

**OPEN LETTER OF POLISH STATISTICAL ASSOCIATION
TO THE PUBLIC OPINION, THE MEDIA, SCIENTIFIC CIRCLES,
STATE AND LOCAL GOVERNMENTS
AND TO ALL USERS OF PUBLIC STATISTICS**

The Main Council of Polish Statistical Association, anxious about the serious danger to the statistical confidentiality, and, at the same time, to integrity of Polish official statistics that was created by actions of the public prosecutor's offices in Suwałki, Białystok, Ryki, Biała Podlaska and the standpoint of the National Prosecutor's Office feels obliged to inform the public opinion on current situation and to warn against its fatal consequences for the public as well for statistical reliability.

Statistical confidentiality is the legal, methodological, moral, ethical and scientific duty of the official statistics services in Poland as well as all over the world. It means, that individual (concerning business entities) and personal data (concerning persons) will never be disclosed and used for purposes other than statistics as provided in the Law on official statistics, 29th June 1995, as well in international rules. In practice it means that no features or data which can make possible to identify a person or a business entity being respondents of the official statistics can be disclosed to anybody, among others to the public prosecutor's office and the police.

The statistical confidentiality has been in force in Polish official statistics since the establishing of Central Statistical Office *i.e.* since 13th July, 1918 and has never been violated by using lawful means. This law standard is obligatory in such provisions of law like UNO or OECD systems, has special position in European Code of Statistical Practices and is a standard base of official statistics accepted all over the world.

All above mentioned solutions were accepted by the Polish government and in the Polish Law there is no decision annulling or limiting the scope of the statistical confidentiality. Upon EU accession the Republic of Poland has accepted all the regulations concerning the official statistics including the rule of the statistical

confidentiality. In this situation the action of public prosecutor's offices, seeking to receive access to individual data protected by statistical confidentiality by way of a legal compulsion and severe economic sanctions, as well as lack of limitation such as dealing of the National Prosecutor's Office are astounding at least and became a very bad precedent recently. For the first time **the head of the central office of the public administration has been punished due to observing the law!** An evasion used to circumvent the rules of statistical confidentiality consist in changing statistical confidentiality to company secret in spite of explicit lack of legal basis and logical assumptions. We would like to stress that such an attempt of legal breach and abolition of statistical confidence in jurisdiction interest is explicitly wrong, and, at the same time, very detrimental to Polish society and to national economy. It can also suggest that the interest of local prosecutor's office is more important than the interest of the state, nation, economy and science.

The statistical confidentiality means a guarantee for respondents that nobody except official statistics services will use their individual or personal data and identifiable data will be used solely for statistical analyses. Respondents should be sure that they can provide true information securely. To constitutional state authorities of the Republic of Poland, government and local-government administration, to economic organisations, scientists and all users of statistical data, observance to the statistical confidentiality is one of the fundamental conditions for receiving reliable information.

In practice and in theory statistical surveys indicate clearly in Poland and all over the world that each breach of statistical confidentiality causes irreversible damages in statistics perception and loss of public approval. Without right, reliable and proper statistical information there are no conditions for assessing different aspects of reality correctly, making right decision nationwide and on an international scale is hampered, forecasting of future becomes problematic, information society foundations shake etc. In this context the prosecutor's attempt to exhort a breach of statistical confidentiality is a very destructive activity with irreversible negative consequences. Open issue is to make mandatory provisions of law in this matter clear.

On the other hand, the need to enlarge the access to unidentifiable statistical data is necessary for scientific surveys. It's not our national question only. EUROSTAT, European Commission, the Council of Europe, OECD and UNO are currently working on the solution to the problem. All, however, are trying to find a solution including such a basic principle like the protection of statistical confidentiality. We hope the proceedings will be effective and will satisfy all user of statistical information.

Expressing their opinion on this subject, the members of the Polish Statistical Association, which gathers numerous representation of official statistics servants and scientific circles and is affiliated to the International Statistical Institute being the most important and the biggest international statisticians organisation, expect to provoke a certain public reflection and cause activities to strengthen and to protect foundations providing the right functioning of the Polish official statistics.

President
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