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Measuring human rights abuse

Despite growing attention to human rights, no government, international organisation or NGO collects quantified global or regional data on human rights abuse. Determining whether such abuse is increasing or decreasing is extremely difficult.

There is more to security than counting conflict numbers, war deaths or terrorist attacks. Core human rights violations—such as torture; extrajudicial, arbitrary and summary executions; the ‘disappearance’ of dissidents; and the use of government-backed death squads—are also an integral part of the human security agenda. But mapping trends is problematic.

The UN’s Commission on Human Rights is mandated to monitor and report on the human rights situation in member states, but it has signally failed to do so in any consistent and impartial manner.

Major human rights organisations provide detailed accounts of human rights abuses in individual countries, but they have long resisted any attempt to provide quantified measures of violations. They point to the inherent unreliability of much of the data and argue that brutalising 10 citizens is as unacceptable as brutalising a thousand. Any

system of ranking that might imply that the former is more tolerable than the latter should be rejected, they argue.

But without quantitative annual audits, neither governments, international agencies, nor the human rights community can determine global or regional trends in core human rights abuse. And knowing whether abuse is increasing or decreasing is a necessary condition for evaluating the impact of human rights policies.

The Political Terror Scale

A little-known dataset developed at Purdue University some 20 years ago, and now maintained at the University of North Carolina, Asheville, by researchers Linda Cornett and Mark Gibney, goes a significant way toward addressing the measurement challenge.³⁰

The Political Terror Scale (PTS) uses annual reports from Amnesty International and the US State Department to measure the human rights situation in individual countries.³¹ The higher a country ranks on the five-level scale, the worse its human rights record.

- **Level 1.** Countries operate under a secure rule of law. People are not imprisoned for their views, and torture is rare or exceptional. Politically motivated murders are extremely rare.

- **Level 2.** There is a limited amount of imprisonment for non-violent political activity. Few persons are affected, and torture and beatings are exceptional. Politically motivated murder is rare.
- **Level 3.** Imprisonment for political activity is more extensive. Politically motivated executions or other political murders and brutality are common. Unlimited detention for political views, with or without a trial, is also commonplace.

In five regions the human rights situation has improved since 1984.

- **Level 4.** The practices of Level 3 affect a larger portion of the population. Murders, disappearances and torture are a common part of life. But in spite of the pervasiveness of terror, it directly affects only those who interest themselves in politics.
- **Level 5.** The terrors characteristic of Level 4 affect the whole population. The leaders of these societies place no limits on the means they use, or the thoroughness with which they pursue, personal or ideological goals.

This scale assumes a constant interval between each level—so a Level 4 score is taken as equivalent to two Level 2 scores. This assumption allows researchers to sum the scores for all the counties in a region. The total score is then divided by the number of countries to arrive at an average score for the region.

What do the PTS trend data reveal?

The PTS indicates that the level of human rights abuse in the developing world appears to have remained relatively constant for the 24 years that the researchers have been collating data. (There are not enough data on human rights abuses in the developed world to chart trend lines.) There is certainly nothing comparable to the dramatic rise and fall in armed conflicts for the same period, or to the long-term downward trend in battle-deaths.

In five out of the six regions in the developing world for which data have been collected the human rights situation has improved modestly since 1994.

There is good reason to believe that human rights abuses have been under-reported in the past and that this under-reporting is reflected in the PTS data. If this is indeed the case then the human rights situation in the developing world has likely improved over the last 20-plus years.

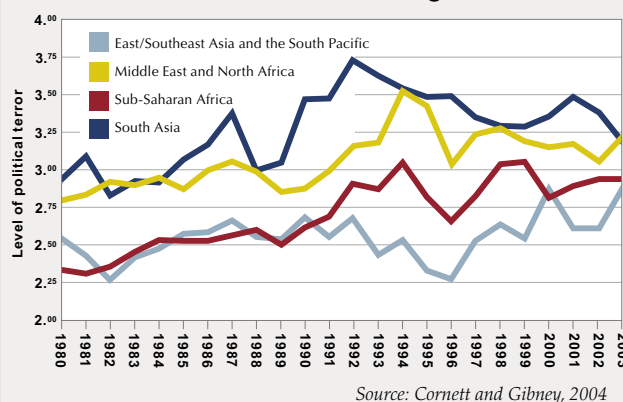
The data for the four regions in Figure 2.6 show a small net increase in human rights abuse over the whole 24-year period.³² But in the Middle East and North Africa, sub-Saharan Africa, and South Asia, the data reveal a modest decline in abuse from the early to mid-1990s to 2003. In East/Southeast Asia and the South Pacific the human rights situation worsened from the mid-1990s.

In Eastern Europe and Central Asia, and in Latin America and the Caribbean, the trend data indicate a net improvement in the human rights situation over two decades (Figure 2.7).

How reliable are the PTS trend data?

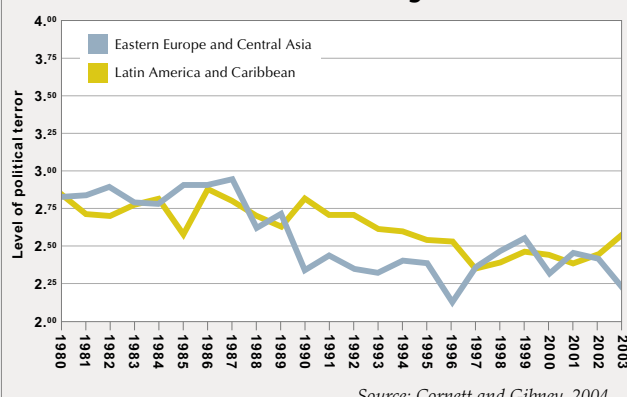
The measurement methodology used in the Political Terror Scale confronts a number of challenges. First, the method

Figure 2.6 Political repression 1980–2003:
A net increase in four regions



In four developing country regions the data indicate that human rights abuse rose slightly over the 24-year period. But in three of the four regions, there has been a modest improvement in the past decade.

**Figure 2.7 Political repression 1980–2003:
A decrease in two regions**



In Eastern Europe and Central Asia and in Latin America and the Caribbean the data indicate a net decline in human rights abuse.

used to determine a country's annual PTS ranking on the five-point scale is inherently subjective, relying heavily on coders' judgments of the scope and intensity of human rights abuses.

Second, the Amnesty International and State Department reports are far more comprehensive today than they were two decades ago. Both organisations rely on media reports. One recent study found that the percentage of articles mentioning 'human rights' in the *Economist* and *Newsweek* more than doubled between 1980 and 2000.³³ This suggests that abuse levels were likely under-reported in the past.

Better reporting today means that fewer human rights abuses go unrecorded than in the past.³⁴ This in turn means that the human rights situation today is almost certainly better than the trend data suggest.

Third, the Political Terror Scale coding practices have likely undergone subtle changes over the years, according to Cornett and Gibney. For example, levels of abuse in Latin America that would be scored as Level 3 today may well have been counted as Level 2 in the early 1980s when gross human rights abuses were more common, and countries were generally held to lower standards. If such an unconscious coding shift has indeed occurred, this again suggests that abuse levels in the past were likely higher than the trend data indicate.

Fourth, the PTS fails to 'capture the all-pervasive *threat* of violence in a totalitarian state'.³⁵ When governments rule by fear, they may not need to resort to physical coercion.

Fifth, the dataset is not population-weighted: data from Nepal are given the same significance as data from China, which has over 50 times more people.

There may well have been more human rights abuse in the past than the trend data suggest.

Sixth, data for developing countries are not reproduced here because the Amnesty and State Department reports have not always covered them consistently or in depth.

Taken together, these data challenges suggest we should approach the PTS findings with some caution. But notwithstanding the qualifications, in the absence of any other data, the Political Terror Scale sheds much-needed light on a murky corner of human insecurity.



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Tracking criminal violence

Why include criminal violence in a global human security audit? Because violent crime kills far more people than war and terrorism combined. And while less than one-sixth of states are currently afflicted by armed conflict, all suffer from criminal violence.

Political violence and murder share obvious similarities: both involve intentional killing. They are also very different. While war is a quintessentially political activity, homicide is not. Armed conflicts engage large numbers of fighters and require considerable organisation. Most criminal violence, by contrast, involves individuals or small groups, and requires little complex organisation.

Some scholars argue that the traditional distinction between war and violent crime breaks down in many of today's civil wars. Ohio State University's John Mueller, for example, contends that many armed conflicts are now little more than collective criminal violence waged by gangs of thugs for private gain. Similarly, Paul Collier, former director of the World Bank's research department, has described rebellion as a 'quasi-criminal activity'.³⁶

The traditional distinction between crime and war breaks down in other ways. In some cases, rebels

resort to violent crime to generate funds for military ends. In others, governments label armed resistance directed against them as 'criminal violence' in order to delegitimise it.

A nexus of criminal and political violence

There is another reason to include criminal violence in a human security audit. Political violence and violent crime can be causally related.

One recent study found that homicide rates increase by an average of 25% for some five years following the end of civil wars.³⁷ This is not surprising. War erodes the legal and normative restraints on violence that prevail in times of peace. And wartime habits of violence can carry over into peacetime.

Civil wars are often followed by revenge killings, while demobilised soldiers frequently wind up unemployed, turning to violent crime in order to support themselves and their families.

Despite the obvious connections between criminal and political violence, both governments and researchers have traditionally dealt separately with violent crime and armed conflict.

In government, violent crime is the responsibility of justice departments, while war remains the province of

foreign ministries and defence departments. Among researchers, criminologists deal with violent crime, while political scientists focus on war. These divisions of labour make sense much of the time, but not where political and criminal violence overlap so much that they become virtually indistinguishable.

The international community is now beginning to pay more attention to the links between political and criminal violence. This is particularly true in post-conflict reconstruction programs, and is evident in the strong emphasis being placed on reintegrating former fighters into society and on reforming the police, judiciary and security forces.

In addition, rising international concern about terrorism following September 11, 2001, has led to much greater cooperation between crime fighters and security services in counterterrorist operations around the world.³⁸

The data challenge

It is far from easy to determine global trends in criminal violence.

First, definitions of violent crime vary. For example, deaths from terrorism, war and genocide are not usually defined as homicides. But in some countries, some of the time, they are. Definitions of sexual assault also vary considerably.

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Second, bureaucracies in developing countries have fewer resources and less experience in collecting and collating data. They may be more susceptible to political interference. Sometimes there is no clear distinction between the military and the police, which increases the likelihood that deaths from terrorism or armed conflict will be recorded as criminal acts.

Third, international agencies use varying data collection methods, which can lead to widely divergent estimates. The World Health Organization, for example, estimated the homicide rate for Africa in 2000 at 22 per 100,000 people.³⁹ Interpol's estimate for the same year was less than one-third of WHO's: 6 per 100,000.⁴⁰

Fourth, major problems arise from under-reporting and under-recording. Rape is universally under-reported and in some countries under-recorded.

Fifth, statistics are often simply unavailable—in most years fewer than 50% of governments provide homicide and rape data to Interpol.

Finally, the countries that fail to provide data are disproportionately poor, which means they are much more likely to have been involved in civil wars. Both poverty and a recent history of warfare are associated with higher than average homicide rates.⁴¹ It is likely, therefore, that global and regional violent crime rates significantly understate the real level of violence.

All of these factors, taken together, hinder the effective collection and analysis of regional crime data.⁴² And this in turn makes attempts to track trends in violent crime inherently problematic.

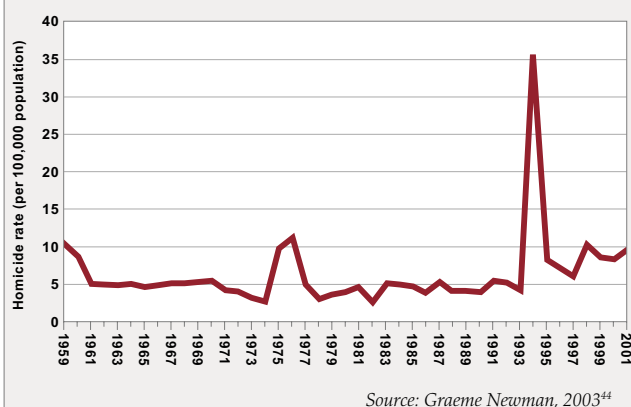
The global homicide rate

The following discussion draws on an analysis of global crime trends produced for the Human Security Centre by Graeme Newman, editor of the UN publication *Global Report on Crime and Justice*.⁴³ It focuses on two major threats to human security—homicide and rape.

Figure 2.8 shows the reported global homicide rates from 1959 to 2001. The trend line is relatively stable, but with two significant peaks. It is likely, however, that the two peaks reflect either misreporting, or political violence in certain countries being counted as homicides.

The 1975 to 1976 peak appears to be the result of a huge and inexplicable increase in the number of reported homicides in Nigeria (from about 1500 in 1974 to more than 42,000 in 1975) and in Peru (from just over 400 to nearly 6000 between 1975 and 1976). In neither of these countries were there then reports of major

Figure 2.8 World homicide rates, 1959–2001



The peaks shown here may be the result of war and genocide deaths being counted as homicides. The 1994 peak, for example, is likely attributable to the Rwandan genocide.

armed conflict or genocide. Since real homicide rates would not increase so steeply in such a short period of time, this increase has no obvious explanation—other than misreporting.

And the 1994 peak likely reflects the decision by the Rwandan government to categorise as homicides the estimated 800,000 deaths from the genocide.

If these anomalous spikes are ignored, then the global homicide rate appears to have been relatively stable for some 40 years. Certainly, there have been no changes remotely comparable to the dramatic increases and decreases in battle-deaths during the same period.

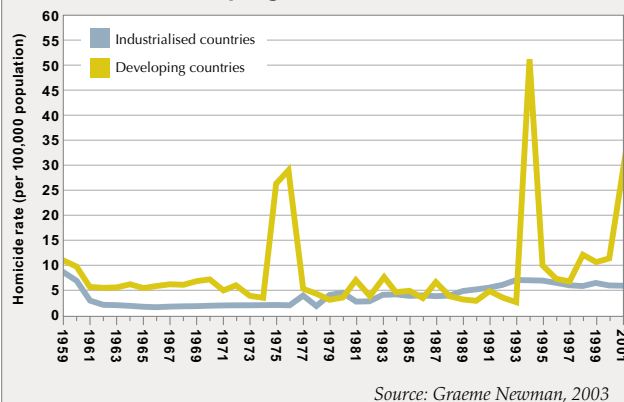
Homicide, North and South

Comparing the reported homicide rates for developing and industrialised countries further illustrates the difficulty of analysing the data (Figure 2.9).

The volatility shown in the trend line for developing countries reflects the fact that some of these countries experienced civil war and genocide, and that deaths from these causes were being reported as homicides. In Figure 2.9, the peaks caused by the Rwandan genocide and the increased ‘homicide’ counts in Nigeria and Peru become even more obvious.

The sharp upsurge in 2001 is mostly due to a seven-fold increase in the Africa-wide homicide rate from 2000 to 2001. Since ‘normal’ homicide rates never increase so steeply in so short a period, this spike can almost certainly be attributed to recording war deaths as homicides—or to misreporting.

Figure 2.9 Homicide rates in industrialised and developing countries, 1959–2001



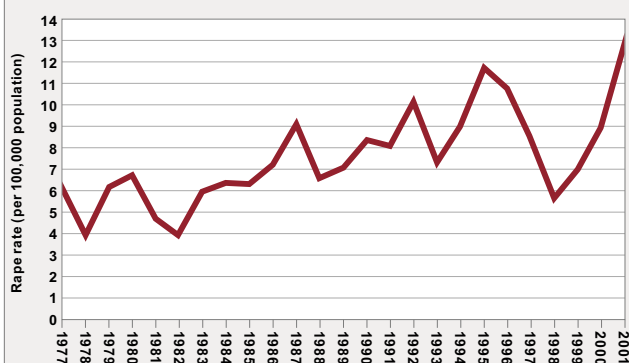
Reported homicide rates in industrialised countries are stable compared with those in the developing world.

A world view of rape

Tracking global rape trends (Figure 2.10) became possible only after 1976, when Interpol began analysing the statistics for rape and other sexual offences separately. Although more common than homicide, rape remains chronically under-reported. In 1996 the United Nation’s Office on Drugs and Crime (UNODC) conducted a crime victim survey in 10 industrialised countries and found that, on average, only one in five cases of sexual violence was ever reported to authorities.⁴⁵

The reasons for under-reporting vary considerably. Chief among them is the desire of many rape victims to avoid the social stigma associated with sexual assault, and the personal trauma of recounting the ordeal and participating in the police investigation and in any subsequent trial. Many victims also fear, often with good reason, that their accusations will not be taken seriously.

Figure 2.10 World rape rates, 1977–2001



Source: Graeme Newman, 2003

The reported global rape rate more than doubled between 1977 and 2001. This may reflect increased reporting rather than more rape; it could reflect both.

As with homicide statistics, fewer than 50% of countries around the world publish rape statistics in any given year. However, as the UN's *Global Report on Crime and Justice* has pointed out, the number of countries (not individuals) reporting sexual violence increased in the 1990s, reflecting the growing seriousness with which rape is being viewed internationally.⁴⁶

Establishing statistical trend data on sexual offences is further complicated by different definitions of rape. Marital rape, for example, is counted as a crime in some countries but not in others.

Part of the reason for the volatility in the reported world rape rate is that the incidence of rape—like that of homicide—can increase dramatically during civil strife or genocide. For example, the spikes in the global rape rate between 1992 and 1997 correspond to periods of political violence in Rwanda and the former Yugoslavia, where extremely high levels of rape were reported.

But this explanation does not account for other peaks and troughs: the doubling between 1998 and 2001, for example. Much of this volatility may be due to inaccurate reporting and recording.

The regional rape statistics offer some insight into the problems of getting accurate data. For example, the so-

called New World countries of the United States, Canada, Australia and New Zealand had the highest reported incidence of rape in the world for most of the period under review (1977 to 2001)—well over 10 times that of Asia.

Is this because rape really is more prevalent in these countries? Or do the relatively low reported rape rates in Africa (prior to 1993), Central and Eastern Europe, and Asia reflect serious under-reporting of sexual violence?

The latter is certainly part of the answer. In many countries in these regions, victims of sexual violence have little legal recourse and may become the victims of reprisals if they report the rape to authorities.

Under-reporting and under-recording are also greater where the police and the judiciary fail to take sexual violence seriously, or fail to act on, or even to record, complaints from victims. In many industrialised countries, public information campaigns have increased the sensitivity of policing bureaucracies to the problem of rape, and have led to an increase in reporting.

Much of the volatility in the reported rape rate may be due to inaccurate reporting and recording.

But none of this can explain why reported rape rates are *several times* higher in the New World states than in Western Europe. We do know from UNODC's 1996 crime victim survey that the difference between Western Europe and North America is not a result of differences in *reporting* rates—these are not great enough to explain the large differences in the *recorded* rape rates between Europe and North America.⁴⁷ If the disparities between Europe and the New World countries are not a function of differences in the rate of reporting, how can they be explained?

Part of the answer may be that some states in Australia and some provinces in Canada still subsume the crime of rape into the broader category of 'sexual assault', which also includes lesser offences that occur more frequently.

CHILDREN, DRUGS AND VIOLENCE IN RIO

Violence and illegal narcotics often go hand in hand. Nowhere is this more so than in Rio de Janeiro, where criminal drug gangs use armed children to help run the trade. Thousands of children have been killed in violent shoot-outs with the police or rival cartels.

An estimated 5000 to 6000 youths and adolescents were involved in Rio de Janeiro's drug trade in 2003.⁴⁸ Employed and armed by the main drug factions, they take part in violent confrontations with rival groups and with security forces, in much the same way that child soldiers fight in rebel armies.

The drug gangs seek to control the Rio slums through territorial and paramilitary domination.⁴⁹ There are frequent armed disputes over territory, often leading to violent show-downs with police.

Rio's annual criminal death toll is so high that it sometimes exceeds the death toll in Colombia, where a violent civil war has been waged for decades. There were an estimated 60,000 conflict-related deaths in Colombia from the 1980s to 2003.⁵⁰ During the same period, Rio de Janeiro reported 49,913 firearms fatalities, 70% of them attributed to drug-related violence.⁵¹

From December 1987 to November 2001, 467 Israeli and Palestinian youth were killed in Israel and the occupied territories.⁵² During the same period, 3937 under-18-year-olds were killed by gunfire in the municipality of Rio de Janeiro alone.⁵³

The similarities between children recruited into the drug trade and into rebel armies are striking. Although joining a drug ring in Rio is by and large voluntary, many poor children have few other options and may get involved when they are as young as eight years old. The majority are 15 to 17 years old, as is true in many documented cases of child soldiers.⁵⁴

Like child soldiers, youth working for Rio's drug cartels also function within a hierarchical structure maintained through orders and punishment, including summary executions. Drug lords provide the youth with arms, including assault rifles, machine guns and grenades, and the youth openly display these in the communities they patrol.

Children involved in the drug trade are sometimes targeted by police for summary execution. In 2001 officers killed a total of 52 under-18-year-olds during police operations.⁵⁵

Military solutions to Rio de Janeiro's drug trafficking disputes are unlikely to work. Wars end but the drug trade doesn't—and this is where the parallel to the plight of child soldiers breaks down. Criminal gangs will continue to compete for control of the drug trade as long as the drugs remain illegal and people continue to buy them. While demobilisation programs make sense for child soldiers once peace agreements are signed, peace agreements have no counterpart in the constant violent struggle to control the drug trade. And to categorise children working in drug gangs as soldiers may serve only to legitimise the already high levels of lethal state force used against them.

Efforts to ease the plight of children affected by, and involved in, organised armed violence is not, of course, restricted to Rio. Viva Rio, a Brazilian NGO working to reduce violence against children, is collaborating with the International Action Network on Small Arms to coordinate research in other countries where children are involved in gang violence.

Additionally, the Children and Youth in Organized Armed Violence (COAV) program is working with local partners in Colombia, Ecuador, El Salvador, Haiti, Honduras, Jamaica, Nigeria, Northern Ireland, the Philippines, South Africa and the United States. Its focus is on children and youth employed or otherwise participating in organised armed criminal violence where there are elements of a command structure and power over territory, local population or resources. This definition helps distinguish COAV's work from that of researchers dealing with child soldiers or violent youth crime perpetrated by individuals. Violent youth groups encompassed by this mandate range from 'institutionalised' street gangs in El Salvador, Honduras and the United States, to politically motivated armed groups known as 'popular organisations' in Haiti, to vigilante groups and ethnic militia in Nigeria. Through comparative analysis, COAV is seeking to understand the causes of youth-organised armed violence and to identify creative solutions and best-practice policy responses.⁵⁶



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We can reliably document trends in political violence but not for violent crime—global statistics on murder and rape are simply too problematic.

This explanation cannot, however, account for the extraordinary volatility in reported rape rates in the New World nations, where the average reported rape rate for the four countries more than halved, and then more than doubled, *twice*, between 1977 and 1983. Indeed, there is no obvious explanation for these changes—it is impos-

sible to believe that *real* rape rates could change so dramatically and quickly.

No firm conclusions

Global *political* violence data for the post–World War II era show unmistakable and highly significant trends. There are no comparably clear trends in global *criminal* violence, at least not for homicide and rape.

The most serious problem with the homicide statistics is the lack of data for many countries and the erratic reporting in many others. With respect to sexual violence, determining whether the apparent increase in the world rape rate is due to better reporting and recording, or is due to a real increase in the incidence of rape, or to both, is simply impossible.

As long as these problems continue to compromise the collection and collation of violent crime statistics, it will be impossible to track trends in global or regional homicide and rape rates with any real degree of confidence.