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### The Work of Amnesty International and Human Rights Watch: Evidence from Colombia

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La serie Documentos de CERAC busca presentar al público avances de investigación sobre análisis de conflicto desde una perspectiva académica.

- ▶ Andrés Ballesteros estudió economía en la Universidad Nacional de Colombia. Su trabajo en CERAC se enfoca en la medición de varios tipos de violaciones a los derechos humanos y acciones de paz, como también a temas relacionados con la producción y transferencia de armas pequeñas y ligeras.

Jorge A. Restrepo estudió Economía en la Universidad Javeriana, la Universidad de Cambridge y el Royal Holloway - Universidad de Londres, donde termina su doctorado en economía. Actualmente es Profesor Asociado del Departamento de Economía de la Universidad Javeriana en Bogotá. Jorge se especializa en análisis económico de conflictos y violencia.

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- ▶ The Conflict Analysis Resource Centre (CERAC) is a private research organization specialized in data-intensive studies of conflict and criminal violence. Based in Bogotá, Colombia, CERAC was established in December 2004 by an international and multidisciplinary group of researchers.

One of the main objectives of CERAC is the investigation of spatial and temporal dynamics of violence from a wide variety of methodological perspectives, emphasizing the human impact of conflict and crime.

The series Documentos de CERAC sought to disseminate preliminary research work on Conflict Analysis from a variety of academic methodological perspectives.

- ▶ Andrés Ballesteros studied economics at the Universidad Nacional de Colombia. His work at CERAC focuses on the measurement of various types of human rights violations and peace actions, in addition to issues regarding the production and transfer of small arms and light weapons.

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# The Work of Amnesty International and Human Rights Watch: Evidence from Colombia†

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## *Abstract*

We process the main written output of Amnesty International and Human Rights Watch on Colombia covering the period 1988-2004, recording all numerical conflict information and accounts of specific conflict events. We check for internal consistency and against a unique Colombian conflict database. We find that both organizations have substantive problems in their handling of quantitative information. Problems include failure to specify sources, unclear definitions, an erratic reporting template and a distorted portrayal of conflict dynamics. Accounts of individual events are fairly representative and much more useful and accurate than the statistical information. We disprove a common accusation that Amnesty International and Human Rights Watch rarely criticize the guerrillas, but do find some evidence of anti-government bias. The quantitative human rights and conflict information produced by these organizations for other countries must be viewed with scepticism along with cross-country and time series human rights data based on Amnesty International reports.

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## 1. Introduction.

The free flow of accurate information on patterns of violence can make a critical contribution to conflict resolution. Yet warring parties tend to compete to distort the relevant information in their favor. Independent monitoring of conflict violence coupled with the public dissemination of high-quality information can, therefore, be a valuable tool for conflict resolution. Reliable and unbiased human rights (HR) reporting should be a central component of any such monitoring project.

Amnesty International (AI) and Human Rights Watch (HRW) are two of the most important institutions in the international human rights dialogue. They played critical roles in elevating human rights to the core of the international agenda, with AI even winning a richly deserved Noble Peace Prize in 1977. While neither organization can dictate any country's foreign policy both have prestigious voices that cannot be ignored and indeed have had very positive impact in ameliorating HR in many countries as documented thoroughly on the websites of both organizations.<sup>1</sup> However, we believe that there is room for improvement in the handling of quantitative information by the two institutions. Strengthening the evidence basis of HR reports can expand the credibility and influence of AI and HRW and hence enhance their impact on HR promotion and conflict resolution.

In this paper we evaluate the quality of AI and HRW reporting on conflict and violence through in-depth study of the major written material of the two organizations on a single country: Colombia. We acquired all Colombia output of AI and HRW, in English or Spanish, in hard copy or electronic form, covering the period 1988-2004. We processed the major pieces, excluding smaller items such as press releases. The period provides a long time perspective and contemporary relevance while facilitating comparisons with an event-based conflict database on Colombia, which we describe below. AI and HRW do a remarkable job of illuminating many places and issues that are often neglected by mainstream media sources. Of course, their coverage is not comprehensive but it is unrealistic to expect AI and HRW to provide detailed accounts of the totality of human rights violations in every country of the world. Nevertheless, it is important to evaluate the quality and balance of the reports on the places that AI/HRW do cover as we do in this paper. Further detailed country studies of AI/HRW output will reveal exactly how representative the Colombia case is; however there is no doubt that Colombia has been a significant concern for both AI and HRW during these years.

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<sup>1</sup> Clark (2001) gives a history of AI and Welch (2000) has essays on a number of human rights NGOs including AI/HRW. They leave little doubt about the importance of AI/HRW in the international arena.

With this work we make multiple contributions. First, we illuminate discussions of the Colombian conflict, a large-scale and long-standing human security crisis. AI and HRW have very high media profiles in Colombia, with particularly heavy coverage given to the Colombia sections in their annual reports and visits of high-ranking AI and HRW personnel. Moreover, AI and HRW influence the governments of wealthy countries that aid Colombia such as the US and the UK. Thus, the nature of AI/HRW Colombia reporting is highly relevant for understanding the Colombian conflict itself and for alleviating the human suffering stemming from this conflict. Second, AI and HRW report regularly on conflict and HR violations all over the world and exercise significant influence in many of these contexts. Our detailed analysis of AI/HRW Colombia reporting suggests that the effectiveness of these efforts may be attenuated by quality problems in their quantitative output. It further suggests that social science efforts to construct human rights data on top of AI/HRW foundations are dubious.<sup>2</sup> Third, we provide a methodology that can be applied to the reporting of AI, HRW and other organizations, e.g., the US State Department or the UN Commission on Human Rights, on other countries. Thus, we initiate a larger research agenda on the quality of global conflict and HR monitoring in a variety of governmental, non-governmental and international organizations in the contemporary world.

Our main conclusion is that the quantitative material in AI and HRW reports has wide room for improvement. Information sources are often unspecified along with definitions of variables. There is little continuity of coverage with the selection of statistics varying from year to year. Some figures even seem to be quite inaccurate according to the event-based data we use in our comparison.<sup>3</sup> AI and HRW are at their best when reporting on specific events. We also find some degree of anti-government bias, albeit amidst a clear willingness from both organizations to criticize Colombia's left-wing guerrillas. It is probably best to view AI and HRW primarily as government watchdogs, applying human-rights pressure mainly to the actors who are most likely to respond to it.

We now tie our paper to the social science human rights literature. Ron, Ramos and Rodgers (2005) analyzed country-specific AI press releases and background reports, 1986-2000, finding that AI's country focus is, as expected, driven by the severity of human rights violations but also responds to such factors as state power, media coverage and armed conflict violence. NGO Monitor (2005) studies HRW reporting on the Middle East, applying a point-scoring

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<sup>2</sup> Landman (2006, ch. 5) includes a survey of such attempts. Kalyvas (2006, note 14, p. 51) argues, citing further sources, that AI has purposely organized its reports so as to thwart their use in building time series and cross-country human rights data.

<sup>3</sup> AI and HRW do not specialize in quantitative information and do not claim to do so. Nevertheless, they do publish quantitative information out and many people read it with expectations of quality and accuracy so it is important to scrutinize this information carefully.

methodology to tally the targets and types of various releases and finds anti-Israeli bias. These two studies range across one NGO's output to discover how it allocates its resources. In contrast, we evaluate the written AI/HRW output in depth on a single country and identify various problems. Similarly Restrepo, Spagat and Vargas (2006) identify various weaknesses and strengths of the Colombia components of several cross-country conflict databases.

Poe, Carey and Vazquez (2001) also range across countries, comparing the annual AI and State Department reports, 1976-1995. Each report is compressed down to a single measure of state repression on the Political Terror Scale (PTS). They find some State-Department bias, declining over time, relative to AI against left-wing antagonists to the US. In contrast, we evaluate AI/HRW output internally and against a Colombia conflict database.

The Cingranelli-Richards (CIRI, 2004) Human Rights Dataset and the PTS (Gibney and Stohl, 1996) are both based on the annual reports of the US State Department and AI. CIRI treats AI as its definitive source for coding extrajudicial killings, disappearances, torture, and political imprisonment. Inputs into the PTS include torture, political imprisonment, unlawful killing and disappearance. Of these variables we constructed a table for killings which suggests various problems with the numbers reported by AI as will become clear in section 5. We found no systematic quantitative reporting on any of the other categories in the range of AI/HRW Colombia output examined. Thus, our work casts doubt on these projects. Moreover, we find the AI information on conflict dynamics too unreliable even to sustain ordinal comparisons in the spirit of the CIRI and PTS data. Nevertheless, we believe that serious quantitative work on human rights is both vital and possible and that Landman (2006) points in this direction.

We explain our methodology in section two. Section three covers broad problems we identified. Sections 4-7 cover conflict in general, political killings, massacres, kidnapping and displacement. Section 8 studies event counts by type and perpetrator and we sum up in Section 9.

## 2. Methodology

We divide AI/HRW material into two types. First, there are annual reports, since 1976 and 1982 respectively, which are components of annual world reports. Starting in 1980 and 1982 respectively, AI and HRW began issuing non-periodic Colombia reports, which we call "specific reports". We cover 18 annual reports and 70 specific reports written by AI, and 16 annual and 9 specific reports by HRW.

For several reasons we take a quantitative approach. First, the material is vast so quantification is a virtual necessity for systematic work as we wish to uncover general tendencies rather than isolated accuracies or flaws. Second, AI and HRW reports contain many numbers. These compact statements stick in the minds of many readers and are particularly fair game for scrutiny.

We read all the assembled material closely and marked all the quantitative statements we found. These include numbers plus ordinal comparisons such as that political killings or forced displacement went up or down over some time period. Next we organized the marked information into tables with a row for every year in the period 1987-2004 and columns for many variables for both AI and HRW.<sup>4</sup> For these tables we sought variables that enable multi-year entries for at least AI or HRW. We had to drop some variables, such as disappearances and torture, for which there was only spotty information although we refer to some of these below. We grouped the surviving variables into tables on the general conflict, political killings, massacres, kidnapping and forced displacement. Tables include information from *specific* and **annual** reports, handled respectively with italics and bold in the tables to distinguish them. If one number has time coverage that subsumes another we only give the larger number unless the numbers contradict each other or are very far apart. Statements of the form “group X continued to commit massacres” are quantified as “> 0” in the tables. Statements that refer to the change of a variable with respect to previous years such as “political killings increased” or “decreased” are handled with upward-pointing arrows (↑) and downward-pointing arrows (↓) respectively, or with left-right pointing arrows (↔) for the case of statements that suggest no change in the level of the variable. As we will discuss in detail later, both AI and HRW refer to cases in which government forces and illegal paramilitaries acted in collusion. We represent these cases on the tables by eliminating column divisions between the categories ‘Paramilitaries’ and ‘Government’ and drawing arrows pointing inward to the word ‘Collusion’. In sections 4-7 we analyze these tables for the extent of their coverage, internal consistency, and consistency with other sources of information. In section 3 we make broader observations based on the general characteristics of all the tables combined and on qualitative information from all the reports. In section 8 we pursue a second track of analysis where we study all references to specific events. These events are a small sample of all Colombian violence and the filtering mechanism might uncover HRW or AI bias.

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<sup>4</sup> Annual reports cover the year prior to when the report is issued, e.g., the 1988 report covers 1987.

We now briefly describe the event-based Colombia conflict database we use for our comparison.<sup>5</sup> The dataset is maintained by CERAC, a Bogota-based conflict think-tank. Henceforth we call the comparison dataset simply 'CERAC'. The CERAC dataset currently runs from 1988 to 2005 and documents group-based conflict events and their resulting casualties. The three broad conflict groups are left-wing guerrillas, illegal right-wing paramilitaries and government forces.<sup>6</sup> The basic criteria for event inclusion are that the actions in the event are perpetrated by a group and that they have a clear violent impact on another conflict group or civilians. The database presently contains more than 21,000 events broken down into categories, including clashes between two or more groups, massacres, bombings, attacks to economic infrastructure, etc.<sup>7</sup> Killings and injuries are broken down by type of victim, specifically the three conflict groups plus civilians. The dataset is built mainly from events listed in the annexes to the periodicals *Justicia y Paz* and *Noche y Niebla* published quarterly by the Colombian HR NGOs CINEP and the *Comisión Intercongregacional de Justicia y Paz* (hereafter, CINEP). Other sources include information in the press and conflict reports by government and non-government sources. CINEP information comes mainly from over 25 national and local newspapers as well as from primary sources like reports from members of the Catholic Church in distant rural areas.

It is appropriate and interesting to compare the CERAC data with AI/HRW information. However, we stress that AI and HRW report on some 100 countries around the world whereas CERAC has a major focus on Colombia. Naturally there will be differences in access and quality. We also emphasize that the CERAC database faces a number of quality checks and constant updates that include corrections as new information on past events gets released. This database has had wide acceptance within the academic community. For more information we refer the reader to the CERAC website (<http://www.cerac.org.co/>) where there are also methodological details on the data construction. Obviously, the CERAC numbers are far from being a perfect mirror of the day-to-day reality of the Colombian conflict. However, we believe the CERAC data is a fair benchmark to which compare the quantitative content of HRW and AI on the conflict-related activity in Colombia and thus, a unique opportunity to assess the accuracy of the broader quantitative trends implied by the reports of these HR NGOs.

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<sup>5</sup> Restrepo, et al. (2004) and other material at <http://www.cerac.org.co> give more details.

<sup>6</sup> These groups also break down into sub-categories which sometimes appear in our tables.

<sup>7</sup> There is a sharp distinction in the CERAC database between clashes, in which two or more groups exchange fire, and attacks which are one-sided events. Group responsibility for deaths in attacks is clear since there is only one participating group whereas responsibility is often ambiguous in (inherently multiparty) clashes.

### 3. The Need for a Transparent System

This section has one simple message. In its quantitative approach to HR analysis, a desirable HR report would select a group of variables, however small, to cover regularly and systematically, defining clearly how these variables are measured and what their sources are. Presently AI/HRW reports are distant from such benchmark as they have a non-systematic approach that includes opaque sourcing and frequent changes in the objects they measure.

#### 3.1. Lack of sourcing

Both groups seldom refer to the source of the information they report for Colombia. For AI we found attributions for only 7 and 14 percent of the quantitative statements in their annual and specific reports respectively. HRW performs slightly better, sourcing 13 and 24 percent of their quantitative statements respectively. There is great variation in the HRW record. For example, HRW annual reports for 1990 and 2004 cite no sources for their reported quantities while HRW (1996) cites 8 sources, covering 22 per cent of all quantitative statements. Situations where the providers of quantitative information need anonymity appear to be rare; normally this information is fully in the public domain.

The HRW annual reports of the 1990's refer to meetings with government officials, HR workers, victims and witnesses of HR violations, although there are rarely specific attributions to pin down exact sources. Colombia has a myriad of government and non-government organizations dealing with HR issues with sharply conflicting agendas so it is crucial to tie information to its source.<sup>8</sup> HRW has referred to 22 different local sources in their annual reports and 20 in their specific reports with AI referencing 4 and 25 respectively. The *Procuraduría*, tasked with investigating government agents' malfeasances, is AI's main quoted source in its annual reports whereas AI hardly ever gives information from the armed forces, police or the Human Rights Observatory of the Vice Presidency. AI appears to distrust these sources but seldom tries to discredit them.<sup>9</sup> HRW cites government sources more frequently than does AI but much widely known and credible Colombian data almost never appear in AI or HRW reports, including

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<sup>8</sup> Colombian government institutions involved in HR promotion, defence and monitoring include the *Procuraduría General de la Nación*, in charge of investigations against government officials and administrative sanctions, the Attorney General's Office, the office of the Public Advocate (Ombudsman), the National Police Department and the Military Human Rights Office. The presidential programme of HR protection and monitoring was created in 1987 and has been run by the Vice-presidency since 2000. We often found AI/HRW figures equal or very similar to the ones released by this programme. These are usually referred to as coming from a "Colombian government" source.

<sup>9</sup> One of the few cases where AI directly criticizes government figures is AI, 1993c.

homicide data from DANE (the main statistical office), *Medicina Legal* (the medical examiner), and the National Police.

A high water mark of documentation appears in HRW (1999): “Although exact figures remained difficult to confirm and many cases went unreported or uninvestigated, the Data Bank run by the Center for Research and Popular Education (CINEP) and the Intercongregational Commission of Justice and Peace (Justicia y Paz), human rights groups, reported that 619 people were killed for political reasons in the first six months of 1998. In cases where a perpetrator was suspected, 73 percent of these killings were attributed to paramilitaries, 17 percent were attributed to guerrillas, and 10 percent to state agents. These figures did not include combatants killed in action.”<sup>10</sup> Interestingly, this passage stresses the difficulty in collecting high-quality data, implying a need, fulfilled in this case, to specify sources so the reader can assess methodology. Only one year earlier, HRW (1998) had a more typical formulation, acknowledging data-gathering difficulties but offering no help. “Although exact figures remained difficult to confirm and many cases went unreported or uninvestigated, it was clear that political violence increased .... According to our records, there were at least thirty-five massacres in the first eight months of 1997 - twenty-seven committed by presumed paramilitaries and eight committed by presumed members of the FARC [Colombian Revolutionary Armed Forces] .... In all, these massacres claimed 272 lives. More than 450 Colombians also died in targeted assassinations.” This wording seems to refer to an HRW database on massacres and targeted assassinations, although it is likely that the information came from CINEP, the same source employed in the next year’s report.

HRW reports contain various vague and indirect attributions. Examples include “Local residents told the Andean Commission of Jurists that...” (HRW, 1993), “witnesses told journalists that...” (HRW, 2001), “According to our records...” (HRW, 1998). Anonymity is sometimes necessary to protect sources but this cannot justify a statement like “HRW learned through publicly available sources that...” (HRW, 2001) without specifying these sources. AI avails itself even more freely of this recourse: “We received reports of disappearances during the whole year.” (AI, 1988 p. 127), “AI received information from more than 30 massacres perpetrated by ‘death squads’ in which more than 350 persons were killed” (AI, 1989 p. 125), “Reports of generalised violations of Human Rights were received...” (AI, 1996 p. 138), and “The paramilitaries were as well responsible of serious violations of Human Rights in those zones

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<sup>10</sup> For the present paper we used a combination of English and Spanish reports, sometimes using literal quotes and sometimes translating from Spanish to English. Detailed Spanish quotes are available upon request.

where, according to the reports received, they just demobilised, and continued acting with the support and connivance of the Armed Forces” (AI, 2005).

Sometimes HRW documents a bit but not enough to enable a good judgement: “Local residents told the Andean Commission of Jurists that 1,000 people were murdered in the Putumayo region in 1990 and 1991, the equivalent of one murder for every 500 people; although not all of these deaths were political killings, the state made no effort to investigate or put a stop to them” (HRW 1993). Most people would struggle to find and evaluate the work of the Andean Commission of Jurists which appears, in any case, to only give a round-number estimate. Moreover, one thousand murders for those two years in Putumayo more than doubles both National Police (391) and DANE (393) figures. These two sources apply different but credible methodologies and are both unlikely to underestimate homicides by so much.<sup>11</sup>

### 3.2. Lack of variable definitions

A second and related problem is that both groups seldom define the categories they report on. There is a handbook of AI definitions online (AI, 2002e). However, this is not completely adequate, e.g., it does not define massacres. In any case, none of AI’s Colombia output to refers to the handbook, diluting its value.

In all the HRW reports we examined we found definitions only for political assassinations, massacres and disappearances, although the first two vary from report to report.<sup>12</sup> AI gives some definitions in their specific, but not their annual, reports. AI (2000b, 2002a, and 2002b) give appendices with many definitions, but definitions are generally dispersed across reports, including those for massacres (AI 1994a and 2000a), acts of collusion between paramilitaries and government forces (AI, 2000b, 2002a and 2002b) and internal refugees (AI, 1992a). The only detailed definition we found in an AI report is for social cleansing: “...homicides of ‘socially undesirable people’ like prostitutes, homosexuals, vagrants, mentally ill and street children, perpetrated by ‘death squads’”. (AI, 1992 p. 95)

Working without definitions is confusing since many terms can be interpreted in various ways. For example, “political killings” may include all conflict killings, all killings of politicians, killings of union members, killings of members of human rights NGOs and many other homicides. HRW (1992) defines political killing as including

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<sup>11</sup> A DANE study did find undercounts in its overall (i.e., not just for homicide) mortality statistics in several departments including Putumayo but not nearly of this order of magnitude (DANE, 1998, p.27).

<sup>12</sup> HRW (1998a) defines a forced disappearance when “...state agents or their allies conceal the fate or whereabouts and deny custody of persons who have been deprived of their liberty.” We will consider massacre and political killing definitions in detail below.

“murders committed by the guerrillas, the army, the police and paramilitary groups as well as combat-related casualties on both sides.” But then HRW (1999, quote on page 6) suggests that political killings do not include people killed in combat. HRW’s massacre definition also shifts over time. The main requirement is five or more victims in HRW (1990), four or more in HRW (1999, 1996a and 1998a) and three or more in HRW (2003). Without clear definitions or in the face of shifting definitions one cannot follow the evolution of the different variable over time.

Almost every AI and HRW report contains summary statements on the level and/or dynamics of violations of HR and the International Humanitarian Law (IHL). These are broad categories with ill-defined limits and widespread confusion in the general public about the boundaries between the two. According to international law only the state or its agents can violate HR but most people probably assume that any party, including Colombia’s guerrillas, can violate HR as well. This presents a conundrum for AI and HRW since following a particular international law approach runs the risk of confusing ordinary people and creating an impression that the guerrillas must be relatively well behaved since they never violate HR. AI (1997, 1998, 2002 and 2003) all attribute “numerous” HR violations to the guerrillas so AI seems, appropriately in our view, to ignore this legal point.<sup>13</sup> Two reports, HRW (1993 and 1998), refer to increases in guerrilla HR violations but these seem to be exceptions in HRW reporting which generally seems to follow international law practice. If so, then HRW should state clearly that it excludes guerrilla HR violations by definition. Both AI (1994b) and HRW (1998a) discuss IHL in terms of obligations of combatants to protect civilians. Both report fairly regularly on the level and/or dynamics of guerrilla IHL violations while virtually ignoring those of the government and the paramilitaries which have been significant, especially for the paramilitaries. Thus, it appears that for HRW HR violations correspond roughly to government and paramilitary abuses while IHL violations correspond to guerrilla abuses. AI also started to follow this custom in 2000, when it began to refer to guerrilla abuses as IHL breaches. Such a practice would be doubly confusing since it would apply international law practice only to HR but not to IHL. AI and HRW need to state clearly how they are defining HR and IHL violations and who can violate them.

### 3.3. Erratic reporting template

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<sup>13</sup> “The guerrillas committed numerous abuses against HR, like tens of deliberate and arbitrary homicides and the taking of hundreds of hostages.” (AI, 1997 p.144); “Armed opposition groups were responsible of many abuses against HR, amongst them hundreds of deliberate and arbitrary homicides and hundreds of kidnappings.” (AI, 1998 p.152) Nearly identical statements appear in the AI 1999, 2002 and 2003 reports.

AI and HRW report regularly on only a few variables while others come and go from year to year. This fluctuation complicates any effort to grasp changes over time in the HR environment. Both groups characterize general conflict intensity almost every year (Table I) and displacement since 1995, when this phenomenon took off (Table V). In most years there is some information on attacks by author (Table I), with the types of guerrilla attacks in HRW reports varying over time. Both organizations report frequently on political killings, usually broken down by perpetrating groups, although HRW has largely dropped this category in recent years (Table II). Both groups sometimes report massacre numbers, sometimes referring to specific perpetrators, with HRW doing more in this area than AI (Table III). Both groups have reported regularly on kidnapping (Table IV), with HRW decreasing this reporting in recent years. There is a clear trend toward less quantitative information and fewer reports on specific events from HRW.<sup>14</sup>

Sources for a single variable also often change over time, leading to inconsistencies because different organizations often use different methodologies and obtain different results. For example the NGO CODHES calculates forced displacement differently from the way the official government does. Both AI and HRW report a variety of inconsistent figures over the years on displacement (section 7). Some of these discrepancies probably stem from switching between sources, although sources are so rarely specified that it is difficult to be sure. Another example is a switch by HRW from CINEP information on massacres in 1997 to National Police information in 1999, suggesting a spurious decrease between the two periods (section 6).

#### 4. The Overall Conflict

Both AI and HRW only occasionally characterize the conflict intensity level (Table I). Nevertheless, both refer consistently to changes in intensity. It is difficult, however, to place great confidence in the dynamic information without information on levels.

AI reports increased conflict intensity in every single year except 1990, 1994 and 2004.<sup>15</sup> HRW allows for slightly more nuance, with intensity holding steady in 1996 and even decreasing in 2003 (Table I).<sup>16</sup> CERAC data (Figure 1)

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<sup>14</sup> Both groups give some quantitative information over the years on clashes, disappearances, torture and violations of HR and IHL, but it is too sparse to enable much analysis.

<sup>15</sup> References to dynamics in the text refer to the column marked “change” in the tables. As mentioned in section 2, statements that refer to an increase or decrease of a variable with respect to previous years are illustrated on the tables with upward (↑) and downward (↓) pointing arrows respectively. Statements that suggest no change in the level of the variable, or steady dynamics, have a flat left-right pointing arrow (↔).

suggests that conflict intensity does sometimes decrease and that HRW was probably correct on 2003.<sup>17</sup> Surely any conflict will ebb and flow to some degree. Thus, the seemingly automatic tendency for AI, and to a lesser extent HRW, to report increased intensity suggests that there is little or no measurement underlying these assessments.

AI always quantifies guerrilla attacks with “numerous”, except for “repeated” for 2003 and simple statements that there were guerrilla attacks in 1999 and 2004. HRW describes guerrilla attacks throughout the years as “numerous”, “frequently”, “dozens”, “systematic”, and “repeatedly”. In a few years (1992, 1993, 1998 and 2002) HRW gives a specific number. However, this information generally refers to specific attack types: oil pipeline attacks in 1992, 1993, 1997 and 1998, car bombs in 1997 and gas cylinders in 1999, 2000, 2001 and 2002, illustrating the erratic reporting template discussed above. This fluctuation, and vague language, prohibits a systematic comparison with CERAC data on guerrilla attack levels.

AI reports an “increase” in guerrilla attacks in five years and never reports a “decrease” although the CERAC data has constant oscillation in guerrilla attacks. AI gives no hint of an explosion in guerrilla attacks between 1998 and 2000 or of a dramatic drop in 2003, both well accepted facts of the Colombian conflict and also reported in the CERAC data. HRW reports correctly increases in guerrilla attacks in 1991 and 2000 but fails to account for the 1998 explosion.

Both organizations provide significantly worse information on the paramilitaries than they do on the guerrillas, ignoring activity levels almost entirely, except for the AI report of “repeated” paramilitary attacks in 1999. AI’s dynamic information is consistent with CERAC’s only in 1998 which is their only suggestion of a massive increase between 1996 and 2001 (Figure 1). HRW, like CERAC, reports increases in 1995, 1997 and 2000 but has no further quantitative information.

Dynamic information on government attacks is very sparse but mostly in agreement with CERAC when provided. AI reports of increases in 1990, 1991 and 2003, consistent with CERAC data. AI (2001) and AI (2004a) blame the government for having no attacks against paramilitaries during 2000 and 2003 whereas CERAC records respectively 2 and 11 government-paramilitary clashes in these years. HRW (1998a) says that the government had no attacks on

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<sup>16</sup> It is a grudging acknowledgement: “In 2003, the government claimed as a success a decrease in the worst categories of political violence. These decreases are genuine; yet a close inspection reveals that they are due to many factors, among them the consolidation of control by illegal paramilitaries in some regions” HRW (2004).

<sup>17</sup> There are a variety of usable overall measures of conflict intensity, none of which increase monotonically throughout the whole time period.

paramilitaries in 1997 followed by an increase in 1998; HRW(2003) refers to no government attacks against paramilitaries. This is more or less consistent with the CERAC database which has three government-paramilitaries clashes in 1997, six in 1998 and three in 2002. HRW also reports increases in government attacks in 1990, 1992, and 2004, consistent with CERAC data. On the other hand, HRW reports “massive” government attacks in 1993, while CERAC data shows no sign of this.

## 5. Political Killings

A definition of “political killing” would be extremely helpful here as there are quite a wide range of possibilities. These might include a narrow concept of “conflict killing” plus many other homicides such as assassinations of government officials, labour union leaders and journalists that are not necessarily tied to conflict groups. It is also possible that political killings are meant to exclude killings in combat. Some quotes above span these possibilities. HRW specifically includes combatants in their political killing figures for 1990, 1991, 1993, 1999 and 2000, excludes combatants for 1998 and is unclear on whether combatants are in or out for the other years when they provide an aggregate number (Table II). HRW numbers drop down implausibly in 1996 and 1998, probably reflecting a change in sources. The figures jump back up again in 1999 and 2000, and differ between the annual and specific reports. The much smaller 2001 number is only for land mines. CERAC data suggests a surge in killing during this period, although not to the extent implied by HRW figures.

AI does not define political killings, but in *Handbook* (AI, 2002e, p.43) refers to political killings and directs the reader to a precise definition of extrajudicial executions, which must be committed by government agents, and unlawful killings, which can be committed by guerrillas. Nevertheless, AI does not use these definitions consistently. In the early years AI refers to extrajudicial executions and then switches to political killings which seem to be a sum of extrajudicial executions and unlawful killings. Recently it seems to equate deaths of civilians with political killings.<sup>18</sup> The only year in which both categories (extrajudicial executions and political killings) are both mentioned is 1992. AI's figures for political (civilian) killings in 2002 and 2003 show a reduction for 2003 (Table II) which is consistent with the CERAC data. There are different ranges in specific and annual reports for 1988 and 1992 that, while not

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<sup>18</sup> AI (2002e, p.28) states that “Extrajudicial executions are unlawful and deliberate killings carried out by order of a government or with its complicity or acquiescence”. AI (2002e, p. 43) defines the term political killings to cover extrajudicial killings and unlawful killings.

mathematical contradictions, are very far apart; although these could be explained by the definition problem just mentioned. Killings given in specific reports are said to have increased in 1993, contrary to the numbers reported for 1992 and 1993. The level of violent killings reported by AI during the early nineties is quite similar to the level toward the end of the decade, despite a huge upsurge beginning in 1996 reported by CERAC (Figure 1).

Levels of political killings by guerrillas in AI's account vary between "> 0", "tens", "numerous", "scores", "several hundreds", "at least 200", and "hundreds". CERAC figures for killings in guerrilla attacks only twice dip below 400 (Figure 2).<sup>19</sup> From 1994 to 2002, except in 1999, AI reports on "arbitrary killings" and then switches to the killing tens of civilians in 2001 and of "numerous civilians" in 2002 (Table II). Dynamics are reported only as "increase" in 1995. CERAC, on the other hand, records a dramatic increase in guerrilla attacks, 1998-2002, followed by an equally dramatic decrease (Figure 1) and a similar pattern for killings in guerrilla attacks (Figure 2). HRW does agree on an increase in killings of civilians by guerrillas in 2000 and 2002 (HRW 2001, and 2003). The dynamics of the killings of civilians in guerrilla actions shown in Figure 3 are not reflected in AI/HRW reports.

For AI the paramilitaries and the government appear as inextricably linked in earlier years as information on political killing always merges the two categories.<sup>20</sup> There are two exceptions: the first one appear in the specific report for 2004 (AI, 2005a) attributing 139 killings directly to government forces in the first half of 2004 (different to CERAC's of 62); and a reference to the dynamics of killings attributed to government forces which in two cases (1997 and 2004, see figure 2) coincide with CERAC's figure. AI frequently blames violent events on "the army-backed paramilitaries" or "...by the security forces or the paramilitaries operating with their support or acquiesce", not specifying the direct perpetrator of political killings.<sup>21</sup> Although there are a growing number of well-documented cases of government-paramilitary collusion over the years, it is very unlikely that all casualties directly caused by government forces or by paramilitaries are really the joint responsibility of the two. Figure 3 suggests that the paramilitaries are directly behind many more killings of civilians than are the government forces; hence the

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<sup>19</sup> Recall that guerrilla attacks are one-sided events in which blame is unambiguous. If we add in killings in clashes in which the guerrillas are involved then AI's undercount will only grow.

<sup>20</sup> An example of that pattern, "Hundreds of people were executed extra judicially or disappeared after being detained by members of the armed forces or paramilitary groups associated with them." AI (1990).

<sup>21</sup> This automatic mixing of the army and the paramilitaries occasionally generates apparently unnoticed confusion. For example AI (2003) reports that "Colombia's largest paramilitary group, AUC, declared unilateral cease-fire at the start of December and in the same month the government announced its intention to initiate negotiations with the army-backed paramilitaries". Possible explanations are that this process is a charade of the government pretending to negotiate with itself and that the government cannot control its own army or the paramilitaries that the army backs. But surely some clarification is required.

government record suffers greatly in this association. AI's quantitative information does not capture massive killings of civilians by paramilitaries (Figure 3) as measured by CERAC and AI's largest numbers for these are in 2003 and 2004, precisely when paramilitary killings dropped sharply according to CERAC. AI does not really capture the main dynamics of the conflict over the last decade.

The paramilitaries are treated as much bigger killers than the guerrillas by AI, although this is only consistent to what CERAC reports in 2000 and 2001 (Figure 2).<sup>22</sup> The figures for the government are far too high unless one accepts AI's contention that the paramilitaries really are just appendages of the government, a proposition which AI does not document in any of its reports. Adding together government plus paramilitary killings in attacks CERAC figures can be consistent with AI's only in years when AI vaguely reports "hundreds". Otherwise, AI's figures are significantly higher than CERAC's<sup>23</sup>. If we further expand the definition of political killing to include killings in government-guerrilla clashes and guerrilla-paramilitary clashes, then CERAC also agrees with AI when AI reports >1000. However, if the concept of political killings by government forces and paramilitaries is expanded to include government-guerrilla clashes and paramilitary-guerrilla clashes then political killings by guerrillas must be similarly expanded. In this case AI's numbers for political killings by guerrillas would look exceptionally low. It is hard to avoid the conclusion that AI downplays killings by guerrillas and overplays killings by the government and the paramilitaries. This practice serves poorly the important goal of defending human rights. It makes sense some for AI to focus its criticism on the government, which is much more sensitive to human rights criticism than the guerrillas or paramilitaries, but unbalanced criticism undercuts itself giving the government an excuse to ignore real problems.

We now analyze HRW information for levels and dynamics of political violence by perpetrator. HRW has less information on political killings by author, although it does sometimes distinguish specific guerrilla groups (FARC, ELN, and EPL). One can gather from HRW accounts that the guerrillas have committed roughly 300-500 political killings per year. CERAC has guerrilla killings in attacks fluctuating around a level of 500 per year until they surge forward in 1998 and fall back in 2002 (Figure 2). So HRW also seems to underestimate guerrilla killings. HRW reports dynamics for 2000, 2002 and 2004 and agrees with the CERAC data only in 2002 (Figure 3).

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<sup>22</sup> The paramilitaries have been the biggest killers of civilians in recent years but, as mentioned above, AI has not always equated political killings with civilian killings.

<sup>23</sup> Note, however, that AI does not report any figure for 2000 and 2001.

We cannot compare the guerrillas and the paramilitaries in HRW's account without ordering the quantifiers "frequently", "numerous", "dozens", "systematic" and "hundreds", while using a smattering of numbers and dynamic information. But there is a direct numerical comparison in 1997 and the paramilitaries come out much higher than CERAC's number (Figure 2). Again, it is possible that HRW is including certain categories of homicides that CERAC does not consider conflict homicides. Still, it is implausible that such expansion would not only take paramilitary killing above guerrilla killing but bring the former to more than three times the latter as is claimed by HRW. Note that the paramilitaries did not form the AUC umbrella organization until 18 April of 1997, (Aranguren 2001, p. 201) and the big paramilitary upsurge began only after that.

HRW, unlike AI, has at least tried to document collusion between government forces and illegal paramilitaries and does not simply lump them together in their reporting.<sup>24</sup> This assists in making quantitative comparisons that are difficult to make with AI. HRW, like CERAC, has the government doing less political killing than the illegal armed groups in 1997. On the other hand, HRW claims that the government committed "massive" political killings in 1993 although CERAC has this as an unusually peaceful year with killings in government attacks near an all-time low (Figure 2).

HRW (1993, 1994, 1996, 1998 and 1999) apportion blame for political killings. HRW, citing the Andean Commission of Jurists-Colombia Section, blames the government for 56% and 40%, plus a further 12% and 30% through paramilitary links, in 1992 and 1993 respectively and for 65% of political killings in 1995. They blame the guerrillas for 27.5%, 25% and 35% of political killings in 1992, 1993 and 1996 respectively with drug-traffickers taking up the slack. These figures are quite inconsistent with CERAC's figures for these years (Figure 3). HRW's political killing figures are much closer for 1997 and 1998, with the paramilitaries, guerrillas and government accounting for 76%, 17% and 7%; and 73%, 17% and 10% in these years respectively.

## 6. Massacres

Both organizations report only sporadically on massacres (Table III). HRW does more than AI but its reporting is adversely affected by changing definitions, switching its threshold from five or more victims (HRW 1990) to four or

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<sup>24</sup> HRW (2000a & 2001a) are HRW's main efforts to document government-paramilitary collusion, although Deas (2002) makes a cogent case that HRW (2001a) exaggerates the extent of this collusion.

more victims (HRW, 1999) and three or more victims (HRW, 2003). We give CERAC series under the first two definitions in Figure 4.<sup>25</sup>

AI's few massacre numbers are very high, doubling and tripling CERAC's figures for 1992 and 1999 respectively. Despite this discrepancy in levels, the percentage increase from 1992 to 1999 is very similar for AI and CERAC. AI (2002) implausibly claims "hundreds" of massacres in 2001. Massacres are big events that generate media coverage so the CERAC figures can hardly undercount by so much.

HRW (1990) states that in 1988 "almost 4,000 Colombians have been killed for political reasons, 75 percent in some 70 massacres involving five or more victims."<sup>26</sup> This implies that 3,000 people were killed in massacres, which would then average almost 43 victims per massacre. CERAC data contains only four massacres between 1988 and 2004 with 40 or more victims. The largest massacre in 1988 claimed 42 victims and had a big impact, sparking a presidential ruling that declared the paramilitaries illegal. Massacres of this size are virtually impossible to miss so HRW's is a gross overestimate.

HRW massacre numbers are always above CERAC ones except for its report of 35 in the first eight months of 1997 compared to 51 for CERAC and 92 in the first ten months of 2001 compared to 147 for CERAC. HRW (1998a) reports 185 massacres for 1997, citing CINEP, whereas HRW (2001a) reports 168 massacres for 1999, citing the national police. CERAC figures indicate a surge in paramilitary massacres during this period (Figure 5). HRW's source switch clearly created a decrease, almost surely spurious, as CINEP has much better rural coverage than the National Police and massacres take place almost exclusively in rural areas.<sup>27</sup> This problem highlights a more general problem in that HRW seems not to give enough importance to harmonization of sources to ensure consistency over time.

AI's quantitative information on massacres by actor covers the paramilitaries and the government but never the guerrillas.<sup>28</sup> Most entries mix the government with the paramilitaries, again a revealing practice as direct government participation in massacres has been rare according to CERAC (Figure 5). AI reports an extraordinary number of 74

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<sup>25</sup> The last definition of massacre is very unusual in the HR, criminology and political science literature and would require a thorough reworking of the CERAC dataset to produce a corresponding series.

<sup>26</sup> HRW (1996a) claims even more massacres, 108, for 1988.

<sup>27</sup> HRW (1998) reports the much lower figure of 35 massacres in the first eight months of 1997, adding further confusion.

<sup>28</sup> AI recognizes that guerrillas commit massacres but gives information that is too vague for inclusion in our tables. For example, AI (2000) states that "All parties to the conflict were responsible for serious human rights violations—including massacres—but the majority were carried out by illegal paramilitary groups which systematically targeted the civilian population."

massacres committed by the government in 1992 when CERAC finds 3 government massacres with 21 victims and 42 massacres with 260 victims overall in 1992.

HRW has very sparse information but does, consistent with CERAC, place the guerrillas below the paramilitaries in 1997, the year the AUC was formed. The only suggestion of a subsequent big surge in paramilitary massacres is a report of 93 massacres in the first five months of 2000. HRW, like CERAC (Figure 4), notes a drop of massacres in 2002, citing the Human Rights Observatory of the Vice Presidency.

## 7. Kidnapping and Forced Displacement

AI and HRW often give kidnapping numbers which resemble Colombian government sources (Table IV). For example, HRW (2001) reports “Colombian police estimated that half of the over 3,000 kidnappings carried out each year were the work of guerrillas”. Both organizations correctly point to the guerrillas as the illegal armed group most responsible for kidnapping. Nevertheless, in recent years (period 1999-2003) AI has often merged the guerrillas and paramilitaries into a single category, through statements appearing usually in the first paragraph of annual reports, obscuring the fact that the guerrillas kidnap much more frequently than the paramilitaries.

AI (2001) states that “At least 1,500 people were kidnapped by armed opposition groups and paramilitary organizations...”<sup>29</sup> and does not distinguish between the two elsewhere in the report. AI (2000), AI (2002), AI (2003) and AI (2004) all merge the guerrillas and paramilitaries in one place and discriminate between them in another place. AI (2002) attributes 1700 kidnappings to the merged guerrilla-paramilitary category and later 1700 and then 1800 to the guerrillas alone. In AI’s 2004 report it is stated that at least 1100 kidnappings are attributed to guerrillas and paramilitaries, but there is a note that asserts that most are committed by guerrillas. The AI series is actually quite similar to the official one if we read “guerrillas” every time AI refers to the guerrillas and paramilitaries. In contrast, and as in the case of massacres and political killings, HRW discriminates well between kidnappings made by specific guerrilla groups, particularly in 1997, 1999 and 2000.

Both groups began including frequent, often numerical, references to the serious problem of internal forced displacement in the mid 1990’s when the phenomenon began to grow (Table V). There are several issues here. First, there are numerous inconsistencies in the figures, probably a result of using data from a variety of sources that differ

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<sup>29</sup> This treatment is reflected by the use of the word “merged” in the table.

significantly in their methodologies. Tricky measurement issues arise over whether or not to require possible displacement victims to officially register themselves as such before counting them, and also under what circumstances a person ceases to be displaced. The government's *Acción Social*, officially in charge of providing humanitarian attention to internally displaced persons (IDP's), only registers individuals requesting aid from the government and maintains them on its registry for one year or until they get a job or return to their places of origin. The NGO CODHES monitors the flow of IDPs using their own sources plus press information and only decreases its accumulated total when people resettle.<sup>30</sup> So mixing sources, often without attribution, is particularly hazardous for forced displacement. For example, AI (2001a) and AI (2002) report more than 200,000 and more than 300,000 people displaced respectively in 2001. For 2002 AI reports four different figures ranging from 720,000 to 3,000,000 for the accumulated total of IDPs in three separate reports (AI 2002b , 2002c , 2002d). These discrepancies might in part reflect different time coverage, as the reports refer to 1995-2002, "the last decade", or make no reference to the time period (Table V). Again, in most cases AI cites no source .<sup>31</sup>

A second serious problem is an intermittent practice of giving a displacement number without clarifying whether the number is a flow from the last year or whether it is an accumulated total over an unspecified number of years.<sup>32</sup> For example, HRW (1997) states simply that in 1996 750,000 people were displaced. To a person familiar with Colombian displacement figures the magnitude of this number suggests that it is an accumulated total, although it seems inconsistent with HRW (1998) which reports that 920,000 people were displaced between 1985 and 1996. Finally, AI's total of IDPs in 1997 is 1,000,000 people while the flows of 300,000 and 250,000 in 1998 and 1999 respectively cannot reach the new reported level of 2,000,000 in the year 1999.

## 8. References to Specific Events

Table VI gives the number of references to specific events of various types by group for annual and specific reports combined. Events in AI/HRW reports almost always refer to human rights abuses or breaches of IHL so each armed

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<sup>30</sup> CODHES includes in its count those people who come to a place different from their home because of a conflict action. The final estimate is cross-checked with sources including press information, local NGO's and other entities that record IDPs, such as the ICRC, UN agencies, the Colombian Catholic Bishops Conference's RUT System and the government's *Acción Social*.

<sup>31</sup> "Circa three million of Colombians have become internally displaced" (AI, 2002b); "The official source suggests that circa 720,000 people have displaced within the country from 1995 even if the figures from the NGOs and the UN point to a figure close to 2,000,000" (AI, 2002c); "During the last decade circa 2,500,000 people have been forced to displace within the country due to the conflict" (AI, 2002d).

<sup>32</sup> These cases are designated as "no date" in the table.

group would like to have the fewest possible mentions. Table VI excludes events of claimed government-paramilitary collusion, which we treat in Table VII, containing only actions blamed on a single group or with undetermined blame.<sup>33</sup> We find AI/HRW far more attentive to citing sources when referring to specific events than when they are presenting quantitative information; indeed, a rapid count shows that almost 70% of specific events are referenced. This means that the information quality underlying the present section is much higher than the quality of the information covered in Sections 3-7. This makes sense since descriptions of abusive events are much more within the remit of AI and HRW as they construe themselves than is the handling of quantitative information.

We found 27.5% more events in AI compared to HRW. The perpetrators are unidentified for 27% of AI events and 16% of HRW's. The order of identified perpetrators for AI is paramilitaries (31%), guerrillas (24%), and government (17%). For HRW it is guerrillas (40%), paramilitaries (28%), and government (15%). These findings refute a criticism, common in conservative circles, that AI/HRW criticize only the government and ignore guerrilla abuses.<sup>34</sup> AI/HRW do criticize the guerrillas frequently, although in the early years of our sample it is true that AI focused almost exclusively on the government.<sup>35</sup> This old practice might have moulded an impression that is now outmoded.

Table VI also breaks down events by type. Killings are most frequent for both AI and HRW. Threats, massacres, attacks, kidnappings and disappearances (in that order for AI) fill the next five slots for both groups. HRW stresses threats less and massacres more than does AI.

Both organizations correctly pin most massacres on the paramilitaries. After that, AI blames the guerrillas and government forces about equally while HRW blames the guerrillas more than three times as frequently as government forces. However, the CERAC data suggests that both AI and HRW underestimate the degree of paramilitary domination in this category. CERAC records 1196 massacres over the period of analysis (1988-2004):

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<sup>33</sup> AI mentions the government and paramilitaries relatively more in their specific reports compared to their annual reports, whereas these proportions are roughly equal for HRW.

<sup>34</sup> For example Isaacson and Steele (2000) write, correctly stressing that the speakers they refer to are wrong, "Any who attended the House of Representatives' September 21 Western Hemisphere Subcommittee hearing were treated to Rep. Dan Burton's (R-Indiana) remark that "no human rights organization ever condemns the FARC for its brutality ... The credibility of the NGO organizations is suspect when they fail to condemn this sort of activity." Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Brian Sheridan, a witness at the hearing, went out of his way to say 'I'd like to identify myself with Congressman Burton's comments."

<sup>35</sup> AI/HRW reports also often criticize the guerrillas outside the context of specific events, e.g., stating that the guerrillas continue to make indiscriminate attacks against civilians. This is clear from the Tables I to V.

978 (82%) massacres with 6245 victims by the paramilitaries, 197 (16%) with 1194 victims by the guerrillas and 23 (2%) massacres with 165 victims by the government.

AI and HRW report respectively 10 and 6 massacres committed solely by government forces, i.e., not in collusion with paramilitaries.<sup>36</sup> Two events overlap leaving 14 unique AI/HRW events, all in the CERAC database with 13 of the 14 events coded as government massacres. Total killings in these 13 government massacres is 101 for AI/HRW compared to 106 for CERAC, with differences of 0, 1 and 2 killings for 8, 3 and 2 events respectively.<sup>37</sup> The remaining event was a massacre of 17 civilians in 1988 in the Department of Antioquia which CERAC codes as a paramilitary massacre, taking into consideration that *Noche y Niebla* and the newspaper *El Tiempo* both report the paramilitaries as the sole perpetrators. AI blames the government because of a 1989 judicial order detaining several members of the military and accusing them of responsibility. We could not find a follow-up story and regard both accounts as defensible based on currently available information.<sup>38</sup>

The close correspondence between CERAC and AI/HRW on massacres is not surprising since CERAC absorbs AI/HRW massacre information into its database. The interesting point is that AI/HRW accounts of specific massacres turn out to be highly reliable. Moreover, the AI/HRW sources have strong value added. For 3 out of these 13 government massacres initial reports blamed the paramilitaries but more recent information, picked up by AI and HRW, credibly shifted the blame to the government. The one remaining non-matching case could prove to be another such example.

The government accounts for a large share of AI and HRW events for torture and disappearance as well as a high percentage of AI events for threats. The guerrillas frequently make threats and have been reported to use torture, yet we found only six threat events for AI and three for HRW and no torture events over the whole period for AI and HRW.<sup>39</sup> On disappearances, AI follows a legal definition according to which only the government or its agents can “disappear” people (AI 2002e, p.25). This can account for the absence of any guerrilla-caused disappearances in the

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<sup>36</sup> Sometimes AI or HRW does not use the word “massacre” but the events meet the CERAC coding criteria for a massacre, the killing of four or more defenceless persons, so our comparison is appropriate.

<sup>37</sup> The figures do not add up, as these differences are sometimes positive and sometimes negative. That is neither AI/HRW nor CERAC reports systematically more or less victims in the overlap events.

<sup>38</sup> The judicial accusation does not accuse the military of abdicating its “responsibility to protect”, a fairly common phrase implying military collusion in an event. Rather, the accusation is that the military directly committed this massacre which press and other sources had earlier pinned on the paramilitaries.

<sup>39</sup> In part the absence of torture events could be because torture-killing events are reported only as killings.

event count. Still, a similar critique to the one we made for HR violations applies; most readers will assume that any party can cause a disappearance so the absence of guerrilla-caused disappearances conveys a false impression of good guerrilla behaviour.<sup>40</sup>

Both AI and HRW report on numerous attacks, events defined by CERAC as one-sided. They also properly stress the guerrillas in this aspect. Excluding massacres, the guerrillas, government forces and paramilitaries are responsible for 76% (1821 civilian victims), 13% (418) and 4% (587) of attacks respectively with unidentified perpetrators making up the balance, according to CERAC.

We investigate government-paramilitary collusion in specific events through Table VII, dividing claims into two categories: hard and soft. In hard cases there is testimony, usually in a court proceeding, of joint action between government forces and paramilitaries to victimize people. Soft collusion covers a variety of cases. Sometimes there is an allegation of collusion without strong proof, as in “In Segovia, Antioquia, GAN [Northeast Self-Defense Group] continued to work in close coordination with the army's Bomboná Battalion, an alliance considered complicit in the March 9 murder of Nazareno de Jesús Rivera, a Segovia Human Rights Committee member.” (HRW, 1998). Some cases of soft collusion include circumstantial evidence that government forces could have done something to prevent or hinder a paramilitary action but abstained as occurred in “July 8, 2000, alleged paramilitaries killed a total of eleven civilians in San José de Apartadó. According to eyewitnesses, personnel of the 17th Brigade were in the area at the time of both massacres and failed to prevent or stop the killings. An army helicopter allegedly belonging to the 17th Brigade hovered overhead at the time of the July 8 massacre.” (AI, 2000b). We do not dismiss the soft cases but just note that they are less solid than the hard cases.

The overall breakdowns into these two types of collusion are almost identical for AI and HRW, with 74% and 71% classified as soft, respectively. The total number of events, 68 for AI and 41 for HRW, is small. They average 3.7 per year for AI and 2.3 per year for HRW, including both collusion types. Hard collusion cases number roughly 1 per year for both groups. Of course, illegal collusion is by nature difficult to spot. Collusion has surely been more widespread than the incidents that have already been well documented. There will be an increasing number of such incidents

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<sup>40</sup> This is a potentially misleading category as it evokes images of people held in prison “off the books” so that nobody knows whether they are dead or alive. Colombian laws are rigorous in this area so it is very unlikely that there are prisoners unaccounted for in the system. On the other hand, it is clear that many people have been killed whose bodies have not been found. Such victims could be classified in a broader sense as disappeared. Recent findings of mass graves with the remains of more than 179 people fit with this view. (*El Tiempo* 2006).

coming from the required testimonies of recently demobilized paramilitaries. Nevertheless, the paucity of such cases in AI/HRW reports suggests that the very strong emphasis that AI and HRW have placed on government-paramilitary collusion rests on rather weak empirical foundations.

HRW and AI refer to a total of 36 massacres with collusion of government forces and paramilitaries of which 25 (368 victims) are in AI, 20 (279) are in HRW, and nine (AI 183, HRW 167) overlap. In two cases there is insufficient detail to allow matching with the CERAC dataset.<sup>41</sup> We work with the 34 massacres that we could match. For these there are slight differences in victim counts: 480 killed for AI and 464 for HRW compared to 512 for CERAC.<sup>42</sup> Of these 34 matching events, 32 (447 HRW) are coded by CERAC as paramilitary massacres. For these 32, AI/HRW accounts agree and add that the government also colluded in them. In 24 (372 HRW) of these 32 cases other CERAC sources refer to at least collusion possibilities between the (directly responsible) paramilitaries and government forces. CERAC codes the remaining 2 (17 HRW) events as committed by government forces while HRW describes them as acts of government-paramilitary collusion. We believe that both versions of events are defensible based on current information.

## 9. Conclusion

Social scientists must mobilize the full power of evidence-based methodologies to underpin the most vigorous possible defence of global human rights. Independently-produced, high-quality information can be a fundamental tool in the struggle for conflict resolution. The treatment of numbers in AI/HRW reports on Colombia falls short of these standards. Practices include poor sourcing, vague definitions and fluctuating coverage. Numerical information on conflict dynamics is unreliable, almost always suggesting a worsening situation and yet missing big surges in activity. Information on political killings is similarly unreliable with killings by guerrillas under-measured and various distortions of the dynamics of conflict intensity. To the extent that AI and HRW provide massacre numbers they are almost always high and give little guidance on dynamics of activity. Kidnapping information follows official figures fairly closely except that AI often mixes the guerrillas, who are the main group responsible of kidnappings, with the paramilitaries,

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<sup>41</sup> For example, there is no victim count for either of them.

<sup>42</sup> The nine overlapping events break down into 6 (136 victims) soft and 3 (47) hard cases for AI; and 6 (141) soft and 3 (26) hard cases for HRW. AI-only reported events decompose into 12 (148) soft and 4 (37) hard cases while HRW-only reported events break down into 9 (104) soft and 2 (8) hard cases.

who have been much less associated with kidnapping. Displacement figures are confused by unmentioned switching between diverging sources and occasionally blurred lines between new displacement and accumulated totals. Based on our analysis we are very sceptical of human rights panel data sets, such as the PTS and CIRI data, that are built on these foundations.<sup>43</sup>

AI and HRW are on much firmer ground, and are more effective defenders of human rights, when they describe specific events. This material, although covering only a tiny fraction of conflict events, is quite accurate and representative in event selection. Both organizations do criticize the guerrillas frequently and regularly. AI/HRW accounts of government massacres are highly reliable. AI/HRW accounts of massacres committed in collusion between the government and the paramilitaries were almost always at least defensible, if not definitive. In some cases there were court decisions backing up collusion claims while in others we were able to match collusion allegations appearing in AI/HRW reports with allegations appearing in other sources. There is, however, a deeper problem in that even if we consider all AI/HRW claims of government-paramilitary collusion in specific massacres as definitively proved these events cover less than 3% of all massacres and 7% of all massacre victims between 1988 and 2004. Thus, there is a gap between the confidence with which the two organizations, particularly AI, treat government-paramilitary ties and the evidence documenting the ties.

We find some evidence of AI/HRW bias against the government relative to the guerrillas.<sup>44</sup> The description in HRW (1996) summarizes our views on this question well: "Human Rights Watch/Americas sought to focus attention on institutionalized human rights problems in Colombia, such as those created by the civilian and military justice systems, impunity, and the government's failure to protect vulnerable sectors of the population from violence by state and private actors. We worked ... to press the Colombian government to live up to its international human rights obligations. At the same time, we called on guerrillas to cease violating international humanitarian law." HRW and AI are primarily government watchdogs but they do also criticize the guerrillas and should be more explicit about their approach.

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<sup>43</sup> However, note that all the problems we have identified in AI reports do not automatically spill over into the CIRI and PTS data. For example, CIRI interrater reliability statistics about 0.9 suggest that they may have been able to overcome definitional ambiguities in AI reports.

<sup>44</sup> Beyond the evidence presented above simple inspection of our bibliography shows that AI (2002f) is the only AI/HRW document dedicated exclusively to criticizing the guerrillas; all other guerrilla criticism comes within a broader context. Various AI/HRW documents aim exclusively at the government.

Our findings must raise significant questions about the quality of quantitative information in AI/HRW reports beyond the case of Colombia. For example, it seems unlikely that these reports, in present form, could be usable as guides to conflict dynamics and human rights for other countries in conflict. It would fall to other studies like this one to demonstrate otherwise.

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Figure 1. Colombian Conflict Casualties and Number of Attacks by Group: 1988-2004

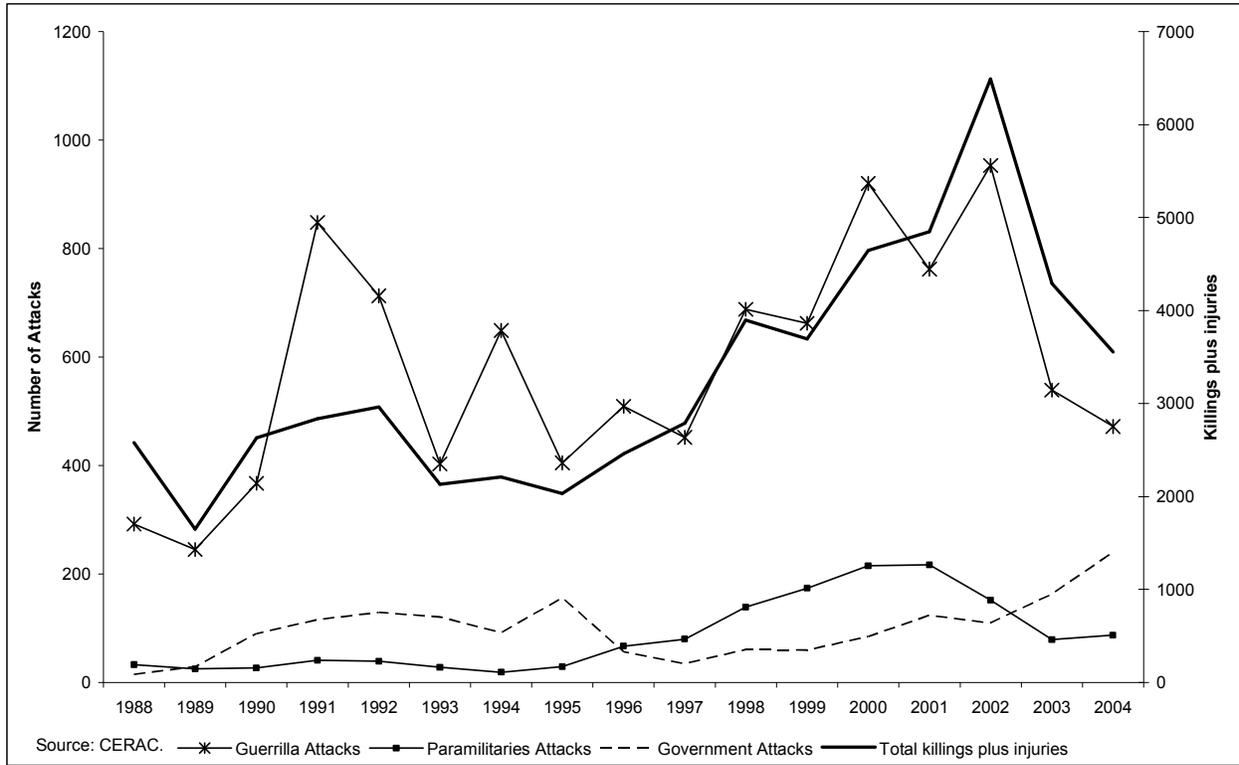


Table I. Evolution of the Political Conflict According to Amnesty International and Human Rights Watch. Colombia 1987-2004.

Year	Amnesty International						Human Rights Watch					
	General Conflict			Attacks			General Conflict			Attacks		
	Level	Situation	Change	Guerrillas	Paramilitaries	Government	Level	Situation	Change	Guerrillas	Paramilitaries	Government
1987												
1988			↑	↑								
1989			↑	↑								
1990												
1991												
1992												
1993												
1994												
1995												
1996												
1997												
1998												
1999												
2000												
2001												
2002												
2003												
2004												

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005), Annual and Specific Reports.

Notes: AI, 1990, General Conflict Situation, Change - there is one reference to exacerbation of violence and another simply to continuation of violence in AI (1992a), AI, 2002 and 2003, Paramilitaries and Government - There are claims of continuing paramilitary attacks with "support and acquiescence" i.e., collusion, of government forces. There are further claims of increases in government forces attacking on their own.

Finally, there is a claim that the government did not attack the paramilitaries in 2000 and 2003, rendered as 0 (on par.) here and elsewhere in the table.

Table II. Evolution of Political Killings According to Amnesty International and Human Rights Watch Colombia 1987-2004

Year	Amnesty International						Human Rights Watch							
	General		Guerrillas		Government		General		Guerrillas		Paramilitaries		Government	
	Level	Change	Level	Change	Level	Change	Level	Change	Level	Change	Level	Change	Level	Change
1987														
1988	>1500 (extrajudicial executions) 350/0 (extrajudicial executions)	↑	>0		350 Hundreds (civilians)	→ Collusion ← → Collusion ←	Hundreds		<4000 (political killings)					
1989	Hundreds (extrajudicial executions)				Systematic	→ Collusion ←	Systematic		<4000 (political killings)					
1990					Hundreds (extrajudicial executions)	→ Collusion ←	Hundreds (extrajudicial executions)		3200 (political killings with combatants)					
1991					Hundreds	→ Collusion ←	Hundreds	↔ (91-94)	3500 (political killings with combatants)					Hundreds Frequently → Collusion ←
1992	>1000 (extrajudicial executions) 4434 (political killings)	↑	Numerous		>1000	→ Collusion ←	>1000							184 (11/91-3/92)
1993	3650 (political killings)	↑			Hundreds	→ Collusion ←	Hundreds	↑ (Army)	1830 (01-06/93) (political killings with combatants)					Massive
1994	3650 (political killings)		Scores (arbitrary killings)		>1000	→ Collusion ←	>1000		3650 (political killings)					↑
1995	>2500 (political killings) >2000 (political killings)		Scores (arbitrary killings)	↑	Hundreds	→ Collusion ←	Hundreds							↑
1996	>1000 (combatants killings) >2000 (political killings)		>200 (economic and military targets) Scores (arbitrary killings)		>1000 (civilians)	→ Collusion ← ↑ (some areas of country)	>1000 (civilians)		522 (01-06/96) (political killings)					↑
1997			Hundreds (arbitrary killings)		Hundreds	→ Collusion ←	Hundreds	↓	2183 (political killings)					↑
1998			Numerous (arbitrary killings)		>1000 (civilians)	→ Collusion ←	>1000 (civilians)		619 (01-06/98) (political killings without combatants) High					Numerous → Collusion ←
1999	>3500 (political violence)				200 (civilians) (AUC Cataumbo region)				4380 (political killings with combatants) 5710 (political killings with civilians)					Dozens (08/99) (ACCU)
2000	>4000 (political killings)		Several Hundreds (arbitrary killings)						5110 (political killings with combatants) 300 (political killings with combatants)					↑ (civilians)
2001	>4000 (civilians) >5000 (political killings)		Hundreds (arbitrary killings) Thousands (civilians)						88 (01-07/01)(land mines killed or maimed)					↑ (civilians) (FARC)
2002	>4000 (civilians)		Numerous (civilians) (FARC)		>0	→ Collusion ←	>0							Numerous
2003	>3000 (civilians)		Numerous (civilians)		>1300 >700	↔								↑ (civilians) (FARC)
2004	>1400 (01-06/04)(civilians)		Numerous (civilians) (FARC)	↑	>1800		139 (01-06/04)							↔

Source: Amnesty International (1988-2005), Human Rights Watch (1990-2005), Annual and Specific Reports.

Figure 2 Conflict killings of civilians and combatants by group in attacks: 1988-2004

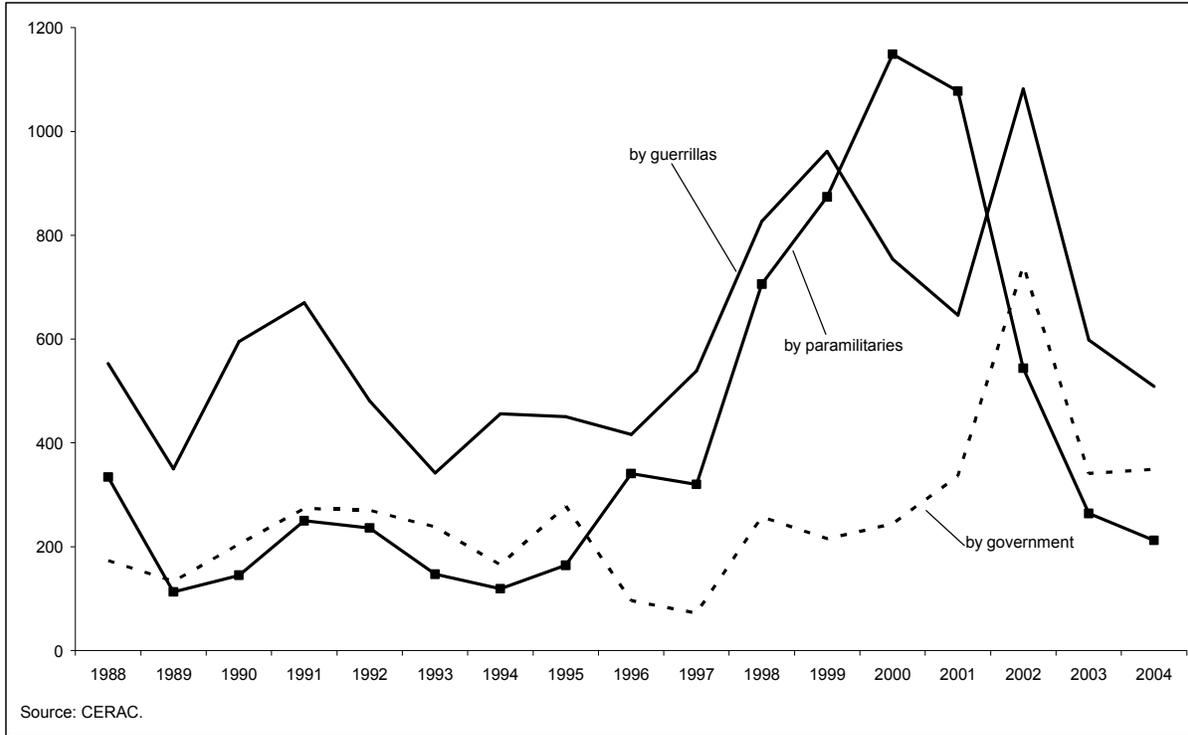


Figure 3 Conflict killings of civilians by group in: clashes plus attacks: 1988-2004

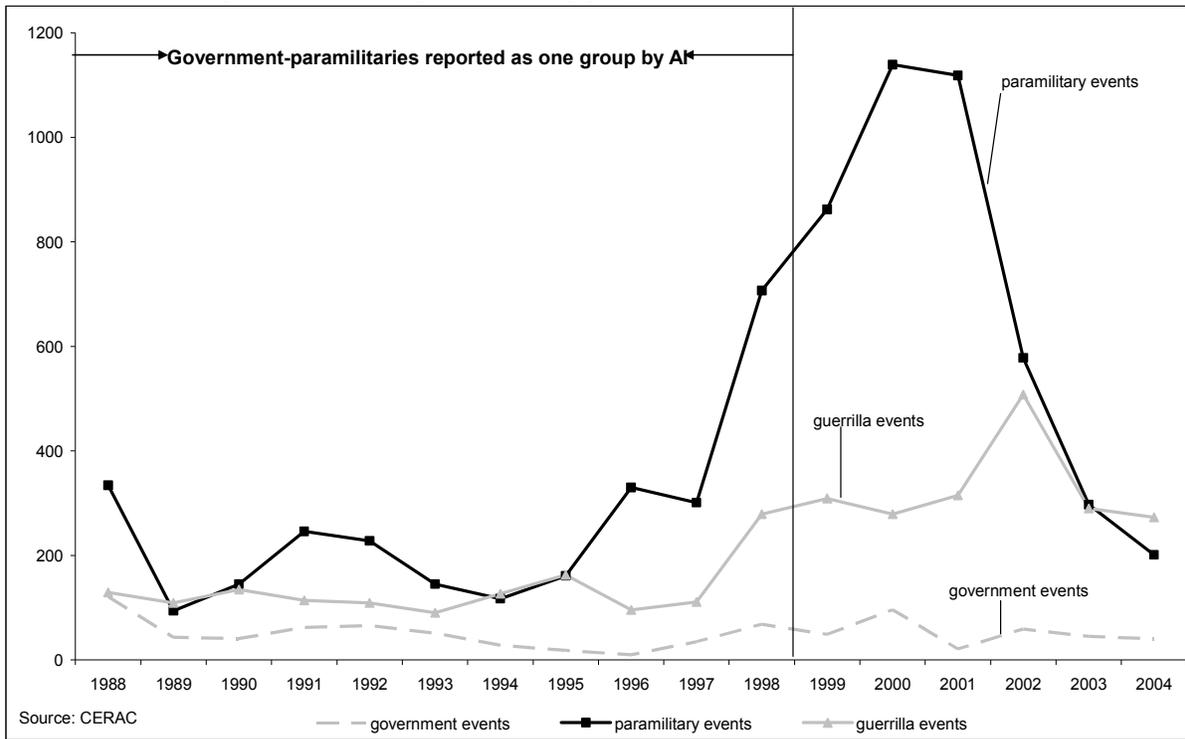


Table III. Evolution of Massacres According to Amnesty International and Human Rights Watch Colombia 1987-2004

Year	Amnesty International				Human Rights Watch			
	General Level	Guerrillas Level	Paramilitaries Level	Government Level	General Level	Guerrillas Level	Paramilitaries Level	Government Level
1987								
1988			>30	>80	70		Many	
1989			>80	>80	108		Many	
1990			>0	>0	70			
1991					76 (01-08/91)			
1992	102			74	91 (01-08/92)			
1993								
1994								
1995								
1996								
1997					>35 (01-08/97)			
1998					185			
1999	402				168			
2000			>0	5 (01-09/99)	236			
2001	Hundreds 92 (first months)		>0		92 (01-10/01)			
2002			Numerous	Numerous				
2003			Numerous	Numerous				
2004								

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005). Annual and Specific Reports.

Figure 4 Massacres: number and people killed: 1988-2004

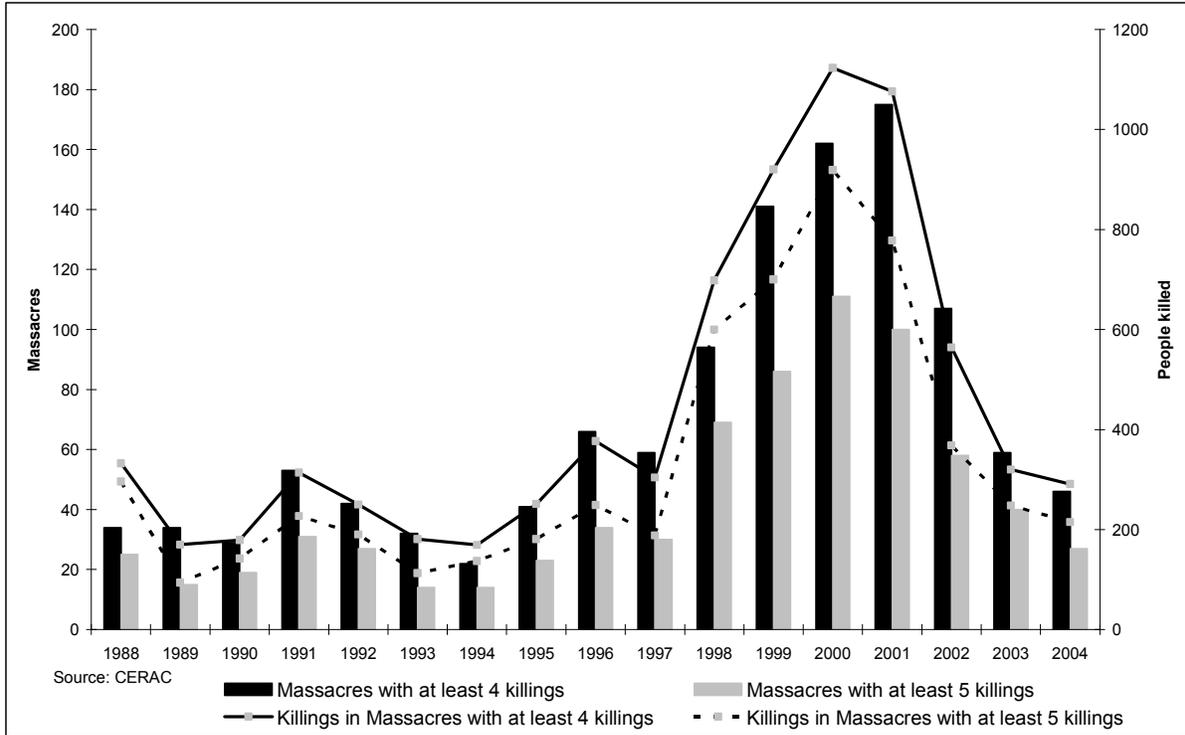


Figure 5 Breakdown of massacres by direct perpetrating group: 1988-2004

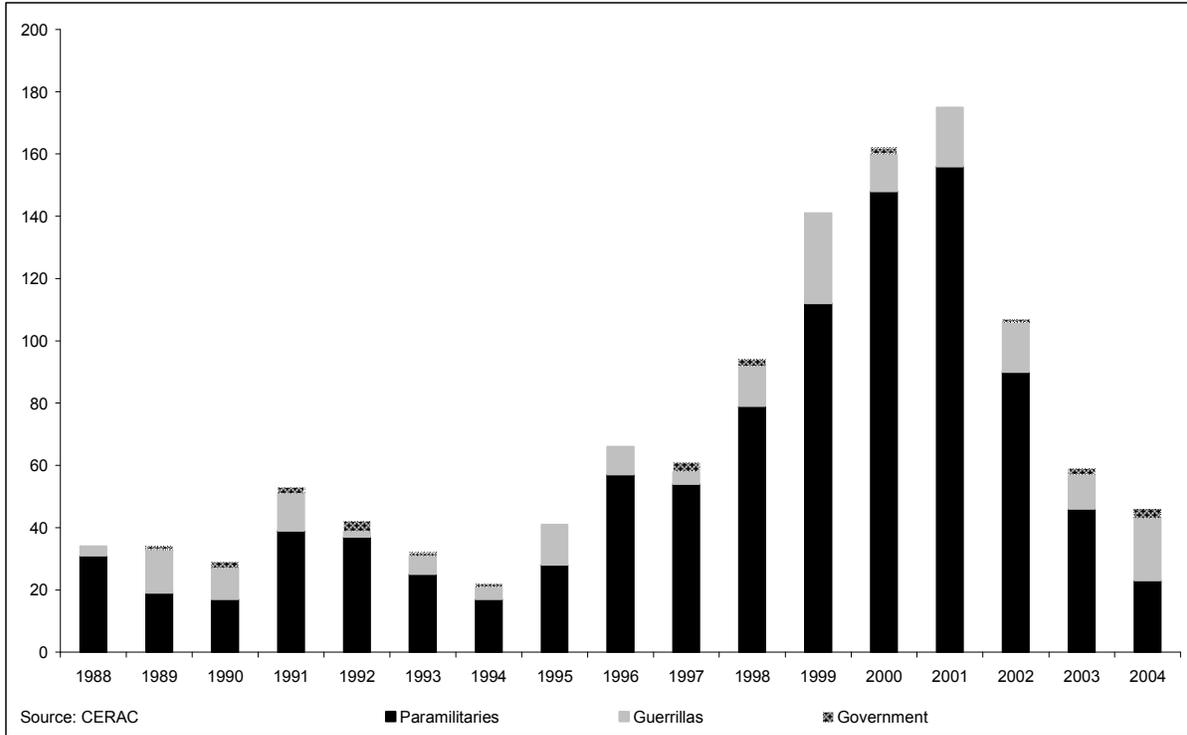


Table IV. Evolution of Kidnappings According to Amnesty International and Human Rights Watch Colombia 1987-2004

Year	Amnesty International			Human Rights Watch			Fondelibertad and National Police		
	General Level	Guerrillas Level	Paramilitaries Level	General Level	Guerrillas Level	Paramilitaries Level	General Level	Guerrillas Level	Paramilitaries Level
1987							1,554		
1988							1,627		
1989							2,186		
1990		Numerous					2,626		
1991		<1700 (89-91)					2,080		
1992		Hundreds					1,320		
1993		Hundreds					1,014		
1994		>400					1,293		
1995		>400					1,158		
1996		>500					1,039	440	0
1997		>600	↑	1693			1,675	940	18
1998		>800		1088 (01-07/98)	↑ (first quarter)	544 (01-07/98)	3,014	1,984	65
1999		>1000 >800(civilians)	→ Merged ←			463 (04-06/99)(ELN)	3,334	1,993	159
2000	3000	>1500	→ Merged ←	>3000		>1500 >701 (FARC)	3,706	2,110	280
2001	3000 >1700	>1700 1800 1700	→ Merged ←	>0	↓		3,041	1,923	262
2002	>2700	>1500	→ Merged ←	2253 (01-09/02)		1307 (01-09/02)	2,986	1,836	183
2003	>2200	>1100 Repeated	→ Merged ←			>0	2,200	1,060	173
2004	1250	>400	→ Merged ←				1,441	456	121

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005), Annual and Specific Reports. Fondelibertad Data available on <http://www.anitsecuestro.gov.co/>; National Police Data on <http://www.policia.gov.co/inicio/porta/unidades/dijin.nsf/paginas/revistadecriminalidad>

Table V. Evolution of Forced Displacement According to Amnesty International and Human Rights Watch Colombia 1987-2004

Year	Amnesty International		Human Rights Watch		CODHES		Government Newly Displaced
	Newly Displaced	Change	Newly Displaced	Change	Newly Displaced	Accumulated Total	
1987					59,000		
1988					105,000		
1989					119,000		
1990				↑	77,000		
1991		↑	<b>Hundreds</b>	↑	110,000		
1992					64,000		
1993					45,000		
1994					78,000		
1995	<i>Thousands</i>			↑	89,000		
1996	150000	↑	<i>Hundreds</i>	↑	181,000	750000 (no date) 920000 (85-96)	
1997	>200000	↑	<b>257000</b>	↑	257,000	>1000000 (no date)	
1998	>300000		<b>308000</b>	↑	308,000	1000000 (no date)	34,243
1999	250000		<b>288000</b>	↑	279,218	1500000 (85-98)	28,274
2000	300000	↑	<b>319000</b>	↑	317,375	1800000 (no date) 2000000 (no date)	330,296
2001	>300000 >200000	↑	<b>&gt;300000</b>	↑	342,243	1200000 (97-01)	374,818
2002	>350000 (01-09/02) >400000	↑	<b>412500</b>	↑	412,553		423,589
2003	207000	↓		↓	207,607		219,935
2004	>287000	↑	<b>287500</b>	↑	287,581		159,889

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005), **Annual** and *Specific* Reports.  
CODHES data available on <http://www.codhes.org> and Governmental entity Accion Social data available on <http://www.red.gov.co/>

Table VI Event counts by group and event type in AI and HRW: 1987-2004

Action	Amnesty International				Human Rights Watch					
	Guerrillas	Paramilitaries	Government	Unidentified	Total events	Guerrillas	Paramilitaries	Government	Unidentified	Total events
Attack	21 (49%)	4 (9%)	15 (35%)	3 (7%)	43 (8%)	47 (72%)	2 (3%)	12 (18%)	4 (6%)	65 (16%)
Killings	62 (23%)	84 (31%)	31 (11%)	94 (35%)	271 (49%)	59 (34%)	46 (27%)	31 (18%)	38 (21%)	174 (44%)
Massacre	15 (27%)	24 (43%)	10 (18%)	7 (13%)	56 (10%)	19 (32%)	32 (56%)	6 (10%)	1 (2%)	58 (15%)
Kidnapping	26 (60%)	15 (35%)	0 (0%)	2 (5%)	43 (8%)	29 (74%)	10 (26%)	0 (0%)	0 (0%)	39 (10%)
Displacement	3 (33%)	6 (67%)	0 (0%)	0 (0%)	9 (2%)	2 (29%)	3 (43%)	1 (14%)	1 (14%)	7 (2%)
Threats	6 (8%)	27 (38%)	11 (15%)	28 (39%)	72 (13%)	3 (8%)	14 (36%)	3 (8%)	19 (49%)	39 (10%)
Disappearance	0 (0%)	9 (24%)	14 (38%)	14 (38%)	37 (7%)	1 (10%)	2 (20%)	4 (40%)	3 (30%)	10 (3%)
Torture	0 (0%)	3 (18%)	12 (71%)	2 (12%)	17 (3%)	0 (0%)	1 (20%)	4 (80%)	0 (0%)	5 (1%)
<b>Total by group</b>	<b>133 (24%)</b>	<b>172 (31%)</b>	<b>93 (17%)</b>	<b>150 (27%)</b>	<b>548 (100%)</b>	<b>160 (40%)</b>	<b>110 (28%)</b>	<b>61 (15%)</b>	<b>66 (16%)</b>	<b>397 (100%)</b>

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005), Annual and Specific Reports.

Table VII Government-paramilitary collusion claims by AI and HRW by event type: 1987-2004

Action	Amnesty International			Human Rights Watch		
	Soft Collusion	Hard Collusion	Total cases	Soft Collusion	Hard Collusion	Total cases
Massacre	18 (72%)	7 (28%)	25 (37%)	15 (75%)	5 (25%)	20 (49%)
Killings	15 (88%)	2 (12%)	17 (25%)	8 (73%)	3 (27%)	11 (27%)
Threats	8 (89%)	1 (11%)	9 (13%)	4 (100%)	0 (0%)	4 (10%)
Torture	0 (0%)	6 (100%)	6 (9%)	0 (0%)	1 (100%)	1 (2%)
Attack	5 (100%)	0 (0%)	5 (7%)	1 (50%)	1 (50%)	2 (5%)
Kidnapping	3 (100%)	0 (0%)	3 (4%)	0 (0%)	0 (0%)	0 (0%)
Disappearance	1 (50%)	1 (50%)	2 (3%)	1 (100%)	0 (0%)	1 (2%)
Displacement	0 (0%)	1 (100%)	1 (1%)	0 (0%)	2 (100%)	2 (5%)
<b>Total by type</b>	<b>50 (74%)</b>	<b>18 (26%)</b>	<b>68 (100%)</b>	<b>29 (71%)</b>	<b>12 (29%)</b>	<b>41 (100%)</b>

Source: Amnesty International (1988-2005) Human Rights Watch (1990-2005), Annual and Specific Reports.

Notes: Soft collusion - allegation of collusion or claim that government forces can but fail to prevent a paramilitary action; hard collusion - strong evidence of collusion, e.g., from a court proceeding.

