluded that the preparation of private indexes contained numerous methodological shortcomings.

Examples of such shortcomings include:

a) Private consultant Eco Go S.A.: *“Based on Eco GO S.A.’s response, it was determined that both the index it prepares and the indicators arising from it are not valid, because the methodology applied presents shortcomings which include the lack of representativeness: the consultant reported that it only surveys large stores and that “the bulk of the information is surveyed online”. Thus, this is a biased sample that evidences a lack of technical rigour, since the prices of small and medium businesses are not taken into account in the calculations. The consultant did not answer the question on the composition of its basket, and it did not describe the criteria relied upon for the construction of weighting factors and the sources taken into account. The price assessment is carried out, as informed by the consultant, on a weekly, semi-weekly or monthly basis; no daily assessment is ever provided, as it does not enable a determination of the evolution of prices.”* Source: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>

b) Private consultant FIEL: *“FIEL’s answers state that the sample is limited to the City of Buenos Aires, with special procedures in selected areas, and further inform that the number of reporting stores varies by district and amounts to approximately 1500. Their distribution was not communicated. This information is not statistically rigorous as it fails to accurately define the territorial coverage of the product it makes.*

As for the basket of goods and services weighted at the highest level of disaggregation, the firm submitted a list that does not reflect the number of varieties of products nor their corresponding weighting factors, which shows that they are not broken down at the required level. Thus, it is impossible to determine if the amount of prices for each of the varieties is statistically representative.

The basket has a series of varieties that have been eliminated from the CPI-GBA of INDEC in 2008 due to its lack of representativeness. For these reasons, the basket of goods and services submitted by the firm is obsolete and does not represent the consumption patterns of the population.

FIEL informed that its staff comprises 12 persons and failed to specify whether this includes pollsters, supervisors and cabinet analysts. This staff was considered as insufficient, in terms of providing an indicator that represents the price variations in the aforesaid territorial area.” These criteria are consistent with the relevant international recommendations.

“It was concluded from the answers provided by FIEL that based on a weak, biased and insufficient measurement exercise consumers and businesspersons are provided with absolutely inaccurate information, which may even lead to confusion and uncertainty.”
Source: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>.

The shortcomings were found to be so serious that the Fair Trade Office, which reports to the Secretariat of Trade, pressed charges against several consultants for violating Section 9 of Law No. 22,802, which provides:

“SECTION 9. No presentation, publicity or advertisement shall be made that, through inaccuracies or concealment of facts, may lead to error, deception or confusion

regarding the characteristics or properties, nature, origin, quality, purity, mixture, quantity, use, price, sale conditions or production techniques of movable or immovable goods or services."

These proceedings resulted in the imposition of fines of up to ARS 500,000 on the firms Eco Go S.A. (Estudio Bein & Asociados), Finsoport S.A., Economía y Regiones S.A., Gabriel Rubinstein y Asociados, Fundación de Investigaciones Económicas Latinoamericanas (FIEL) and Graciela Bevacqua (who was responsible for the reports published under the name "Buenos Aires City") for violation the Argentine Law on Fair Trade (provisions nbr. 115, 116, 118, 122, 163 and 164 of 2011).

A summary of the entities fined, the fine amounts and their justification is available online: <http://www.consumidor.gov.ar/la-ley-es-para-todos-tambien-para-las-consultoras/>.

The regulations relied upon by the Secretariat of Trade for the imposition of the fines seek to protect several legal interests. The agents of the economic system are severely affected by the release of data obtained on the basis of deficient and insufficient methodologies. The irresponsible conduct of those who sought profit by jeopardizing the country's economic stability, the commercial activity of other sectors and the Argentine citizens' right to truthful information could have caused greater damage if it had been allowed to continue.

The right to free speech and work cannot entail the endorsement of an irresponsible environment that leads to generating confusion and economic instability through the dissemination of inaccurate data and to causing damage to other segments of society.

As shown in this document, the application of Argentine positive law can never entail any kind of "persecution" under the rule of law, especially when all due process guarantees are ensured.

Finally, the intervention of the Argentine Government through its legal proceedings, in defence of consumers and users of goods and services, is a practice carried out and fostered by this administration, even if foreign or financial interests are thereby harmed.

QUALITY IN THE ARGENTINE INSTITUTE OF STATISTICS AND CENSUSES

With regard to the adaptation of INDEC's statistical production to worldwide-accepted basic quality principles, there is correspondence between these and the objectives, processes and statistical operations of INDEC.

Thus, for example, in view of such factors as (a) the legal framework in force, (b) the application of advanced statistical methodologies, (c) the resources already distributed, (d) the transparency in the acts conducted and (e) the experience of INDEC's personnel, there is full consistency between the actions carried out by INDEC and the quality principles established and used even by international institutions or organizations related to the world's most advanced statistical management. For example, if we take into account the basic quality principles generally used at an international level, INDEC complies with the concepts and indicators included in the following principles: (a) mandate for data collection, (b) statistical confidentiality; (c) appropriate statistical

procedures; (b) non-excessive administrative burden on respondents; (e) efficiency; (f) coherence and comparability; (g) adequacy of resources.

ANNEX

HUMAN RIGHTS AND INDEC

As a public institution that faithfully represents a Government that stands for human rights, INDEC has supported inclusion policies aimed at the different segments of the population that, up until now, had been excluded from data collection instruments.

These groups have been included in the Census and in specific surveys, for the purpose of providing precise and quality information on vulnerable populations or social groups, with the primary objective of having useful and accurate information for the subsequent development of public actions and policies aimed at improving their living conditions and thus settling a long-standing debt in the Argentine Republic.

Aboriginal peoples, Afro-descendants, persons with disabilities and senior citizens are taken into account in censuses and in specific post-census or survey actions.

Although some groups had already been incorporated in the 2001 Census and in subsequent actions (such as aboriginal peoples and disabled persons), the 2012 Census improved the surveying instruments and incorporated new areas in the data collection phase: namely, Afro-descendants, organizational conditions that give room for the participation of Afro-descendants, aboriginal peoples and same-sex couples.

In addition, the themes and approaches, as well as the training of pollsters, were agreed upon with the agencies directly involved, thus ensuring the coverage of specific problems and an appropriate approach for achieving the goal.

Aboriginal peoples

As a measure aimed at guaranteeing the inclusion of aboriginal peoples in the Census, bilingual publicity spots were made (*i.e.*, in Spanish and in several aboriginal languages such as quechua and huarpe).

Afro-descendants

The aim was the identification or self-perception of some of the members comprising Afro-descendant households.

The publicity campaign launched for the purpose of promoting the 2010 Census, called "I am an Afro-Argentine", was prepared along with INADI (Argentine Institute against Discrimination, Xenophobia and Racism); an interactive guide called "Afro-descendants in statistical history" was also developed.

Persons with disabilities

The question about disability was included for the first time in the 2001 Census and was intended to take account of households having members with disabilities. Conversely, in the 2010 Census, the persons suffering disabilities were directly surveyed. This made it possible to gather information about the kind of disability suffered, basic demographic characteristics and migration, educational and occupational conditions of each disabled individual.

INDEC also participates actively in meetings with CONADIS (Argentine Committee on Disability), where it coordinates the working group on Statistics, and is a member of the Washington Group on Disability Statistics and of the WHO expert group that works on this issue.

Same-sex couples

A significant methodological change from the 2001 Census took place regarding same-sex couples. Until the 2001 Census, households recorded as consisting of a same-sex couple were regarded as erroneous records.

INDEC changed this during the 2010 Census and later released information related to homosexual couples that live together. This is in line with the Same-Sex Marriage Act, enacted by Argentine Congress in July 2010, which recognizes the same rights both for same-sex and opposite-sex couples.

Trans population

INDEC, with the participation of the social organizations involved in the issue of sexual diversity, developed the "First Pilot Survey on Trans Population: Transvestites, Transsexuals, Transgenders and Trans Men", which will be implemented in 2013.

The purpose of this survey is to describe the living conditions and socio-demographic characteristics of the Trans population and, in turn, to look into their experiences related to discrimination, legal literacy, access to justice, health and housing.

Senior citizens

Along with the Ministry of Social Development, through the Argentine Office of Policies for Senior Citizens of the Argentine Secretariat of Childhood, Adolescence and Family, INDEC is preparing a survey of the social, economic and health situation of senior citizens in Argentina. This survey is carried out as part of the policy aimed at the integration of senior citizens into active and full life, with protection and prevention by the Government.

Gender violence

INDEC is working along with the Argentine Council on Women on the systematization and harmonization of gender violence records generated in different governmental institutions (both at federal and provincial level) and in the judicial branch. The purpose is to establish a single set of variables or statistical indicators regarding socio-demographic profiles of victims, perpetrators or assailants.

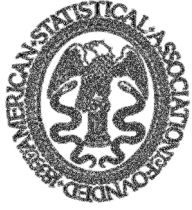
Such harmonization, along with the collection of data on gender violence victims, will serve the purpose of establishing public policies for women that have suffered violence.

Victimization and citizen violence

Along with the Office of Criminal Policy of the Ministry of Security, INDEC is working on contributing to the identification, collection, systematization, analysis and dissemination of data and information on security monitoring in Argentine territory and its potential geo-referencing.

The conduct of a National Victimization Survey is projected for 2013.

TRANSLATED FROM SPANISH. Buenos Aires, 26 July 2012.
H:/DIGHU/iIndec



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August 9, 2012

The Honorable Jorge Argüello
Ambassador of Argentina to the United States of America
1600 New Hampshire Ave, NW
Embassy of the Argentine Republic
Washington, DC 20009

Dear Mr. Ambassador,

Thank you for the communication from your embassy to the American Statistical Association (ASA) on July 25 that included a statement prepared by INDEC.

As you requested, we distributed your cover letter and the INDEC document at the August 1 Joint Statistical Meetings session titled "Repression of Statistics and Statisticians by the Argentine Government: Recent Developments, the Human Rights Context, and International Responses." A copy of your letter and the INDEC statement also were posted on the ASA website (www.amstat.org).

We write to share with you the attached response by the ASA to the INDEC communication. It was prepared by members of the ASA Committee on Scientific Freedom and Human Rights.

You will note in the ASA statement that we identify five specific concerns. Primary among them is the Argentine government's continuing mistreatment of individual statisticians, economists, and research organizations that are producing independent economic statistical data and estimates.

We take this opportunity to convey to you the ASA's commitment to work with the government of the Argentine Republic to resolve our concerns, as well as assurances of our continued good wishes.

Respectfully yours,

Handwritten signature of Ron Wasserstein.

Ron Wasserstein
Executive Director
American Statistical Association

Handwritten signature of William Seltzer.

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

Response of the American Statistical Association to the statement of the Argentine Institute of Statistics and Censuses (INDEC), submitted to the ASA by the Embassy of the Argentine Republic, Washington, DC, on July 26

The American Statistical Association (ASA) welcomes the response—conveyed to us by the Embassy of the Argentine Republic in Washington, DC—of Argentina’s Institute of Statistics and Censuses (INDEC) to the concerns that prompted the recent session titled “Repression of Statistics and Statisticians by the Argentine Government” at the ASA’s Joint Statistical Meetings. As requested, copies of the Argentine government’s response were made available to attendees of this session and posted on the ASA website. We appreciate the willingness of the Argentine government to engage with us on these matters.

Our concerns are the following:

1. The wholesale replacement for apparent political reasons in 2007 of the professional staff at INDEC engaged in compiling the Consumer Price Index (CPI)
2. The evident degradation of accuracy and underestimation of inflation by INDEC that has occurred since 2007
3. The use of vague and largely unspecified methodologies for price collection and CPI estimation employed by INDEC since 2007
4. The fines levied and the threats of criminal sanctions made against statisticians, economists, and research organizations that have compiled and released private indices of inflation beginning in 2011 in response to public requests for reliable estimates of inflation
5. Attempts to suppress reporting by national and international media outlets about the continuing repressive measures levied by the Argentine government on statisticians and others actively compiling alternative inflation estimates

We note that the ASA is not alone in raising one or more of these concerns. The Argentine government’s actions directly related to these issues also have been questioned or criticized by such leading organizations as the UN Committee on Economic, Social, and Cultural Rights; International Monetary Fund; International Statistical Institute; and national statistical societies of France, Korea, and the United Kingdom. They also have been questioned or criticized by such well-respected international media outlets as *Bloomberg Business Week*, *The Economist*, *The New York Times*, and *The Wall Street Journal*, as well by several Argentine newspapers.

The ASA deeply regrets the actions of the Argentine government with respect to all the points enumerated previously, but is particularly concerned about point four above: the targeting of Argentine statisticians and research organizations by the government. Under no circumstances can fines and threats of criminal sanctions for developing and presenting independent statistical data or estimates be justified.

The response of the Argentine government references a complaint made by the Chamber of Fruit and Vegetable Wholesale Businesses of the Buenos Aires Central Market (chamber). In its complaint, the chamber charges that the release of inflation indices prepared by private consultants have “caused” lower consumption and led to losses on their part.

This attribution of cause makes little sense, since it is far more likely that the inflation experienced by consumers—rather than the release of privately prepared indices—caused whatever decrease in the demand for fruits and vegetables that may have occurred. The chamber’s claim led to fines levied against several companies and one individual, as stated in your letter.

INDEC also refers to the “confusion and uncertainty” that could be caused by what it considers “inaccurate” inflation estimates prepared by one of the private consulting firms. The ASA believes that “confusion and uncertainty” are inherent in every market economy—particularly when the confidence of users in official figures has been impaired—and that the publication of differing views is, in fact, a contribution toward helping market agents appreciate the real risks they face.

The INDEC statement continues by claiming, “The right to free speech and work cannot entail the endorsement of an irresponsible environment that leads to generating confusion and economic instability through the dissemination of inaccurate data and to causing damage to other segments of society.”

To the contrary, this view means that the right of free speech is restricted to the right to agree with the government. Without the right to be “wrong,” in the eyes of the government, there is no right to freedom of speech at all.

We hope 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.

Alexandria, Virginia
August 9, 2012