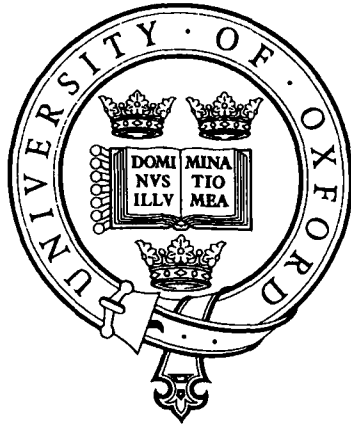


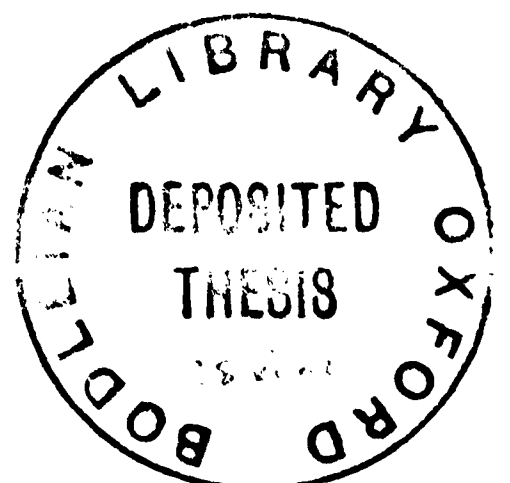


VIOLENT CRIME, PUBLIC PERCEPTIONS AND CITIZEN SECURITY STRATEGIES IN COLOMBIA DURING THE 1990s.

*Thesis submitted in partial fulfilment of the requirements for the degree of DPhil in Politics in the
Department of Politics and International Relations at the University of Oxford*

ALEXIS HEEB

Lincoln College, Trinity Term 2002



ABSTRACT

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This research deals with the topic of violent crime in urban Colombia. Although many references are made to the conflict between the State, guerrilla groups and paramilitary organisations in rural areas, and to the problem of drug-cartels and illegal-drug production, the main aim of the thesis is to show recent trends in violent crime and discuss citizen security strategies followed during the decade of the 1990s.

Chapter 1 focuses on urban homicides. In Colombia, 40 percent of the 25,000 annual homicides are committed in the ten largest cities. The cities of Medellín, Bogotá and Cali account for almost 30 percent of this total. Although the victims are mainly young men from the poorest socio-economic levels, homicides are not necessarily correlated to the areas where the poor live. The probability of getting involved in a homicide, either as a victim or as victimiser, is significantly higher in places where access to economic resources is greater.

Chapter 2 analyses the problem of kidnappings. The chapter looks at recent progresses in Colombian anti-kidnapping legislation and focuses on the authors, the victims and the risk-zones where most cases take place. Although these crimes affect mainly the rich and the middle class, kidnappers have recently started to target victims from all social backgrounds. This strategy creates fear among citizens and permits kidnappers to extort more fees from people who could be at risk of being kidnapped.

Chapter 3 looks at the issue of perception and fear of crime. This question provides a better understanding of the concept of risk and the subjectivity of decision-making when facing insecurity. If citizen security strategies have had little impact during the last decade, it has been partly because of poor levels of co-operation and communication with the population. The consequence of this has been an increasing perception of insecurity and distrust among citizens.

Chapter 4 assesses citizen security strategies followed during the administrations of Presidents Gaviria (1990-1994), Samper (1994-1998) and Pastrana (1998-2002). The reforms implemented since the adoption of a new Constitution in 1991 have had important impacts on security strategies as they have given more discretionary powers to civilian authorities, especially at the municipal level. Larger cities like Bogotá, Cali and Medellín, implemented a series of successful programmes that have reduced the levels of violent crime, notably homicides. Other crimes, like kidnappings, have not decreased since the government has lacked a coherent strategy to combine its peace negotiations with insurgent organisations with its legitimate right to fight violent crime.

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ACRONYMS

ANIF	Asociación Nacional de Instituciones Financieras
BID	Banco Interamericano de Desarrollo (Spanish equivalent for IADB)
CEDE	Centro de Estudios Económicos
CIDSE	Centro de Investigaciones y Documentación Socioeconómica
CIJUS	Centro de Investigaciones Sociojurídicas
CNDH	Comisión Nacional de Derechos Humanos
DAS	Departamento Administrativo de Seguridad
DEA	Drug-Enforcement Agency
DESEPAZ	Programa de Desarrollo, Seguridad y Paz
DIJIN	Dirección Central de Policía Judicial
DNP	Departamento Nacional de Planeación
ELN	Ejército de Liberación Nacional
EPL	Ejército Revolucionario Popular
ERG	Ejército Revolucionario Guevarista
FARC	Fuerzas Armadas Revolucionarias de Colombia
FBI	US Federal Bureau of Investigation
FEDEGAN	Federación Nacional de Ganaderos
FESPAD	Fundación de Estudios para la Aplicación del Derecho
FONDELIBERTAD	Fondo Nacional para la Defensa de la Libertad Personal
GAULA	Grupos de Acción Unificada
ICPC	International Centre for the Prevention of Crime
IADB	Inter-American Development Bank
IEPRI	Instituto de Estudios Políticos y Relaciones Internacionales
INPEC	Instituto Nacional Penitenciario y Carcelario
M-19	Movimiento Abril 19
OAS	Organization of American States
OPS	Organización Panamericana de la Salud (Spanish equivalent for PAHO)
PAHO	Pan-American Health Organization
SEJUP	Serviço Brasileiro de Justiça e Paz
UN	United Nations
UNASE	Unidad Anti-Secuestro
UN-CICP	United Nations Centre for International Crime Prevention
UNDCCP	United Nations Office for Drug Control and Crime Prevention
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UN-HABITAT	United Nations Human Settlements Programme
USAID	United States Agency for International Development
WTO	World Tourism Organization

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INTRODUCTION

During the last decade, violent crime has become a major topic of concern in Latin America. Every year more than 140,000 homicides are committed in the region. In addition, another great number of victims are assaulted, violently robbed or kidnapped. Many of these crimes are unreported by the victims and go unnoticed by the authorities. This in itself complicates the implementation of criminal justice policies by local authorities and law enforcement agencies.

Violent crime has also important consequences on local communities. Because of the violence imposed upon the victims and their families, the people who are related to them and who share the experience often identify with them and subsequently fear the possibility of being victimised in their own turn. This is particularly the case of ‘invisible crimes’ such as kidnapping and extortion, where the levels of psychological violence are often more detrimental for the victims than the actual physical violence inflicted on them. Until now, few governments have recognised the fact that these violent crimes affect both the victims and their relatives who have to deal with ransom payments and psychological pressures from criminals, investigators and law enforcement authorities. In some cases, this pressure is also increased by the harassment of the mass media.

Throughout Latin America there is a common perception that violent crime has increased in recent years and that governments have not done enough to improve the situation. A recent international survey suggests that most citizens believe that their governments have not responded efficiently to the problem of crime and insecurity. 27 per cent of the population think that the policies implemented by their local government are *poor*, while another 18 per cent describe them as being *very poor*. Only 19 per cent of the people in the survey found that crime has been fought in a *good* way by their government. The exact question asked in this survey was: “El manejo que el presidente le ha dado a la seguridad ha sido muy bueno, bueno, ni bueno ni malo, malo o muy malo”. Peru and Mexico had the highest percentages of people

answering that the President's strategy to improve public security had been good or very good: 45 and 41 per cent respectively. In Colombia, only 19 per cent found that the President's security strategies were good. Brazil and Argentina had the lowest percentages, with only 4 and 8 per cent of the people considering the strategies to be good. Throughout Latin America, only 1 out of 5 people believed that local governments were doing a good job in the fight against crime.¹

This is especially true at the urban level. National surveys indicate that citizens feel increasingly unsafe in their cities: 49 per cent of Mexicans declared that they feel unsafe to walk out at night, and this figure reached 62 per cent for Mexico City.² In Brazil, similar percentages are found in the metropolitan zones of São Paulo and Rio de Janeiro. Surveys carried out in Venezuela, Argentina, Peru and Colombia also show that citizens living in the largest urban centres often feel more unsafe than those in smaller cities. These answers seem to be common throughout the region where people often admit that they have adopted a risk-avoiding behaviour to compensate for the lack of security and to minimise the possible chances of victimisation.

The consequences of this are immense. According to one recent publication, violent crime has become 'a cause, not only of more violence, but also of poverty, unemployment and the destruction of social, political, human, economic and social resources'.³ The costs measured in losses of human lives, lost property and even

¹ This survey was published in the *Barómetro Iberoamericano*, one of the few sources that undertake periodical reviews addressing the main issues of public concern on a comparative and regional basis. Although the *Barómetro* is useful to draw cross-regional comparisons on the main political issues, the figures presented there have to be handled with care. The number of people interviewed in each country was not always the same and the number of respondents varied from city to city. In Peru and Mexico people were interviewed only in the capital city. Colombia and Argentina carried out much more extensive surveys throughout the major cities and interviewed larger population samples. See Consorcio Iberoamericano de Empresas de Investigación de Mercadeo y Asesoramiento - CIMA, *Barómetro Iberoamericano: informe de opinión de Latinoamérica y de la Península Ibérica 2001*, Bogotá, 2001, p.7. Data on sampling found in pp. 52-53.

² *Reforma*, 10 October 1996. See also Inter-American Development Bank, "Análisis de la Magnitud y Costos de la violencia en la Ciudad de México", Washington D.C., 1998, p.6. It is important to note that the crime database in Mexico is still disorganised and is not homogeneous across regions. See Fundación Mexicana para la Salud, "Trends and Empirical Causes of Violent Crime in Mexico", Washington D.C., October 1999, p.8.

³ Solimano, A. (ed.), *Colombia: essays on conflict, peace, and development*, Washington D.C., 2001; Lederman D., Loayza N. and Fajnzylber P., *Crimen y violencia en América Latina*, Bogotá, 2001; Call,

productive time have been immense and have affected the social and economic development of the region.⁴

The risks of loss caused by the levels of insecurity have also had strong impacts on local economies. They have increased transaction costs on goods and services and they have also decreased the value of property rights on land and goods. Investment levels, both foreign and local, have significantly decreased due to market uncertainties. This has raised the potential for economic recession in the region. Massive human migration at the national and international levels has worsened the problem causing thus a vicious circle between economic recession and further insecurity.

Although these aspects have been visible throughout Latin America, the countries where this phenomenon has been most visible are Colombia, El Salvador and Guatemala. Other countries like Brazil and Mexico have been affected at local levels in some rural zones or in the largest metropolitan areas around the cities of São Paulo, Rio de Janeiro, Mexico City and Monterrey. As a result, citizens have increasingly requested that their governments prioritise the fight against violent crime. This topic has become essential in local politics and often comes to the forefront during election campaigns: corruption and crime often appear among the top preoccupations of the population, together with education and unemployment. Opposition parties and pressure groups often refer to the levels of crime to criticise the inefficiency of the government in office.

C.T., "Sustainable Development in Central America: the challenges of violence, injustice and insecurity", Hamburg, 2000, p.1. See also González Ruiz, S., López Portillo, E. and Yáñez, J.A., *Seguridad Pública en México*, Mexico D.F., 1994, p.16.

⁴ See World Bank, *Informe sobre el Desarrollo Mundial 1993. Invertir en Salud*, Washington D.C., 1993; Moser, C., "Urban Poverty and Violence: consolidation or erosion of social Capital?", Bogotá, 1996; Londoño, J.L., "Violencia, Psychis y Capital Social", Bogotá, 1996; World Bank, "Crime and Violence as Development Issues in Latin America and the Caribbean", seminar on "The Challenge of Urban Criminal Violence", Rio de Janeiro, 2-4 March 1997; Ayres, R.L., "Crime and Violence as Development Issues in Latin America and the Caribbean", Washington D.C., January 1998; Buvinic, M., Morrison, A. and Shifter, M., "Violence in Latin America and the Caribbean: a framework for action", Washington D.C., 1999 and Londoño, J.L. and Guerrero, R., "Violencia en América Latina: epidemiología y costos", Washington D.C., 1999.

Effective measures to reduce violent crime have often been short-sighted and have not solved many of the most urgent problems. Time and money are frequently spent in the implementation of new strategies rather than in the preservation and improvement of current criminal justice policies. Prisons are usually overcrowded and installations are archaic. A majority of the guards are undertrained and underpaid and prisoners often exercise their authority, displacing prison officials. Illegal drugs, alcoholic beverages and firearms can be bought and sold in almost every prison. Conflicts between rival prison groups are common and inmates are often subject to violent crimes such as murder, assault, sexual abuse, racketeering and even sometimes kidnapping.

Current legislative tools often aim to keep inmates for longer periods of time in jails rather than deter potential offenders. The punishment of criminals is usually perceived to be a useful measure to deter future crimes. Rehabilitation programmes for repetitive offenders are almost non-existent. Commonly, those who are put in jail are not the intellectual authors of crimes, only the material authors. The judiciary face enormous backlogs and impunity is widespread. As a result, law enforcement agencies are often perceived to be inefficient and corrupt. To improve them, governments throughout the region have tried to reform and modernise them. However, most members of the police and of the judiciary continue to be poorly trained and have too many responsibilities. In most cases, criminal justice policies are based on reactive rather than preventive approaches to crime and most governments have not showed any interest in funding projects on the long-term.

These multiple problems have made difficult the implementation of effective solutions to curb violent crime and have not alleviated the fears of the population. In most cases, citizens keep a sceptical and distrustful view of their authorities. Because law enforcement agencies are poorly regarded, they can rarely count on the support of the population. This scepticism is visible in the low perceptions that citizens have of their governments and their citizen security strategies. In some cases, like Venezuela, the authorities have lost almost all the legitimacy to guarantee the rule of law among some sectors of the population.

Until recently, the implementation of crime prevention strategies was usually seen as the sole responsibility of local authorities and central governments. Because of the growing impact of crime on many local communities, these issues have increasingly attracted the attention of researchers from academia, the mass media, non-governmental organisations and even private firms. The topic of crime in general, and violent crime in particular, has never previously attracted the attention of so many experts from so many different backgrounds. Throughout Latin America, current studies in criminology have centred on the identification of local determinants of crime and on the geographical locations where illegal activities seem to concentrate. Most of this research has been inspired by public health theories based on the *epidemiological perspective*.⁵ This perspective was defined by the Pan-American Health Organization - PAHO, as "the ongoing systematic collection, analysis, and interpretation of outcome-specific data for use in the planning, implementation, and evaluation of public health practice".⁶

The epidemiological model stems from the idea that the majority of crime and violence does not occur by chance. Crime has determinant factors that can be identified and prevented by monitoring risk situations and applying crime-prevention strategies. Epidemiological surveillance is designed to answer questions such as who is affected by violent acts and injuries, in what circumstances, under what conditions, at what times these events occur and what factors are associated with their occurrence. The approach assumes that factors of risk can vary between communities and places, and therefore each locality needs to draw its own policies. Municipal authorities use data collected by specialised entities like forensic institutes, research centres and police forces to determine the trend, target surveillance activities, and suggest preventive interventions.

⁵ See also Londoño, J.L. and Guerrero, R., "Violencia en América Latina".

⁶ Pan-American Health Organization, *Guidelines for Epidemiological Surveillance Systems on Violence and Injuries*, Washington D.C., c2001. This document is also available on the PAHO's website at <http://www.paho.org/English/hcp/hcn/guidelines-eng.htm>.

Increases in homicides and other violent crimes have thus been analysed as if they were caused by an epidemic of violence. Public health officials have started to look for and analyse local determinants of crime that may permit to decrease the levels of crime. This has been the first holistic approach that tried to focus mainly on the preventive aspect of criminal research.⁷ Although it became popular in the early 1990s, its influence is still visible in most criminal research centres throughout Latin America. There, criminologists are increasingly interested in finding local social factors that may help them to understand current trends of crime, its location, authorship and its main social and political consequences.

Proponents of the public health approach have suggested that the *epidemiological perspective* can serve to evaluate and develop security strategies useful in both the short and the long terms. In the short term, these strategies serve to correlate the geography of crime and violence within local communities permitting the adoption of specific tailor-made security policies. In the medium and long terms, these strategies are helpful to detect and improve local determinants of crime, such as the existence of youth bands or local armed groups that resort to crime in response to social conditions, such as structural unemployment, economic inequality and lack of social mobility.

International agencies such as the United Nations, the World Health Organization - WHO and its subsidiary the Pan-American Health Organization, the World Bank and the Inter-American Development Bank - IADB, have been promoting this sort of research and the implementation of the health approach to develop a better understanding of local security issues. By understanding violent crime from a local perspective, international agencies may also be able to compare different regional cases and offer appropriate solutions.⁸

⁷ See Department of Justice, Canada, *Toward Safer Communities: Violent and Repeat Offending by Young People - Consultation Document*, Ottawa, 1993; European Forum for Urban Safety, *Villes en sécurité: prévention de la délinquance, des drogues et de la toxicomanie*, Paris, 1989; Clinke, R.V., *Situational Crime Prevention: Successful Case Studies*, New York, 1992; Eastman, C.A., *Ciudad y violencia en América Latina*, Quito, 1994; Graham, J. and Bennett, T., *Crime Prevention Strategies in Europe and North America*, Helsinki, 1995 and Waller, I., *Current Trends in European Crime Prevention: Implications for Canada*, Ottawa, 1989.

⁸ Moser, C. and Lister, S. (eds.), "Violence and Social Capital: Proceedings of the LCSES Seminar series, 1997-1999", Washington D.C., August 1999, p.1.

Governments and specialised agencies have also established more effective, transparent and accountable policies that have aimed at decreasing the levels of crime and violence.⁹ At the same time they also try to improve the statistical databases and suggest the adoption of homogeneous crime definitions that can be analysed and understood across borders. In 1994 the governments of Canada, France, Ivory Coast, Netherlands, Portugal, South Africa, United Kingdom, United States of America and the province of Quebec created the International Centre for the Prevention of Crime - ICPC. This Centre is an international non-governmental organisation created with the mission of assisting cities and countries to reduce delinquency, violent crime and insecurity. The ICPC has a resource office dedicated to the identification and compilation of global practices against crime and the local promotion and implementation of these practices by means of public education programmes. The main office, which is based in Montreal, also manages a comparative exchange programme to enhance the development of crime prevention throughout the world. It offers technical assistance to local authorities, governmental organisations and crime prevention agencies. Among its main policy areas, the ICPC includes crime prevention and co-operation with national and urban organisations that deal with cross-sector strategies, social development, violence against women, legislative policy and the improvement of police forces.

The Economic and Social Council of the United Nations identified early in the 1990s the need to support local efforts in the combat against crime and delinquency at the urban level. The priorities focused on the detection of risk zones and target groups to prevent a possible escalation of violent crime.¹⁰ UN world congresses on the topic of crime prevention and treatment of offenders have continued these efforts and tried to

⁹ See the ICPC internet site at <http://www.crime-prevention-intl.org/>. See also Waller, I., "Prevención del delito: la nueva esperanza" in Carranza, E. (Coord.), *Delito y seguridad de los habitantes*, Mexico D.F., 1997.

¹⁰ UN Economic and Social Council, section VI of resolution 22/1992.

diffuse new developments in criminology research across participant countries.¹¹ With this, the UN has also tried to diffuse common strategies to promote more effective criminal justice systems and crime control programmes designed to attack the growing costs of international organised crime, responsible for promoting much violence at local levels.

The results of these projects have not always offered practical solutions to the problems of crime. In most countries only a handful of government officials are informed of recent UN publications and few of them have the necessary financial resources and political power to put the recommendations into practice.¹² Local governments rarely take much trouble to measure the impact of previous policies before changing them and applying new ones. The setting of practical and attainable goals is rarely done, and the assessment of projects is difficult. Even specialised offices of the United Nations, such as the UN Centre for International Crime Prevention - UNCICP, have not carried out assessments of the policies and directives that individual countries have adopted after the World Congresses on crime prevention.¹³ To this day, there is little or no hard evidence available on what projects have been implemented and to what extent they have succeeded in diminishing the extent of violent crime in local communities.

¹¹ Since 1950, there have been 10 world congresses held every 5 years. The last one was held in Vienna in April 2000. For more on this congress, see the CICP documents, reports and resolutions available at <http://www.uncjin.org/Documents/10thcongress/10cDocumentation/10cdocumentation.html/>.

¹² The participants in these congresses are not always those in charge of drafting and applying crime prevention policies in their own countries. Many of the attendants are diplomatic employees who are not experts in the topic and who report to their consular office, not to crime prevention institutions. Few members of the Police usually attend. The list of participants who attended the last congress is available at <http://www.uncjin.org/Documents/10thcongress/10cDocumentation/10cdocumentation.html/>.

¹³ The United Nations has had an office in charge of fighting international crime since 1948. Since then it has tried to promote global policies aimed at preventing crime. Today, the CICP is the United Nations office responsible for crime prevention, criminal justice and criminal law reform. It focuses on the fight against transnational organised crime and corruption. The Centre is located in the city of Vienna and is part of the United Nations Office for Drug Control and Crime Prevention - UNDCCP. Besides having its own team of researchers, the Centre co-operates with a network of international and regional institutions in different countries. This fact allows the Centre to diffuse projects and exchange ideas with local governments in order to improve security and deal with issues such as transnational organised crime, money laundering and drug control. Further information on the UN-CICP is available at: <http://www.uncjin.org/CICP/cicp.html/>.

The necessity for a more consistent and democratic approach to crime prevention has become more visible since the late 1980s and early 1990s, when several international organisations started to promote new methods of fighting the problem and implementing projects that were based on the participation and co-operation between civilians and local authorities. International conferences were held in Barcelona (1987), Montreal (1989), Paris (1991), Vancouver (1996), Johannesburg (1998) and Naples (2000). At those meetings, a large number of mayors, police directors and members of the judiciary came together from some 65 countries to draw up a common strategy for fighting problems of violent crime and urban insecurity. The main outcome of these conferences was the establishment of *Safer Cities*, a strategy of crime reduction and violence prevention led by the United Nations Human Settlements Programme, UN-HABITAT.¹⁴

In Latin America, these currents have been promoted by the Inter-American Development Bank and the Organisation of American States - OAS. In a recent publication, the president of the Inter-American Development Bank argued that crime and violence were today considered as the top political priorities for all Latin American and Caribbean countries.¹⁵ The OAS has also tried to create a joint international and inter-organisational committee to offer support to, and implement similar security strategies in, all member countries.¹⁶ In the long-term, this is perceived as a possible solution to the lack of consistency in criminal justice policies across countries and governments. As a consequence of this, Latin American governments have started to adopt local policies aimed at identifying specific determinants of crime,

¹⁴ For more on the *Safer Cities* project, see the UN-HABITAT website at <http://www.unchs.org/safercities/>.

¹⁵ Iglesias, E.V., "El impacto de la violencia sobre el desarrollo" in Inter-American Development Bank, et al., *Hacia una nueva cultura ciudadana: un debate abierto*, Medellín, n.d., p.4.

¹⁶ In a recent Latin American Congress on crime prevention, Cesar Gaviria, the secretary-general of the OAS, declared: 'sería necesario buscar el apoyo y la coordinación de entidades como el BID, OPS, UNESCO, Banco Mundial y las fundaciones privadas que vienen apoyando la investigación académica en estos temas y tienen disposición de avanzar de manera colectiva en la ejecución de proyectos. Hemos venido trabajando, a través de un comité temático, para estudiar y proponer la conformación de una coalición de agencias internacionales para apoyar los esfuerzos nacionales en materia de prevención [del crimen]'. Speech at the meeting for governmental experts on crime and prevention of delinquency held in Medellín on 19 April 1999. A transcript of the speech is available at <http://www.oas.org/juridico/spanish/Crimen5.htm>.

risk areas and vulnerable groups in the most affected communities. These strategies, which all share some common objectives, have focused on:

- Preventive solutions aimed at improving the rule of law and decreasing re-incidence among offenders. This aspect includes the introduction of alternative justice mechanisms and community policing strategies to increase the confidence of the population towards their local authorities.
- The adoption of social rehabilitation programmes in risk zones to avoid an escalation of criminal violence, especially among minority groups considered as vulnerable such as youth bands, the unemployed and marginal social groups like the homeless, prostitutes, street vendors and others. Community leaders are expected to co-operate with local authorities to improve security across violence-ridden areas and to implement crime-prevention programmes.
- Reform programmes aimed at modernising police forces and judiciary systems. The focus of attention has been the preventive side of criminal justice, concentrating on the identification of local determinants of crime and delinquency. There has also been a clear effort to equip and train specialised personnel to deal with specific crimes notably those committed by large criminal organisations.

Because most of these programmes are recent, assessing them is not an easy task. In Colombia, analysts have suggested that some of these new policies have been effective in decreasing the number of homicides committed, yet they may have only been effective where the most visible structures of organised crime like the large drug-cartels have been suppressed.¹⁷ This is the case of the larger cities where the number of homicides today is similar to what it was in the mid-1980s, but it is not the case of smaller cities where criminal organisations change on a more regular basis.

Local city administrations in Bogotá, Cali and Medellín sometimes congratulate themselves on the fact that homicide rates have been going down. A large share of the violence which caused the increase of homicides in the mid-1980s was claimed to be

¹⁷ Rubio, M., *Crimen e impunidad: precisiones sobre la violencia*, Bogotá, 1999, pp. 5-15.

drug-related. With the efforts of the authorities to fight the commerce of narcotics, drug dealers seem today to have adopted a low profile and are less involved in violent crime. Although the authoring of homicides is today more difficult to identify, rates of homicides have decreased in almost all cities. Security strategies, however, have not served to decrease the number of other violent crimes like kidnappings and extortion. The fight against these crimes in the Colombian case has been limited through the government's reluctance to jeopardise the peace negotiations with the country's main guerrilla organisations.

In other countries like Brazil, Mexico and Peru, trends in violent crime have been similar: homicides have decreased in the main cities, while other crimes like kidnappings and violent assaults have increased. As mentioned above, a common response to this increase in violent crime in the region has been strengthening of law-enforcement authorities and the adoption of new laws. This has occurred most of the time without any prior assessment of the performance of existing legislation. This is repeatedly seen with the adoption of stronger laws aimed to punish kidnappers. In Colombia, Law 42 of 1993 and in Peru, Law 26630 - 21 June 1996 are good examples of this. Both laws significantly increased the sentences imposed to kidnappers: the Peruvian law rose the minimum sentence of 2 years to a minimum period of 10 years and the maximum sentence of 20 years to a life sentence. In Colombia, prison sentences and fines imposed to kidnappers also increased significantly. Yet, there were no studies made on the effects of previous laws. The authorities did not possess nor provide data on the number of detainees, their time spent in prison or the amount of money recuperated from kidnappers.

Kidnappers who received maximum sentences were also subject to sentence-reduction programmes available to all inmates who co-operated with the authorities or who followed social or educational programmes. These programmes counterbalanced the effects envisaged by legislators. Long-prison sentences were, in practice, often reduced to a fraction of the original sentence. Far from being instruments of crime deterrence, these laws were used by politicians to calm down public anxieties. This is still the case

today: as the cases of kidnapping cases go up, so do the number of projects to pass new laws.¹⁸

Comparative Trends in Violent Crime: the Latin American Context

According to a study made by Mauricio Rubio, there has been a significant increase in the total number of violent crimes committed in Latin America during the past decade. Rubio also suggested that the degree of violence used to commit crimes in this region is much higher than in other areas of the world. In his own words:

‘a diferencia de otros continentes, el crimen latinoamericano es particularmente violento: mientras que, por ejemplo, en Colombia o México cerca de la mitad de los ataques a la propiedad se hacen con recurso a la violencia en Francia tal fracción apenas alcanza el 3 por ciento’.¹⁹

Although the reasons behind this degree of violence still remain largely unexplained, this factor has certainly helped to generalise a common perception of insecurity around the region. Even outside Latin America, the region is generally perceived to be a high-risk area for visitors and foreigners.²⁰ Violent crime has often been linked to the existence of other illegal activities that are highly competitive and financially rewarding, such as money laundering, drug trafficking and the arms trade.

To draw comparisons between different communities at a given period of time, criminologists usually calculate the number of homicides per 100,000 inhabitants.²¹ This is the most commonly used measure to judge the level of violence of a particular community regardless of the number of inhabitants. Cross-country comparisons nevertheless, are difficult to make and available data have to be used with caution.

¹⁸ Instituto Apoyo, “La violencia intencional en Lima metropolitana: magnitud, impacto económico y evaluación de políticas de control 1985-1995”, Lima, 1997, p.38.

¹⁹ Rubio, M., “Los costos de la violencia en América Latina: una crítica al enfoque económico en boga”, San Salvador, June 1998, p.9.

²⁰ For more on this issue, see below **Chapter 3**.

²¹ This measure, however, can sometimes be a misleading indicator of absolute violence because less-than-fatal crimes are often unaccounted for. The frequency of other non-fatal crimes, like kidnapping, extortion with threat of violence and violent robbery cannot be accounted if unreported.

Small populations may show large rates of homicide, while large populations may indicate smaller rates, even if homicides are concentrated within a few nuclei of violence. Rates may provide indicative estimates but may also hide disparities within regions or cities where they were calculated. This is the case with Colombia, a country with one of the highest rates in homicides in the world, but where 40 per cent of homicides are committed in the ten largest cities. Within these cities themselves, homicides are also concentrated within a few and well-defined areas. It is thus necessary to consider the analysis of homicide rates at a local level, such as in different sectors or neighbourhoods of a city, to see if there are significant areas where violence is concentrated.

Focus on the local level -that is, the municipality- is essential because that is where the administrative and police authorities collect crime data and attempt to understand the local determinants of crime. It is at the local level that steps need to be taken to develop epidemiological surveillance systems that respond to each community's particular situation, making it possible to identify specific types of violence affecting the community's inhabitants and the ways in which this violence is expressed. This does not diminish the importance of the regional or national levels, with which these efforts must be linked and coordinated.²²

²² Pan-American Health Organization, *Guidelines for Epidemiological Surveillance Systems on Violence and Injuries*, p.1.

Table 1. Homicide rates in Latin America

PAHO 1997		IADB 2000	
	Rate		Rate
Colombia	69.15	Guatemala	150
El Salvador	24.70	El Salvador	150
Brazil	20.84	Colombia	89.5
Mexico	16.80	Jamaica	35
Venezuela	12.07	Brazil	19.7
Ecuador	12.83	Nicaragua	18.3
Paraguay	9.02	Mexico	17.8
Cuba	7.70	Venezuela	15.2
Nicaragua	5.54	Dominican Republic	11.9
Costa Rica	5.15	Peru	11.5
Panama	4.52	Panama	10.9
Argentina	4.31	Ecuador	10.3
Dominican Republic	3.83	Honduras	9.4
Uruguay	4.22	Costa Rica	5.6
Chile	2.80	Argentina	4.8
Peru	3.25	Uruguay	4.4
Guatemala	2.28	Paraguay	4
Jamaica	1.27	Chile	3

*Rates per 100,000 inhabitants
Source: Pan-American Health Organization and Inter-American Development Bank.

When comparing violent crime it is also necessary to understand the way crimes are defined. Homicides and kidnappings give good examples of this. Statistics on homicide may hide disparities if intentional killings are not separated from accidental violent deaths, such as manslaughter and car accidents. Some statistics on homicide also include suicides. Definitions across countries also vary depending on the institutions in charge of collecting and classifying data. They are often subject to the influence of, and pressure from, governments. Official data may consequently include figures that cannot be verified by the public or by independent organisations.²³ Some countries, like Brazil or Peru, do not treat state-sponsored deaths as homicides. There,

²³ The authorities may sometimes be interested in under-registering the number of homicides to suggest an improvement in their security strategies. However, an increase in the number of cases can also suggest that the authorities need more resources to bring crime down. Data from forensic institutes generally also show higher numbers of homicides than data from the police. As suggested above, this may be caused by different classifications, but may also be caused by people who die from their injuries after being brought to hospital. See Rubio, M., *Crimen e impunidad*, pp. 229-240.

the police can justify their use of violence by using different classifications for homicides.²⁴

Table 1 above, gives an example of how the figures can change depending on the data that institutions use for their statistics. This table shows the homicide rates for most Latin American countries as calculated by the Pan-American Health Organization - PAHO in 1997 and the Inter-American Development Bank -IADB in 2000. Despite the three-year difference, these statistics show that there are major inconsistencies in some of the data. The most significant cases are Guatemala and El Salvador. While the PAHO calculated that the rates for these countries were 2.4 and 24.2 respectively, the IADB published data in which they reached a rate of 150 for both countries. The IADB also found rates that were significantly higher for Colombia, Jamaica, Nicaragua, Dominican Republic, Peru and Panama. This could suggest that the IADB used broader definitions of the crime, perhaps even including other violent deaths like suicides and car accidents. Since data vary so much across local institutions and are frequently subject errors and repetitions, it is extremely difficult to find homogeneous databases.

To illuminate the above considerations about doing cross-country comparisons, the following example is useful: authorities in El Salvador registered almost 6,800 homicides during 1996. Because its population is less than 6 million, the homicide rate is higher than 120 cases per 100,000 inhabitants. Brazil, on the other hand, registered more than 42,000 homicides in 1998 and has a population close to 150 millions. The homicide rate was close to 28 per 100,000.²⁵ The rate of homicide for Brazil is five times less than in El Salvador. Yet homicides are not evenly spread around the country. The city of São Paulo by itself has an annual number of homicides that doubles the total number of homicides committed in the entire country of El Salvador. The rate, however, is 50 per cent smaller due to the large population of the city, even if

²⁴ This is also the case of the United States, where deaths caused by actions of the Police are registered under other categories, such as ‘deaths caused under investigation’. Police forces have often been found guilty of carrying out extra-judicial killings.

²⁵ Piquet Carneiro, L., “Violent Crime in Latin American Cities: Rio de Janeiro and São Paulo”, Washington D.C., January 2000, p.26.

most of the homicides are concentrated within a few sectors, like the adjacent suburb of Diadema.

In spite of this, recent advances in crime research promoted by academics throughout the region have permitted to give some estimates on the levels of homicide. In 1990, the average homicide rate for Latin America was 22.9, more than the double of the world's rate of 10.7 homicides per 100,000 inhabitants. By 1994 the rate reached 53.2 for the region.²⁶ According to Rubio, the proportion of homicides compared to other non-fatal crimes is much higher in Latin America than in other regions of the world.²⁷ Among the most affected countries is Colombia, with one of the highest homicide rates in the world. Only El Salvador, Guatemala and Jamaica have comparable rates. However, Colombia's record is particularly important given that the country is the fourth most populated in Latin America and it has the second highest number of homicides after Brazil.²⁸

During the 1990s, more than 260,000 homicide cases were recorded and the average number of homicides per day during the year 2000 was still around 71. The national rate was of 74 per 100,000 inhabitants. Homicides, which were on the increase since the mid-1970s, reached an unprecedented growth rate after the mid-1980s. This trend continued until the peak year of 1991 when the number of homicides approached 30,000. Since then, the figures have been declining. In 1999, the number of homicides was similar to the number recorded by the authorities ten years before, and the rate of homicide per 100,000 inhabitants was the same as it was during the years 1987-88.²⁹ The reasons for this reduction of violence are still little understood.

²⁶ Buvinic, M., Morrison, A. and Shifter, M., "Violence in Latin America and the Caribbean", p.2 and endnotes 1 and 2, p.52.

²⁷ Rubio, M., *Crimen e impunidad*, pp. 38-39.

²⁸ With almost 40 million inhabitants, Colombia occupies the fourth place in Latin America after Brazil, Mexico and Argentina. In terms of the absolute number of homicides, Colombia with 26,000 cases per year occupies the second place after Brazil, where approximately 42,000 cases are committed annually.

²⁹ Martin, G., "Crime and Violence in Cali (Colombia): a diagnosis and policy propositions", mimeo, Washington D.C., April 2000, p.5.

Compared with other Latin American countries, available figures show that the Colombian rate has remained significantly higher for more than two decades. The country's homicide rate is only comparable to the countries in Central America where civil conflicts of high intensity dramatically increased the number of homicides during the 1980s and 1990s. During the late 1990s, El Salvador, Guatemala and Honduras, homicide rates reached 'alarming proportions', much higher than almost every country in the world. Increases in murder, kidnapping, armed robbery and car theft have come to symbolize the disintegration of public security after the end of regional wars, even though all violent crimes did not rise in every country. However, there are large discrepancies in the statistics in this region. Sources are often unreliable and definitions of crime are interpreted in different ways by data-gathering agencies. The most striking examples are found in El Salvador, where official statistics differ immensely from the analysis made by international agencies. In a recent article, Call finds that homicide rates for El Salvador are extremely high, approaching 140 homicides per 100,000 in 1996 alone. In a similar study carried out by the Public Opinion Institute of the Universidad Centroamericana, researchers estimated the figures to be around 7,673 homicides for 1994 and 6,792 for 1996. This represented annual rates of homicide of 138.2 and 117 respectively. Data from the Pan-American Health Organization, however, put the figure much lower -close to 40 homicides per 100,000 inhabitants and the *UN Human Development Report* suggests that the homicide rate for El Salvador in 1996 was 27.4.³⁰

³⁰ Call uses the following sources: *UN Human Development Report for Guatemala 1999*, Guatemala City, based on Instituto Nacional de Estadísticas (1991-95) and PNC (1996-98). For El Salvador figures from Fiscalía General (1994-1998) were compiled by the Fundación de Estudios para la Aplicación del Derecho - FESPAD. There is a large difference between the data presented by Call and the data from the Pan-American Health Organization used above in this chapter. This might suggest that the sources used by Call include cases of disappeared people that are currently being investigated, rather than counting only homicides where corpses were found. Homicide rates in Guatemala for the period 1992-1998 indicate similar differences. While Call found that average rates of homicide for Guatemala were close to 68.9 per 100,000 inhabitants, data available from the Pan-American Health Organization give average rates that seem excessively low when comparing them with other countries. However, the authors also compare these figures with the data from local municipalities and with the legal medical institute. If one uses these data, the rate of homicide for the country would be between 80 and 100 per 100,000 inhabitants, depending on the figures used. The Legal Medicine Institute's data on homicides that were committed in the capital and local municipalities tend to over-represent the numbers of deaths caused by manslaughter and other accidents. Data from the prosecutor's office also seem to over-represent the number of homicides at the national level. See Londoño, J.L. and Guerrero, R., "Violencia en América Latina", table 1.3, page 14; Call, C.T., "Sustainable Development in Central America", table 1, p.1 and

Some other Latin American countries have much lower homicide rates. Chile and Argentina are among the only Latin American countries with homicide rates similar to those in advanced industrialised societies.³¹ While Venezuela's authorities maintain that the rate is close to 11, independent studies suggest that there are grave inconsistencies with local databases and set the figure much higher.³² One of the countries that have seen a significant increase in the number of violent crimes, and notably homicides, is Mexico. In the Federal District the homicide rate increased from 10.2 to 19.6 between 1981 and 1995. By the end of the 1990s, the figure had reached 20. The majority of the country's homicides and kidnappings were committed in the outskirts of the metropolitan area.³³

Homicide rates for Brazil, which were similar to those of the United States in the early 1980s, around 10 per 100,000, were more than twice the American rates by the late 1990s. In 1988 the total number of homicides was close to 21,000. Since 1979 a total number close to 500,000 homicides has been attained in Brazil. In 2000, the official number of cases had reached 42,000. This 100 per cent rise can be linked to a possible increase in violent crime and to a more transparent and accountable public force that

p.9; Instituto Universitario de Opinión Pública, "La violencia en El Salvador en los años noventa. Magnitud, costo y factores posibilitadores", San Salvador, 1998, table 1.2, page 6.

³¹ Chile's rate of homicide is 3 and Argentina's rate is close to 4 homicides per 100,000 inhabitants. The rates of industrialised nations vary between 1 and 5 homicides per 100,000 people. In France, the rate is 1.4 per 100,000 people, and it is 0.9 in Japan. The United States currently has a homicide rate of 11.5 per 100,000 people. See Pan-American Health Organization at <http://www.paho.org/>. See also República Argentina, Ministerio de Justicia, *Hacia un plan nacional de política criminal III*, Buenos Aires, 1999.

³² The official rate of homicide as given by the authorities is 11.2. The Pan-American Health Organization published a rate between 12 and 13, the IADB puts it at 15 and the study by Londoño and Guerrero argue that the rate is in reality much higher, close to 35 per 100,000. Londoño, J.L. and Guerrero, R., "Violencia en América Latina", p.14.

³³ Inside the city there was a concentration of homicides within the delegations of Cuauhtémoc, Gustavo A. Madero, Iztapalapa and Benito Juárez. There, rates surpassing 70 cases per 100,000 were common until the mid-1990s. Alvarado, A., "La cuestión de la seguridad pública" in Garza, G. et al. (eds.), *Atlas de la Ciudad de México*, Mexico D.F., 2000, p.411; Brugués, A., Cortez, W.W. and Fuentes, N.A., "Inseguridad pública en la frontera norte" in *Revista Ciudades*, No. 40, Puebla, October - December 2000, p.21; Baratta, A., "Política criminal: entre la política de seguridad y la política social" in Carranza, E. (Coord.) *Delito y Seguridad de los Habitantes*; Secretaría de Salud, *La Violencia: un problema de salud pública*, CD-Rom published by Asesores en Sistemas Integrales de Salud - ASISA and Centro de Estudios de Prevención de la Violencia, Mexico D.F., 2000; see also Fundación Mexicana para la Salud, "Trends and Empirical Causes of Violent Crime in Mexico".

has improved the quality of crime databases. In a recent study, Leandro Piquet argues that the critical period of increase in Brazilian violence occurred in the second half of the 1980s, coinciding with the reestablishment of democracy.³⁴ Another author, Teresa Caldeira, goes further:

‘The increase of violence is the result of a complex cycle that involves such factors as the violent pattern of reaction of the police, disbelief in the justice system as a public and legitimate mediator of conflict and provider of just reprisal; private and violent responses to crime; resistance to democratisation; and the population’s feeble perception of individual rights and its support for violent forms of chastisement’.³⁵

Her view coincides with those of other experts who have argued that homicides in Brazil are essentially urban problems that have recently reached epidemic proportions in some deprived sectors of the largest metropolitan centres. In most of the largest cities, rates are much higher than the national average.³⁶ In 1996 this rate was 47.29 per 100,000 inhabitants. Inside the cities, some sectors reach rates that are 3 to 5 times the national average. Among the principal cities affected by this increase in violent crime are São Paulo and Rio de Janeiro, with homicide rates of 55.8 and 52.8 homicides per 100,000 inhabitants respectively.³⁷ Inside the metropolitan areas of these cities, there were localities with rates of significant importance, such as Diadema near São Paulo and Belford Roxo near Rio de Janeiro. These two localities had rates of 146 and 76 per 100,000 inhabitants in 1997.

Although the data from death registration from the national forensic office consistently indicate more murders than the data from the Civil Police, both show a similar pattern of growth between 1981 and 1996. Murders caused by the civil Police are not accounted as homicides. In Brazil, many homicides are classified under different categories, such as ‘resistance followed by death’, ‘robbery followed by death’ or even

³⁴ Piquet Carneiro, L., “Violent Crime in Latin American Cities”, p.7.

³⁵ Caldeira, T.P.R., *City of Walls: crime, segregation, and citizenship in São Paulo*, London, 2000, p.105.

³⁶ Piquet Carneiro, L., “Violent Crime in Latin American Cities”, pp.27-28; Caldeira, T.P.R., *City of Walls*, pp. 119-127; Souza, E.R. de, “Homicídios no Brasil: o grande vilão da saúde pública na década de 80” in *Cadernos de Saúde Pública*, No. 10, Vol. 1, 1994, pp. 53-55.

³⁷ Piquet Carneiro, L., “Violent Crime in Latin American Cities”, pp. 8 and 21.

‘rape followed by death’. This last category does not appear in ‘crimes against the person’ but under ‘other crimes’. Besides, the police classify only the number of occurrences, and therefore under-register the number of homicides, as sometimes one occurrence may have several deaths.

Table 2. Homicide rates in selected Latin American cities

City	Country	Year	Rates*
Medellín	Colombia	1995	248.0
Cali	Colombia	1995	112.0
Guatemala City	Guatemala	1996	101.5
San Salvador	El Salvador	1995	95.4
Caracas	Venezuela	1995	76.0
Bogotá	Colombia	1995	60.0
São Paulo	Brazil	1998	55.8
Rio de Janeiro	Brazil	1998	52.8
Lima	Peru	1995	25.0
Mexico City	Mexico	1995	19.6
Santiago	Chile	1995	8.0
Buenos Aires	Argentina	1998	6.4

*per 100,000 inhabitants. Sources: Piquet Carneiro, L., “Violent Crime in Latin American Cities”, p.8; Bogotá: based on Llorente, M.V. (ed.) “Caracterización de la violencia homicida en Bogotá”, Bogotá, 2000.

Comparisons across Latin American cities also reveal large differences in rates of homicide. Available data show how Colombian cities have predominantly higher rates than most other cities in the region.³⁸ In the late 1990s, Medellín and Cali present the

³⁸ As a comparison, rates for US Cities also indicate great differences between cities: New Orleans (80.34) Washington (78.54) Detroit (56.76) Atlanta (50.38) Miami (34.09) Los Angeles (30.52) New York (26.48). These rates seem to be significantly high when taking into account that the national rate is around 11.5 homicides per 100,000. This fact would suggest that homicides in the US are predominantly urban. The perception that Latin American cities are much more violent than US cities is only confirmed by the fact that country rates in Latin America are higher than the US national rate. At an urban level, however, Latin American cities do not seem to be significantly more violent than US cities in terms of homicides. The above data comes from the *Uniform Crime Reports for the United States*, based on police reports and published by the FBI. See Caldeira, T.P.R., *City of Walls*, pp. 125-126 and endnote 25, p.393; Chesnais, J.C., *Histoire de la violence en occident de 1800 à nos jours*, Paris, 1981, p.471. See also United Nations Development Programme - UNDP, *Human Development Report*, Oxford, 1994.

highest rates followed by Guatemala and San Salvador.³⁹ It is significant to note that 10 out of 12 cities mentioned in **table 2** show rates of homicide that are much higher than the average Latin American rate, which is today around 30 homicides per 100,000.⁴⁰

Despite the fact that urban rates of homicide in Latin America are still significantly higher than national rates, since the mid-1990s cases of homicides have been decreasing in most cities. This tendency has been perceived in most of the larger cities with problems of violence, including Rio de Janeiro, São Paulo, Medellín, Cali, Bogotá and Caracas. In all these cities, rates showed a constant increase until the early 1990s and then started to decrease progressively.⁴¹ Although researchers on the topic have tried to explain this phenomenon by looking at possible hypotheses, none of them have convincingly managed to explain all the variables at a regional level.

These are the main hypotheses that have been suggested to explain this reduction in crime: a) a change of determinants of crime. Latin American crime remains very violent, but it is less fatal. This could explain why other violent crimes, such as kidnapping and extortion have increased while homicides have gone down; b) an improvement of judicial policies aimed at strengthening human rights. Better accountability and transparency within local police forces have accompanied an increase in crime prevention/conflict resolution strategies that could have brought the levels of homicides down. This hypothesis does not suggest that all levels of violence have improved; c) the implementation of public policies aimed at changing social habits that are correlated to crime, such as alcohol consumption, the existence or behaviour of youth bands, drug cartels and others. These policies have produced

³⁹ Because the quality of data across countries varies significantly, it may be possible that some cities may have higher rates than those presented in this table. This may be the case for Central American cities, Guatemala City or San Salvador. As mentioned above, rates for these cities may vary considerably depending on the sources used.

⁴⁰ Cruz, J.M., *Victimization from Urban Violence: Levels and Related Factors in Selected Cities of Latin America and Spain*, Washington D.C., January 1999, p.1. Figures from the World Bank give a rate of 22.9 homicides per 100,000 for Latin America and the Caribbean, and of 28.4 for Latin America alone. See Buvinic, M., Morrison, A. and Shifter, M., "Violence in Latin America and the Caribbean", p.2.

⁴¹ Piquet Carneiro, L., "Violent Crime in Latin American Cities", p.117.

attempts to reduce homicides by tackling other social problems affecting local communities. However, homicides tend to be localised around some nuclei of violence and the global impact of these measures has been very difficult to assess.

Despite this slow decrease in the numbers of homicides, other violent crimes seem to have simultaneously increased, and notably economic crimes committed against people, such as kidnappings, violent assaults and robberies. Because of the levels of violence used against victims, and the economic costs generated by loss of income and payment of ransoms, these crimes have become a focus of attention throughout the region.

Table 3. Countries most affected by kidnappings

1991	1999
1. Colombia	1. Colombia
2. Pakistan	2. Mexico
3. Brazil	3. Brazil
4. USA	4. Philippines
5. Mexico	5. Venezuela
6. India	6. Ecuador
7. Philippines	7. Former Soviet Union
8. Venezuela	8. Nigeria
9. Italy	9. India
10. Bolivia	10. South Africa

Source: Briggs, R., *The Kidnapping Business*, London, 2001, based on data provided by Control Risks Group.

Until 1987, Italy was the country most affected by ransom kidnappings.⁴² Registered number of cases hovered between 600 and 800 a year. Data from Control Risks show that in 1991, the country had slipped to the ninth position. In 1991, the United States also ranked among the most affected countries. This was mainly due to the large

⁴² Santino, U., “Law Enforcement in Italy and Europe against mafia and organized crime” in McDonald, W.F. (ed.), *Crime and Law Enforcement in the Global Village*, Cincinnati, 1997, pp. 151-166. The chapter is also available at the Centro Siciliano di Documentazione Giuseppe Impastato’s website at <http://www.centroimpastato.it/publ/online/mcdonald.htm/>.

number of parental and family-related kidnappings. In 1999, this situation had changed: most of the kidnappings involved the payment of ransoms and the most affected countries have been those with public order problems and political conflicts.

Latin American countries have been particularly affected. Colombia has persistently been the most affected country. At present, there more than 3,000 registered cases per year most of which are attributed to guerrilla organisations. Mexico has also seen a major increase in the number of annual kidnappings. In less than a decade, the country has evolved from being the fifth country in the world in terms of registered cases to become the second.⁴³ Other figures given by the Rand Corporation indicate that the number of kidnappings in Mexico varies between 500 and 600 a year, putting this country in the third place after Colombia and Brazil.⁴⁴ A journalist from *The Independent* recently calculated the approximate number of kidnappings to be around 1400, an average of one case every six hours.⁴⁵ Some Mexican analysts have stated that during the Salinas administration (1988-1994) there were around 5,000 recorded kidnappings and during the Zedillo administration (1994-2000), this figure rose to approximately 15,000 cases.⁴⁶ These numbers seem excessive because most databases include the *express kidnappings*. More reliable statistics put the number of cases around 400.⁴⁷ Data published by the Instituto Nacional de Estadística, Geografía e Informática - INEGI, seem to confirm these numbers: 348 declared kidnappings for

⁴³ The most affected zones in the country are Sinaloa, Guerrero, Morelos, Jalisco and the Federal District. In the Federal District, the most affected zones are Lindavista, Tlalpan, Coyoacán, Calzada del Hueso, Periférico Sur and Norte. Mexico's rapid increase in the number of kidnappings has mainly been attributed to the appearance of organised crime related to drug trafficking.

⁴⁴ *Revista Milenio*, No. 174, Mexico D.F., 15 January 2001, p.35. According to Control Risks Group, Mexico had more cases than Brazil. In any case, both organisations report that Colombia, Mexico and Brazil are the three countries with the worse kidnapping problems. See Briggs, R., *The Kidnapping Business*, London, 2001, p.15.

⁴⁵ "Kidnap's all the rage, even those that may be faked" in *The Independent*, London, 4 September 2001.

⁴⁶ See Roberto Martínez Iglesias in *Revista Milenio*, No. 174, Mexico D.F., 2001, p.33.

⁴⁷ See *Revista Milenio*, No. 174, pp. 28-35. The *Almanaque mexicano*, mentions that in the period between 1995 and 1998 a total of 2,597 cases of kidnappings were registered. This figure specifies that the *express kidnappings* committed in the Federal District were not taken into account. See Aguayo Quezada, S. (ed.), *El Almanaque mexicano*, chapter on crime, pp. 168-173, Mexico D.F., 2000; see also Alvarado, A., "La cuestión de la seguridad pública"; República de Mexico, Gobierno del Distrito Federal, *Síntesis de algunas acciones de gobierno*, Mexico D.F., 1999; Ruiz Harrell, R., "La seguridad en 1997 y lo que ofrece el que viene" in *Reforma*, Enfoque No. 207, Mexico D.F., 4 January 1998. In *Reforma*, see also 24 May 1998, 17 August 1999 and 30 November 1999.

1990 and 603 for 1995.⁴⁸ The official figure for 2000 puts the number of abductions around 260.

Problems also arise when comparing kidnappings across Latin America. The terminology used to describe kidnappings varies throughout the continent, especially when abductions of victims last for short periods of time. In Colombia, ‘express kidnappings’ or *paseos millonarios*, are most of the time classified as violent robberies, because the primary objective is not to kidnap the victim but to rob personal belongings and money. These crimes are only classified as kidnappings when ransoms are demanded from the family of the victim or when this one is not freed after a certain number of hours.⁴⁹ In some other countries, the same crime is classified as a kidnapping, because there is a privation of liberty of the victim. Such subtleties may lead to significant statistical disparities when doing cross-country examinations.

These differences suggest that in Mexico there are serious problems both of under-reporting and of exaggeration. This adds to inconsistencies in crime definitions. Few crimes are reported to the police because officers are frequently suspected to collude with criminals.⁵⁰ According to a US source, most citizens view the police as corrupt and unhelpful: 64 per cent of crime victims in Mexico City did not report incidents to law enforcement authorities. The government has also created the *Comisión Nacional de Derechos Humanos* to promote the accountability of the authorities. In some instances, citizens have become victims of harassment, mistreatment and extortion by

⁴⁸ Instituto Nacional de Estadística, Geografía e Informática - INEGI, *Estadísticas Judiciales*, 1990 and 1995; See Brugués, A., Cortez, W.W. and Fuentes N.A., “Inseguridad pública en la frontera norte”, p.18. The daily newspaper *El Universal*, argues that less than 40 per cent of the total number of kidnappings are declared and put the annual figure of abductions around 1,200. *El Universal*, Mexico D.F., 18 January 2001.

⁴⁹ The following testimony claims that the main objective of an ‘express kidnapping’ is to rob the victim. Only when the robbers believe that they can get a ransom do they decide to keep the victim: “nuestro objetivo no es secuestrar a una persona, sino asaltarla, aunque después se complican las cosas o nos damos cuenta de que podemos obtener mayores utilidades secuestrándola por unas horas”. *Revista Milenio*, No. 174, Mexico D.F., 15 January 2001, p.35.

⁵⁰ In Mexico the police maintain internal security. The army is responsible for external security but also has domestic security responsibilities. The security forces, including the federal and state judicial police, federal highway police, and local police, are under the control of elected civilian officials. However, corruption is rife within police ranks. See “Kidnap's all the rage, even those that may be faked” in *The Independent*, London, 4 September 2001.

Mexican law enforcement and other officials. There have been cases where police officers dismissed in one state found law enforcement employment in another. The government-funded National Human Rights Commission, CNDH, discovered that even when the authorities censured some officers in one law enforcement job, they moved on to other positions and were subsequently charged again with human rights abuses. In an effort to remedy this situation, the CNDH publishes lists of censured public servants in its annual report and monthly newsletters. In addition, the Government has established a national security register to keep track of censured police officers and address this problem. A poll carried out in 1995 showed that 75 per cent of those surveyed felt that the judicial system was riddled with corruption.⁵¹ Attempts to improve police services have included the recent dismissal of more than 1,250 corrupt officials; a programme with more efficient procedures, aimed at recruiting and training candidates; and a closer supervision of the federal police and prosecutors.

Brazilian authorities developed similar projects where violent crime, police inefficiency and corruption were widespread. In São Paulo, there is approximately one kidnapping a day. While in the first 6 months of 2000 there were more than 240 kidnapping cases, in the entire year around 400 cases were recorded.⁵² Available evidence also suggests a grave problem of under-reporting to the authorities. As in the case of Mexico, the Brazilian police is often considered inefficient, corrupt and, in some cases, closely related to organised crime. In this respect, Caldeira argues that:

‘If police performance is important in explaining levels of violence, it has less to do with the number of officers and their equipment and more with their patterns of behaviour, patterns that seem to have become increasingly illegal and violent in the

⁵¹ See US Department of State, Report on Mexico by the Bureau of Democracy, Human Rights and Labor, 30 January 1997; see also US Department of State - *Consular Information Sheet*, Mexico D.F., 20 December 2000, available at <http://travel.state.gov/>; De la Madrid, R., “Inseguridad: hora cero” in *Revista Nexos*, Mexico D.F., September 1999, No. 261.

⁵² *Cojuntura Criminal*, available at <http://www.conjunturacriminal.com.br/>. Official figures are much lower, which suggests that underreporting is common. Available figures from the Ministry of Justice put the annual number of cases for the entire country to 138 for 1999 and 233 for 2000. National and regional data from the Ministry of Justice are available at http://www.mj.gov.br/Senasp/senasp/estat_extorsao.htm/.

past few years. The police, far from guaranteeing rights and preventing violence, are in fact contributing to the erosion of people's rights and the increase of violence'.⁵³

Caldeira's argument coincides with the views of other experts who have linked the increase of crime with the democratisation process of the 1980s. Police forces are often accused of human rights violations as well as institutional corruption. Besides, members of the police have often been found guilty of participating in organised crime. In 2000, agents of the military police of São Paulo were accused of committing several kidnappings, including kidnappings of children. A well-documented case in Brasilia led to the arrest of two military police lieutenants who had kidnapped a 12 year old girl and demanded a ransom of US\$4.5 million for her liberation.⁵⁴

Although Mexico and Brazil have seen significant increases in the numbers of kidnappings and ransoms, recorded cases in these countries have only reached a fraction of the cases declared in Colombia, where the 'industry of kidnapping' has provided a major source of income for criminals and guerrilla organisations.⁵⁵ Colombian guerrillas are also known to kidnap people in neighbouring countries and take them to Colombia for safe keeping while the negotiations for their liberation last. This is the case of Venezuela and Ecuador where kidnappings have increased significantly in recent years. In these countries, Colombian guerrilla factions of the ELN and the FARC have been known to kidnap people. Sometimes these groups work closely with local criminal groups. A well-published example of this includes the kidnapping of two foreign oil workers, a Russian and a Lithuanian in the jungles of Ecuador in September 2000. The victims were taken to Colombia, and then kept within the de-militarised zone until payment of a ransom. There was no proof of the exact identity of the kidnappers but authorities suspected that a local organised gang in Ecuador had sold their victims to the FARC. There have been several other cases of landowners and oil engineers kidnapped in Ecuador or Venezuela by groups that seem

⁵³ Caldeira, T.P.R., *City of Walls*, p.105.

⁵⁴ See Serviço Brasileiro de Justiça e Paz - SEJUP, *News from Brazil*, Number 287, available at <http://www.oneworld.org/sejup/index.htm>; See also Cojuntura Criminal Brazil available at <http://www.conjunturacriminal.com.br/>, 13 June 1999.

⁵⁵ See Gaviria, A. and Velez, C.E., "Who bears the burden of crime in Colombia?", Bogotá and Washington D.C., January 2001, p.4. For more on kidnappings in Colombia, see below **Chapter 2**.

to co-operate with Colombian guerrillas. However, the authorities have not been able to define whether these groups must be considered as full-time members of Colombian guerrillas or as criminal groups that sometimes, but not always, co-operate with the guerrillas. This difficulty in separating organised crime from political insurgency has been a major debate, especially in Venezuela where guerrilla groups, and notably the FARC, have been politically active. Ironically, some people have described this situation as a system of franchises in which common criminals can use the name and support of others to commit crimes in exchange of a participation in the benefits of these activities.⁵⁶

The main problem when dealing with extortion crimes has been the lack of proper quantification due to the general under-reporting by the victims. Unlike homicides, kidnapping and extortion crimes are often considered as ‘invisible crimes’ because unless reported to the authorities, they often go unnoticed by the authorities. When the victim of a kidnapping is liberated, there is no physical evidence of the crime, as opposed to victims of homicide, which can be discovered years after the crime was committed. Yet these crimes have a much more significant impact on the population as a whole because they affect large communities of people who suddenly feel *at risk* of being victimised in their turn.⁵⁷

Most of the kidnappings in Colombia differ from kidnappings in other countries. Most of the cases are carried out by guerrilla groups who control large extensions of the territory, and who are not driven by racial, cultural or religious motives. This differentiates Colombia with other countries where kidnappings are also committed by guerrilla groups, like the Philippines or Pakistan. The case of Colombia is also different from most other Latin American countries, since no other country has a similar combination of armed groups who victimise the population, participate in

⁵⁶ Refer to the section of kidnapping in Colombia in the UK Home Office - Instruments of State website available at <http://www.ind.homeoffice.gov.uk/>. See also “Kidnapping in Colombia affects Venezuela” in *The Economist*, London, 24 May 1997; “McFarc” in *El Tiempo*, Bogotá, 13 June 2000; Briggs, R., *The Kidnapping Business*, p.13 and “Cuestión de honor” in *Revista Semana*, No. 948, 11 July 2000.

⁵⁷ In Colombia, surveys show that after a major kidnapping, 50 per cent of the people feel that this crime could happen to them or to someone close. This ‘amplification of fear’ does not seem to happen to that degree with other crimes. See Lemoine, C., *Nosotros los colombianos del milenio*, Bogotá, 2000, p.49.

illegal activities and conduct an armed struggle against the State. Victims of kidnapping are often kept in areas of the country where the authorities cannot enter because of peace negotiations with guerrillas or because the risk of killing the victim in an open confrontation with the kidnappers is too high. In Colombia, large organisations such as guerrillas, paramilitary groups and drug cartels often have the control over the territory where they keep the victims. Kidnappers do not have the pressure to negotiate rapidly an economic ransom or a political concession in exchange of their victims. Because of this reason, a majority of victims tend to spend more time in captivity than in other countries. This differs greatly from the kidnappings committed by other criminal groups where the abductions are usually solved in shorter periods of time.⁵⁸ However, statistically there is no way to differentiate a kidnapping that lasts 12 hours from one that lasts 12 months. For the victim there is an enormous difference though. Statistical databases should also take this into consideration.

These levels of insecurity have increased the fear of crime among the population and have had a negative influence of the country's governance. Because citizens become distrustful towards each other, social and economic relations within communities are also affected. Economic incentives are lost and investments decrease. This leads to increased unemployment, migration and further inequality. All these factors pose serious obstacles for the long-term economic and social development of the country. In spite of this, there has been a clear effort to improve and modernise the institutions responsible for the investigation, prosecution and penalisation of crime. Although this is a positive start, much more remains to be done. Lessons learnt during the last decade can help to improve the future of citizen security.

Objectives and Structure of the thesis

This research deals with the topic of urban violent crime in Colombia. This topic is nonetheless closely related to the conflict between guerrillas and paramilitary groups in rural areas. It is also related to the problem of the production of illegal drugs and the

⁵⁸ See Chapter 2 below for further arguments on this point.

impact of drug-cartels on public security. Because of that, many references are made to these topics. The main aim of the thesis, however, is to show recent trends in violent crime and discuss citizen security strategies followed during the decade of the 1990s.

To illustrate current levels of violent crime in urban Colombia, homicides and kidnappings have been analysed. This choice is made because today these are the two crimes that have the stronger impact on Colombian society: many people fear that they could be at risk of being victimised. This focus is also supported by the argument that in contemporary western societies, individuals of different social classes tend to show a high degree of consensus over the seriousness of violent crime.⁵⁹

Crime statistics vary in their quality and reliability. Among all the data, statistics on homicides are perhaps the most reliable, especially when looking at urban cases. In the cities, there are usually several data gathering agencies, including police forces, forensic institutes and academic centres. This multiplicity of sources allows comparative approaches that offer a better understanding of the problem. Data on rural homicides are less reliable because there are fewer possibilities to compare figures collected by different agencies. Rubio argues that there is a significant sub-registry of homicides in the countryside and especially in remote rural areas and frontier zones where corpses can be easily hidden. In such areas, armed groups can impose high degrees of fear and coercion over the population to avoid being denounced. This is also the case of paramilitary groups and drug cartels. While the guerrillas and paramilitaries always take care to hide the bodies of their members fallen in action, they also hide the bodies of their enemies in common graves, as do the drug cartels.⁶⁰

Statistics on kidnappings and extortion crimes are far less reliable than homicides. A large number of kidnappings go unreported every year and statistics on extortion are

⁵⁹ See Levi, M. and Jones, S., "Public and Police Perceptions of Crime Seriousness in England and Wales" in *British Journal of Criminology*, Vol. 25, No. 3, pp. 234-250, 1985; O'Connell, M. and Whelan, A., "Taking wrongs Seriously: public perceptions of crime seriousness" in *British Journal of Criminology*, Vol. 36, No. 2, pp. 299-318, 1996; Levi, M. "Violent Crime" in Maguire, M., Morgan, R. and Reiner, R. (eds.), *The Oxford Handbook of Criminology*, Oxford, 1994.

⁶⁰ Rubio, M., *Crimen e impunidad*, pp. 33-42, and by the same author, "Las bajas ocultas de la guerrilla" in *El Tiempo*, 10 March 1998.

scant and impressionistic. This is in part because the victims fear further violence from criminals and keep silent. Data gathering agencies include police forces and insurance companies and in some cases non-governmental organisations. Joint efforts between the government and non-governmental organisations have improved the access to data on victims and kidnappers, more than in the case of other countries. The work of País Libre, a non-governmental organisation specialised in the study of kidnapping and in the support of its victims, has permitted a significant improvement of data quality in the country.⁶¹ However, current figures still have to be used with caution. While the exact number of these crimes can rarely be verified, the general trends of declared cases do offer valuable information for understanding the scope of this violence and its effects on the population.

The second argument focuses on the idea that fear and negative perceptions are essential aspects of the topic of crime, as they modify people's behaviour. When facing crime risks, citizens may adopt a risk-taking or a risk-avoiding behaviour. The decision to ignore or not to notice violent crime is also assumed to be a risk-avoiding behaviour that represents a personal survival-enhancing factor.⁶² However, behavioural changes caused by crime can damage the levels of trust within communities. This factor has a negative impact on citizen security policies aimed at improving relations between police forces and communities. The second argument of the thesis explores how lower levels of trust allow violent crime to remain high and foster under-reporting by victims.

To demonstrate the two arguments mentioned above, the following chapters explain the advances in criminological research made during the 1990s in Colombia. They

⁶¹ País Libre, is a leading non-governmental organisation specialising on kidnappings in Colombia. Since its creation in 1991, it has been promoting public knowledge of the topic. Although its main goal has been to denounce the increasing numbers of abductions, it has also tried to evaluate the consequences that this crime has on victims and their relatives while in, and especially after their period of captivity. País Libre has also been leading publications of statistics and investigations on the subject. Because this organisation is unique in its kind, it has strong links with the legislative, executive and judicial authorities and has generally been very close to government officers. As an example, Mr. Juan Francisco Mesa, the current director of FONDELIBERTAD, the national anti-kidnapping bureau within the Ministry of Defence, is also a former director of País Libre. For more information on this organisation, see the website at <http://www.inter.net.co/paislibre/> or <http://www.paislibre.org.co/>

⁶² Levi, M., "Violent Crime", p.844.

analyse the main problems of homicide and kidnapping as well as the strategies of the State to combat them. **Chapter 1** analyses the trend in urban homicides. In Colombia, 40 per cent of homicides are committed in the 10 largest cities. With an average of 10,000 cases per year, the cities of Medellín, Bogotá and Cali account for almost 30 per cent of the total. The fact that these three cities have so many homicides indicates that violent crime continues to be a major issue despite the fact that the largest drug-cartels have been disbanded. This could also suggest that urban homicides are linked, but not dependent on, the presence of large drug-cartels. Rivalries between smaller delinquent organisations seem to perpetuate the levels of violence. Although the victims are mainly young men from the poorest socio-economic levels, homicides are not necessarily correlated to the areas where the poorest people live. Homicides tend to be concentrated where they tend to engage in other activities, working or socialising. In those places where there is more accessibility to economic resources, the probability of getting involved in a crime, either as a victim or as an offender, is significantly higher.

Chapter 2 illustrates and analyses kidnapping trends. Despite the scarcity of data relating to this subject, the chapter analyses the problem in the most affected zones of the country and authorship of these crimes. The chapter recognises the advances made in recent years in the classification of these crimes and analyses the impact kidnapping has had on the Colombian population. In Colombia there has been a significant disproportion in the levels of risk facing criminals and victims. While the risks of being victimised have increased for citizens, the risks of being arrested and prosecuted for criminals have remained relatively limited. 26,000 homicides per year and 3,700 kidnappings suggest that the risk of being victimised is much higher than the risk of being arrested for committing these crimes. These issues have created a strong perception of risk and insecurity among the population.

For this reason, the topic of perception has to be considered as an important concept in crime analysis. **Chapter 3** builds on this idea, and constructs an argument around the problems affecting the perception of insecurity in Colombia. The chapter first introduces the notion of perception of violent crime as it can be applied in Colombia

today. It also provides a better understanding of the concept of risk, and the subjectivity of decision-making processes when facing security risks. Finally, it explores why people react in different ways when perceiving crime risks. If the security strategies of the government have had little impact in the last decade, it has been partly because of poor levels of co-operation and communication with the population. This has certainly helped to increase victimisation risks among citizens and to generalise negative perceptions of crime, both at national and international levels.

The record of Colombian security strategies since 1990 will be assessed in **Chapter 4**. President Gaviria's administration, 1990-1994, started a process of institutional modernisation that has not yet ended. Significant reforms have included a new constitution and a decentralisation process. These have had significant results in citizen security strategies, as they have given more discretionary powers to the civilian authorities, especially at the municipal level. The reforms also included a modernisation of the National Police, which has aimed at improving the relationships between citizens and members of the force.

Although the Samper administration, 1994-1998, did not improve citizen security strategies at the national level, local municipalities advanced with policies that had started a few years earlier. The momentum left behind from the Gaviria administration continued in terms of consolidating the co-operation between civilian authorities and members of the armed forces. This was especially the case in the large cities, notably Bogotá, Cali and Medellín, where local administrations improved security strategies, at least contributing to the fall in the levels of homicide.

When the Pastrana administration took office in 1998, the element of citizen security was integrated in the larger discourse of the government. However, the lack of resources and the necessity to concentrate on other priorities, particularly the peace process with guerrilla groups and the fight against narcotic drugs, have relegated the topic of citizen security to a second plan. Homicides, kidnappings and extortion crimes are still among the highest in the world.

Finally, the **Conclusion** reviews the main topics discussed: despite some common trends in violent crime between Colombia and Latin America, there are great differences that pose significant obstacles to the improvement of security for citizens. International efforts to promote the understanding of violent crime have significantly increased during the last decade, especially in the areas of social development, institutional strengthening, poverty-reduction and crime prevention strategies. However, the argument suggests that in Colombia, the lack of a proper criminal justice strategy that separates the peace negotiations with insurgent groups from the problem of crime has created a major obstacle to curb the levels of violent crime. Future security strategies should consider de-politicising the subject and making long-term strategies that combine all sectors of society: politicians and technocrats, academics, foreign firms and governments, multilateral organisations, non-governmental organisations and local community leaders.

CHAPTER 1: HOMICIDES, 1970S - 1990S

The increase in homicides in Colombia, 1970s - 1980s

In the 1970s one of the first hypotheses that tried to explain the increase of homicides stemmed from a structuralist approach. It suggested that homicides were a consequence of the poverty and the inequality that characterised Colombia. Violent crime was explained as a component of the struggle to redistribute resources and restructure social imbalances. However, this idea was rapidly refuted when criminologists saw that the levels of violent crime were not necessarily correlated to poverty and under-development. The most violent regions were often those with the highest potential for economic growth.

At an international level, this conclusion was clear in countries like Chile or Mexico, where income gaps between rich and poor had rapidly increased without causing any changes in the levels of crime. Even cities like Santiago and Buenos Aires, renown for their important levels of inequality, were not riddled by violent crime. There, criminality remained manageably low, even in periods of economic crisis. In urban Colombia, this lack of correlation was visible in cities like Cali and Medellín, and to a lesser extent Bogotá. The three cities, besides being the three urban centres with the largest industrial sectors and highest incomes per capita, were also among the most violent. In spite of the large number of possible hypotheses that tried to explain the levels of urban crime and violence, none of them could explain the problem at a global level. Among the causes that are most related to the increase of homicides in Latin America, and especially in Colombia, is the presence of armed groups such as guerrillas, paramilitaries, drug-cartels and other organised criminal and delinquent groups.

The existence of such groups has had a strong impact, especially in remote rural areas and frontier zones where the authorities cannot provide a constant presence to consolidate their legitimacy. Rivalries over resource-rich areas of the territory caused an increase in violence, and homicides in particular. These have been extremely

detrimental for local communities, as they destabilise communities, damage social relations and decrease the levels of trust among individuals.¹

In Spanish, it is common to read about the damage that violence has caused to *convivencia ciudadana*. Although these words are abstract and their exact meaning difficult to define, academics, civil servants and journalists use them frequently to describe the normal state of human relationships inside communities. Government officials at a national level (Ministry of the Interior, Ministry of Justice or the Presidency) and at a local level (*alcaldías*) have created special offices to promote better levels of *convivencia*. This idea may be important for the restoration of tranquillity throughout the country, but its implementation has been difficult because of the abstract and subjective nature of this concept. References to the lack of *convivencia* can be linked to what has been referred as the ‘social capital’ of a community. Both terms relate closely to a general idea of community participation that improves social conditions.

In the early 1980s some Colombian academics were already writing about the ‘alarming proportions’ that homicides were reaching in some areas of the country.² At the time, this was perceived as a consequence of the establishment of drug-cartels in and around the largest cities of the country. The consolidation of highly organised and financially powerful drug-cartels also fostered the creation of smaller delinquent groups that controlled specific areas of the city where they distributed drugs, sold weapons and recruited young people for their business. These activities often caused violent rivalries between gangs. To this were added the presence of leftwing guerrillas who were involved in political activities, and sometimes, criminal and delinquent violence.³

¹ Chapter 3 below describes the relationships between crime, perception of crime and social trust. For social capital, see Moser, C., “Urban Poverty and Violence: consolidation or erosion of social capital?”, Bogotá, July 1996; Moser, C. and Lister, S. (eds.), “Violence and Social Capital”, Washington D.C., August 1999.

² Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia, 1979 - 1986*, Bogotá, 1988, p.36.

While violence and delinquency became important factors affecting the political stability and economic development of Colombia, they also became extremely difficult to separate out and define. Because of this, during the mid-1980s scholars and policy-makers started to talk about a 'multidimensionality of violence', that required a multidisciplinary approach to recognise local determinants of crime. In 1987 the *Comisión de estudios sobre la violencia* was named by the Barco government, 1986 - 1990, with the purpose of integrating academics and researchers from different disciplines and political backgrounds to report on the complexities of violence and crime in Colombia. Among the main conclusions that this commission reached was the statement that the multiple expressions of violence did not exclude but much exceeded those attributable to the political conflict. The report suggested that the homicides caused by the conflict between the State, the guerrillas and the paramilitary groups were just a fraction of the total number of homicides committed in the country. The great majority of homicides, as they found, was committed in the streets. A sentence that made this point clear and that later became one of the most quoted references was 'Mucho más que las del monte, las violencias que nos están matando son las de la calle'.⁴

Since then, there has been an increasing interest in describing the causes of violence from different disciplines of research and from different angles.⁵ Today, most of the leading universities in the country work closely with the authorities, with non-governmental organisations and with the private sector to continue understanding the

³ Palacios, M., "Por una agenda de Paz", Mexico City and Bogotá, 1997, p.3.

⁴ Although the main product of this commission was the publication of a report that was later published as a book, some members of the commission participated actively in policy-making for different governments during the 1990s. See Comisión de estudios sobre la violencia, *Colombia, Violencia y Democracia*, Bogotá, 1987, pp. 17-30 and particularly p.18.

⁵ In a similar context, the National University of Bogotá published in 1998 two books that had also been commissioned by the government to continue studying the correlation between crime and violence and the correlation between violent municipalities and the existence of armed groups. To undertake this research, the *Consejería de Seguridad Nacional* of the government asked a group of academics to analyse the quality and quantity of available data that the government had at its disposal. See Cubides, F., Olaya, M.C. and Ortiz, C.M., *La violencia y el municipio colombiano: 1980 - 1997*, Bogotá, 1998 and Arocha, J., Cubides, F. and Jimeno, M. (eds.), *Las violencias: inclusión creciente*, Bogotá, 1998.

complexities inherent to crime and violence.⁶ Research centres like the IEPRI at the Universidad Nacional, or the CEDE and CIJUS at the Universidad de los Andes, or the CIDSE at the Universidad del Valle have developed close relations with the government since the early 1990s. These links have allowed criminologists in different universities to work with government officials. Academics have also taken an active participation in developing offices such as the presidential *Consejerías de Paz, de Seguridad Nacional* -known today as *Consejería para la convivencia y seguridad ciudadana*- and several dependencies in charge of policy-making and analysis within the Ministry of the Interior and the Ministry of Justice. All these centres have produced studies that have tried to understand the origins and current problems of crime in Colombia.

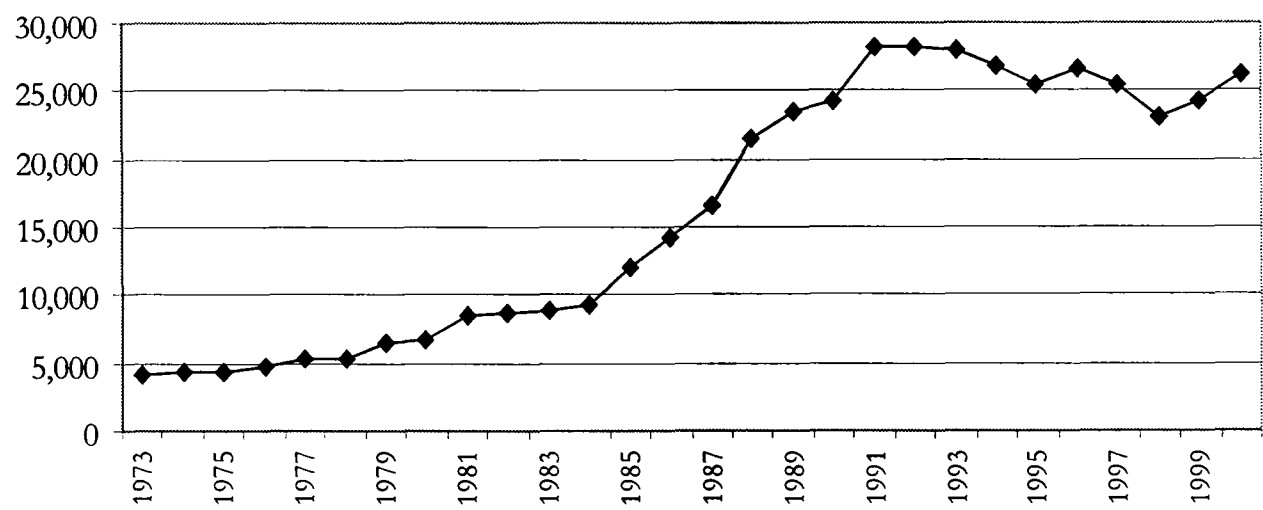
While there have been many lines of explanation, none of them have convincingly explained why Colombia is so violent in comparison to its neighbours. Experts on the topic prefer to speak about the country's violence as a plural phenomenon. Rather than one explanation, there is a combination of factors that change over time and place: the long tradition of guerrilla warfare, added to the drugs-industry and the remoteness and inaccessibility of frontier regions where armed groups have supplanted the authority of the State. Rural migrants, when settling in marginal areas and shantytowns where the presence of the State is limited, often re-create the conditions of frontier-zones. Apart from this, there is no theory that has actually answered why there are so many homicides in Colombia today, and why such a large proportion are committed in urban areas. There is though a general agreement on the fact that violent crime is directly connected to a breakdown in community relations and that violence tends to perpetuate itself in the most affected zones.

Mauricio Rubio argues that: 'los avances recientes en el diagnóstico de la violencia colombiana han estado más orientados a desvirtuar ideas arraigadas que a proponer

⁶ Colombia enjoys a privileged position in terms of the number of research centres that work closely with the government on the topics of crime and security. Local authorities have become more transparent and accountable in their security strategies and statistical analysis. There also seem to be more resources available in this field than in other countries. This does not mean that Colombian criminologists are better at their job than their counterparts in Latin America; on the contrary, violence in the region shows that much more progress remains to be made.

nuevas teorías’.⁷ In an attempt to bring new ideas to this research, Rubio points to three main causes of violence: 1) the ‘objective causes’ that try to explain crime by looking at structural socio-economic factors such as economic inequality, rural migration added to urban unemployment, lack of social opportunities and of social mobility; 2) the existence of armed groups, leftwing guerrillas and paramilitaries. These groups perpetuate the conflict and are increasingly linked with transnational criminal groups that deal with illegal drugs and the arms trade; 3) the lack of an effective judicial system and a coherent criminal justice policy. These elements perpetuate the high levels of impunity. Because of this reason, potential criminals are rarely deterred by the risk of facing the judiciary.

Figure 1. Homicides in Colombia, 1973 - 2000



Sources: 1973 - 1986: Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, 1973 - 1986.
 1987 - 2000: Colombian National Police - DIJIN and Presidencia de la República

Although the first studies on homicide in Colombia started to appear in the 1980s because of the increasing numbers of violent deaths throughout the country, it is only in the 1990s that these studies became a subject of meticulous attention in both local

⁷ Rubio, M., *Crimen e impunidad: precisiones sobre la violencia*, Bogotá, 1999, p.72.

and international research.⁸ Most of the studies since the mid-1980s concentrated on the figures and very few of them looked at the specific causality of homicides at a local level. It is only recently that researchers started to look at the reasons behind these crimes.

Losada and Vélez were among the first researchers who looked at homicides in Colombia. Their study was published in 1987 just when homicides were beginning to increase at a rapid pace. One of their first findings was that homicides rose from being the eleventh cause of death in the early 1970s to the eighth place in 1977. By 1980-83, homicides were already in the sixth position and by 1985, they had reached the third place. In 1986, the last year for which they had data, homicides were the second single cause of mortality after cancer.⁹ From the late 1980s onwards, they have become the main single cause of death for Colombians: during the 1990s, more than 260,000 homicide cases were recorded. The average number of homicides per day during the year 2000 was still around 71, and the national rate was 74 homicides per 100,000 inhabitants.

Figure 1 above, represents the recorded cases of homicides for the period 1973-2000. The figure shows that homicides were on the increase since the 1970s and reached an unprecedented growth rate after the mid-1980s. This trend continued until the peak year of 1991 when the number of homicides approached 30,000. Since then, the figures have been declining. In 2000, the number of homicides was similar to the number recorded by the authorities ten years before, and the rate of homicide per

⁸ Until the 1980s the only reliable statistics covering violent deaths at a national level in Colombia were those of the Departamento Administrativo Nacional de Estadística - DANE, and the National Police. In 1987 the DANE published the *Registro de defunciones en Colombia*, 1970 - 1978 (Vol. 1) and 1979 - 1984 (Vol. 2). These registers comprised a systematic list that also included all non-violent and non-criminal deaths. The National Police have been publishing statistics in their annual *Criminalidad*. This publication provides only the data involving criminal deaths either denounced by the public, or those involving investigations by the Police. The only rigorous study of total mortality in Colombia, however, is the study made by the Instituto Nacional de Salud, *Mortalidad en Colombia*, which published its first study in the subject in 1982 using data from DANE and the Police. For more information on this, see Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, pp. 2-3.

⁹ Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, p.18 and p.53.

100,000 inhabitants was in 1999 the same as it was during the years 1987-88.¹⁰ These statistics pose a series of questions: why did homicides increase so rapidly after the mid-1980s?; why has the number of homicides remained so high?; how many of these homicides are a product of the conflict between guerrillas, paramilitaries and the public forces?; how many are caused by organised criminals?; how reliable are these statistics?; Can there be serious underreporting in some (rural) areas?

Rubio claims that there is a significant sub-registry of homicides in the country and especially in remote rural areas and frontier zones where corpses can be easily hidden. In such areas, armed groups can impose high degrees of fear and coercion over the population to avoid any killing being denounced. In Rubio's own words: "Para situaciones extremas, como la de un país en guerra, puede argumentarse que es precisamente el homicidio el incidente con mayor número de agentes, o con agentes más poderosos, interesados en que no se registre".¹¹ In the cities this is not the case as the probability of discovery is greater, even long after the crime was committed.

In Colombia, available data suggest that the majority of homicides are not committed during confrontations between the main armed groups in rural areas. Despite the common perception that 'the country is living an ongoing civil war', it is clear that only a small proportion of the victims of homicide are accounted for by direct fights between guerrillas, paramilitaries, soldiers and policemen. The percentage of political assassinations in the country has not surpassed 15 per cent of the total number of homicides in the last 10 years, while the average of the decade is closer to 7.2 per cent.¹² Losada and Vélez reached this conclusion in the mid-1980s and Echandía, in his research at the Presidency of the Republic, found similar results. Following their findings, between 1982 and 1986 the percentage of homicides that could be classified

¹⁰ Martin, G., "Crime and Violence in Cali (Colombia): a diagnosis and policy propositions", mimeo Washington D.C., 2000, p.5.

¹¹ While guerrillas and paramilitaries always take care to hide the bodies of their members fallen in action, they are also keen in hiding the bodies of their enemies in common graves. This is also the case of drug cartels. See Rubio, M., *Crimen e impunidad*, pp. 33-42, and by the same author, "Las bajas ocultas de la guerrilla" in *El Tiempo*, 10 March 1998.

¹² See Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, p.56 and table 14, p.57. See also Comisión de estudios sobre la violencia, *Colombia: violencia y democracia*, p.18.

as political homicides accounted for only between 5 per cent and 15 per cent of the total number in the country. At the end of the 1990s, this percentage may have increased due to the reduction of homicides in the largest cities and the increase in the number of deaths caused in open confrontations between the guerrillas and paramilitary groups.¹³

Camilo Echandía's work argues that from the total number of homicides committed each year in the country, around 10 per cent are committed by the main agents of the conflict. This finding seems to be confirmed by Rubio, who found that municipalities with an important presence of guerrillas or paramilitary groups were not necessarily among the most violent.¹⁴ On the contrary, the most violent zones are those that are not under clear control from a particular group. While most of the political assassinations are usually attributed to paramilitary groups, recent calculations have estimated that assassinations of political leaders, civil servants, journalists and social activists account for only 1 per cent of the total number of cases.¹⁵

¹³ Echandía, C., "El conflicto armado y las manifestaciones de violencia en las regiones de Colombia", Bogotá, 1999, p.232.

¹⁴ Rubio, M., "Crimen con misterio: lo que revelan las estadísticas de violencia y criminalidad en Colombia", Bogotá, 1998, p.10.

¹⁵ Bejarano, J.A. (ed.), *Colombia: inseguridad, violencia y desempeño económico en las áreas rurales*, Bogotá, 1997, p.15.

**Table 4. Total homicides vs. political homicides in Colombia
1988 - 2000**

Year	Total homicides committed	number of political homicides*	% of pol. hom. / total hom.
1988	21,509	2,693	12.5
1989	23,441	3,261	13.9
1990	24,279	3,452	14.2
1991	28,260	3,381	12.0
1992	28,141	1,834	6.5
1993	28,021	1,661	5.9
1994	26,828	1,510	5.6
1995	25,398	1,412	5.6
1996	26,643	1,391	5.2
1997	25,379	2,085	8.2
1998	23,133	2,071	9.0
1999	24,357	n/a	n/a
2000	26,260	n/a	n/a
10 year average (1988 - 1998)	26,044	1,880	7.2

*Political homicides include all those that can be attributed to guerrillas, paramilitary groups and members of the public forces. Sources: a) Homicides: National Police – DIJIN. b) Political homicides: Echandía Castilla, C., "El conflicto armado y las manifestaciones de violencia en las regiones de Colombia", p.232.

In their study, Losada and Vélez attempted the first classification of the different types of homicides in the country (see **Table 5** below). This classification aimed to bring a broader understanding of the authorship and causes of homicides.

Table 5. Categorisation of homicides in Colombia by Losada and Vélez

1	Homicides caused by groups of people that are trying to create another socio-political order in the country.
2	Homicides caused by the action of the public forces in the accomplishment of the Constitutional laws.
3	Homicides caused by groups of people that are trying to impede other groups from promoting and establishing ideologies that are against their own.
4	Homicides that are related to the production, processing and commercialisation of illegal drugs.
5	Homicides caused by groups that are trying to promote their own justice, or groups who undertake actions of ‘social cleansing’.
6	Homicides caused by feelings of revenge.
7	Homicides caused by groups of people who want to take possession of other people’s belongings.
8	Homicides that are caused by ‘passionate feelings’, fights under the influence of alcohol, drugs and mental disorders.
9	Homicides caused for pity -e.g. euthanasia.

Losada and Vélez tried to classify homicides by separating causality and authorship. Although this categorisation was innovative in the way that it differentiated distinct types of homicides, its application was rendered useless because some homicides could be classified in two or more of the mentioned categories. As an example, homicides committed by guerrillas could be motivated to 'create another socio-political order in the country'. If the causes were unknown, they could be caused by 'feelings of revenge' or because they were committed by a group that implements its 'own justice'. The same problem appears when looking at homicides with authorship. In the cities, most of the cases could not be classified because the authors remain unknown.

Fernando Cubides in a recent article reviews the model attempted by Losada and Vélez and concludes that, though interesting, this classification fails because of the many linkages between political delinquency and organised crime. Classifications of crime authorship are extremely difficult to make since the authors may be associated with many different agents of crime at the same time. Cubides concludes that:

'Si Losada y Vélez en su investigación de 1988 son conscientes de las impresiones con que se han compilado las estadísticas sobre la violencia, particularmente por lo genérico de la variable homicidio, la propuesta con que concluyen, de tipificar al menos 10 clases de homicidios, no resuelve del todo el problema, ya que los tipos propuestos *no son excluyentes*; en todo caso en la clasificación que proponen, la organización no es el factor diferencial'.¹⁶

It is extremely difficult to draw general categorisations of homicides in Colombia. Because of the large number of armed groups that are directly or indirectly related to guerrillas, paramilitaries and drug-cartels, the analysis of homicides and the search for determinants of crime varies considerably from one area to another. Generalisations at the national level are not helpful, as they must oversimplify the specific details affecting crime at the local levels. The numbers of homicides differ within each department, and within each department and each urban centre, not all homicides are

¹⁶ The italics were added to stress the fact that Cubides also retakes the argument from the *Comisión de estudios sobre la violencia* in which the authors emphasised that 'la violencia tiene múltiples expresiones que no excluyen, pero sí sobrepasan, la dimensión política'. See Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia, 1979 - 1986*, pp. 84-85; Comisión de estudios sobre la violencia, *Colombia: violencia y democracia*, p.17, and Cubides, F., "La organización como factor diferencial", in Cubides, F. et al., *La violencia y el municipio colombiano*, p.160.

homogeneously spread. Unfortunately, recent studies have not developed this idea further, and most of the categorisations of homicides in the country are quite crude. Even if most of the studies make reference to the difference between the large organisations committing homicides in the country, very few - and almost none of them - has developed the typology of homicides, even when focusing on the large urban centres. The problem is that without data on the investigation, trial and sentence, statistics cannot attribute cause and motive.

Homicides in the 1990s

One interesting finding by Losada and Vélez was that the rates of homicide tended to be higher in rural zones in localities that have less than 2,500 inhabitants and in large urban agglomerations that have between 500,000 and 2,000,000 inhabitants. Rates of homicide did not seem to be so pronounced in mid-sized cities with less than 500,000 people. In their own words:

‘Se descubrió que la frecuencia relativa de los homicidios aumenta entre más rural es un municipio. O sea, morir asesinado es más probable en el campo que en la ciudad (municipios de menos de 2.500 habs). Con una excepción: En las ciudades con población entre 500,000 y 2,000,000 habs (a saber Medellín, Cali and Barranquilla) el porcentaje llega a ser tan alto, o más, que en las zonas más rurales del país’.¹⁷

Since the mid-1980s and up until today, this trend has not changed. Rates of homicide are persistently higher in remote rural municipalities and in the larger urban agglomerations. This is particularly significant since the number of cases have to be high to compensate with the number of inhabitants. From an average of 26,000 annual homicides, about 40 per cent take place in large cities and more than 30 per cent of the cases are committed in Medellín, Cali and Bogotá.¹⁸

¹⁷ The exception was Bogotá, which had until the mid-1980s a low rate of homicide and fewer homicide cases in comparison to the other large cities. Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia, 1979 - 1986*, p.31.

¹⁸ Most of the studies on homicides show the rates of homicide per 100,000 inhabitants in a given town or city. Although the rates can be useful for comparing cities with the same population, they can also mislead when comparing small towns with large cities: small towns may appear as being extremely violent, while larger cities may have overall low rates despite the existence of some extremely violent sectors within them. For more on this see above the **Introductory Chapter**.

Table 6. Municipalities with higher numbers of homicides, 1979 - 1986

Municipality	Number of cases registered between 1979 and 1986	Annual average (8 year period)
Medellín	9590	1199
Bogotá	6639	830
Cali	4126	516
Barranquilla	2366	296
Pereira	1041	130
Cartago	997	125
Santa Marta	947	118
Bucaramanga	832	104
Buenaventura	742	93
Valledupar	719	90
Maicao	683	85
Tuluá	665	83
Manizales	651	81
Cúcuta	642	80
Villavicencio	632	79
Turbo (x)	596	74
Bello	563	70
Apartadó (x)	550	69
Palmira	522	65
Popayán	517	65
Bolívar (Cauca) (x)	495	62
Itagüí	475	59
Cartagena	462	58
San José del Guaviare (x)	417	52
Riohacha	414	52

Source: Losada Lora, R. and Vélez Bustillo, E. *Muertes violentas en Colombia, 1979 - 1986*, Table 12, p.42 based on data from DANE. Municipalities marked with a (x) are those not included in the Directiva 006 15/07/1999

Table 6 shows the list of the municipalities with the highest number of homicides during the early 1980s. Among the most violent are the three largest cities: Bogotá, Cali and Medellín, these two having the highest increases in the number of homicides during the mid-1980s. The city of Pereira, an intermediate city in terms of population, has also shown significant numbers of homicides since the mid-1980s. Cartago, Tuluá, Bello are small urban agglomerations near Cali and Medellín. Barranquilla, Santa Marta, Buenaventura are important ports and together with Maicao, these cities are renowned for their black markets of imported consumer goods.

Some authors have suggested that in these cities the soaring levels of homicides were related to the illegal drug-market.¹⁹ However, it is not possible to say that all the violence was directly caused by drug-trafficking organisations. The consolidation of drug cartels also fostered the establishment of other illegal parallel activities such as the arms trade, money laundering and corruption that could also create violence among rival groups.

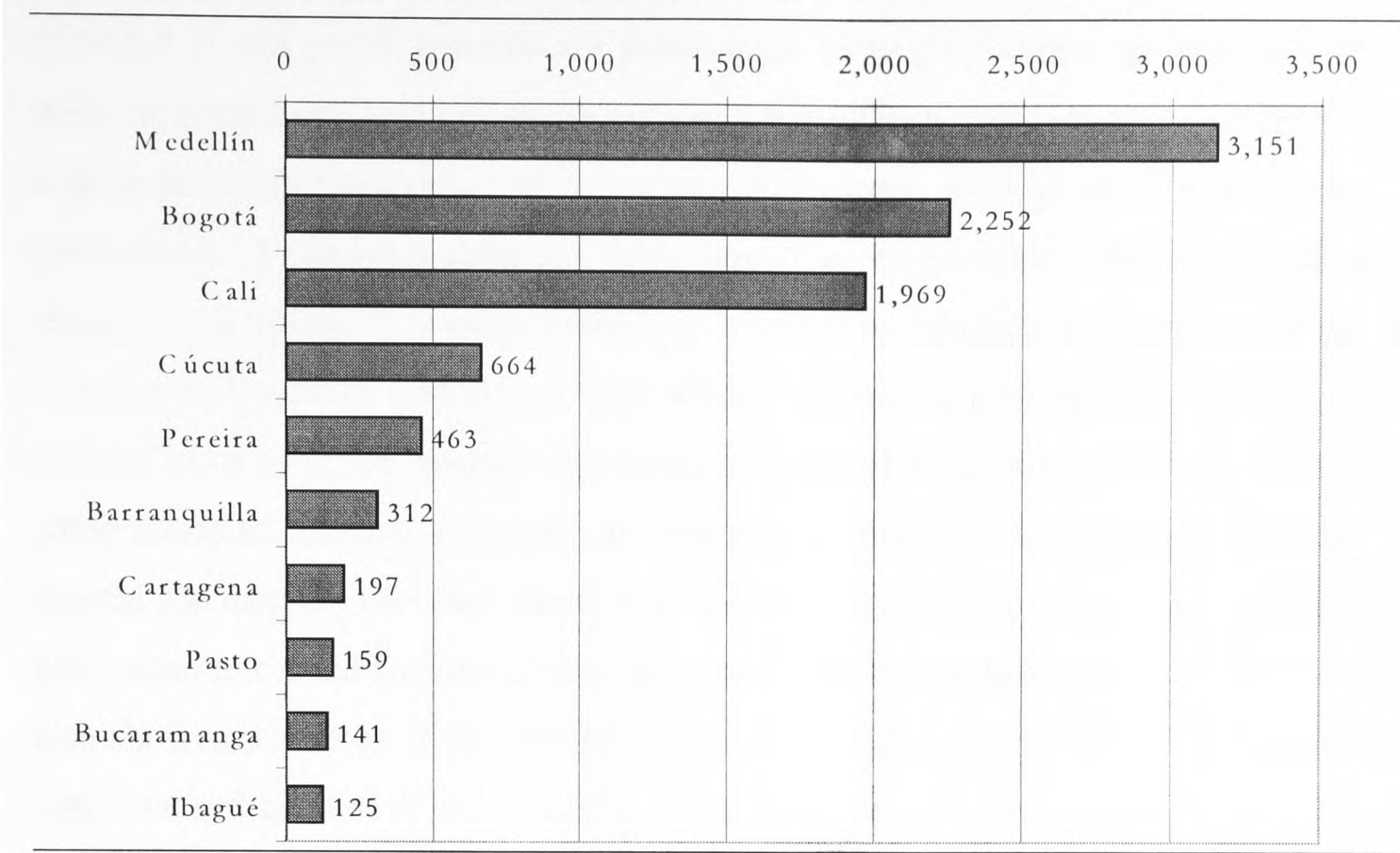
Among the list of violent municipalities appearing in **Table 6**, only 4 municipalities are rural. These are Turbo, Apartadó, Bolívar and San José del Guaviare. There, conflicts between guerrillas, paramilitaries and members of the public forces are common and most homicides were caused by these armed groups.²⁰ The other 25 municipalities are urban agglomerations where the main armed groups might be present but where the levels of coercion and violence are not so clearly defined (see below **Appendix 2**). This fact confirms that a small fraction of the total homicides is caused during confrontations between guerrillas, paramilitaries and the public forces. It also shows that in the mid-1980s most of the homicides were urban. During the last years of the 1990s, approximately 40 per cent of the total number of homicides were committed in the 10 largest cities of the country.²¹

¹⁹ Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia, 1979 - 1986*, p.27.

²⁰ See also the classification of municipalities by degrees of violence in the statistical annexe pp. 253-261 in Cubides, F. et al., *La violencia y el municipio colombiano*.

²¹ Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, p.37. For a table of homicides in the largest cities of Colombia during the 1990s, see below **Appendix 3**.

Figure 2. Homicides in the 10 largest Colombian cities, 2000



Sources: Colombian National Police - DIJIN and Presidencia de la República

In 2000 almost the same municipalities had the highest number of homicides as in the early 1980s. The three largest cities were still in absolute numbers the most violent; Medellín being the most violent, followed by Bogotá and Cali. Together they accounted for almost 30 per cent of all the reported cases. Cúcuta, after a significant increase in its number of homicides, overtook the other intermediary cities of Pereira and Barranquilla. That the three largest cities are still far above the other cities in terms of homicides ensures that violent crime remains a major issue despite the fact that the largest drug-cartels have been disbanded. This could also suggest that homicides in the large cities are not necessarily linked to the presence of large drug-cartels. Rivalries between smaller delinquent organisations that are not necessarily linked to the existence of highly organised crime structures can perpetuate important levels of violence.

Most of the victims of homicides are young men in their early 20s and most of them are killed with firearms. Figures for the 1980s show that between 80 and 87 per cent of the victims were men aged between 15-24 years, followed by men from 25 to 34

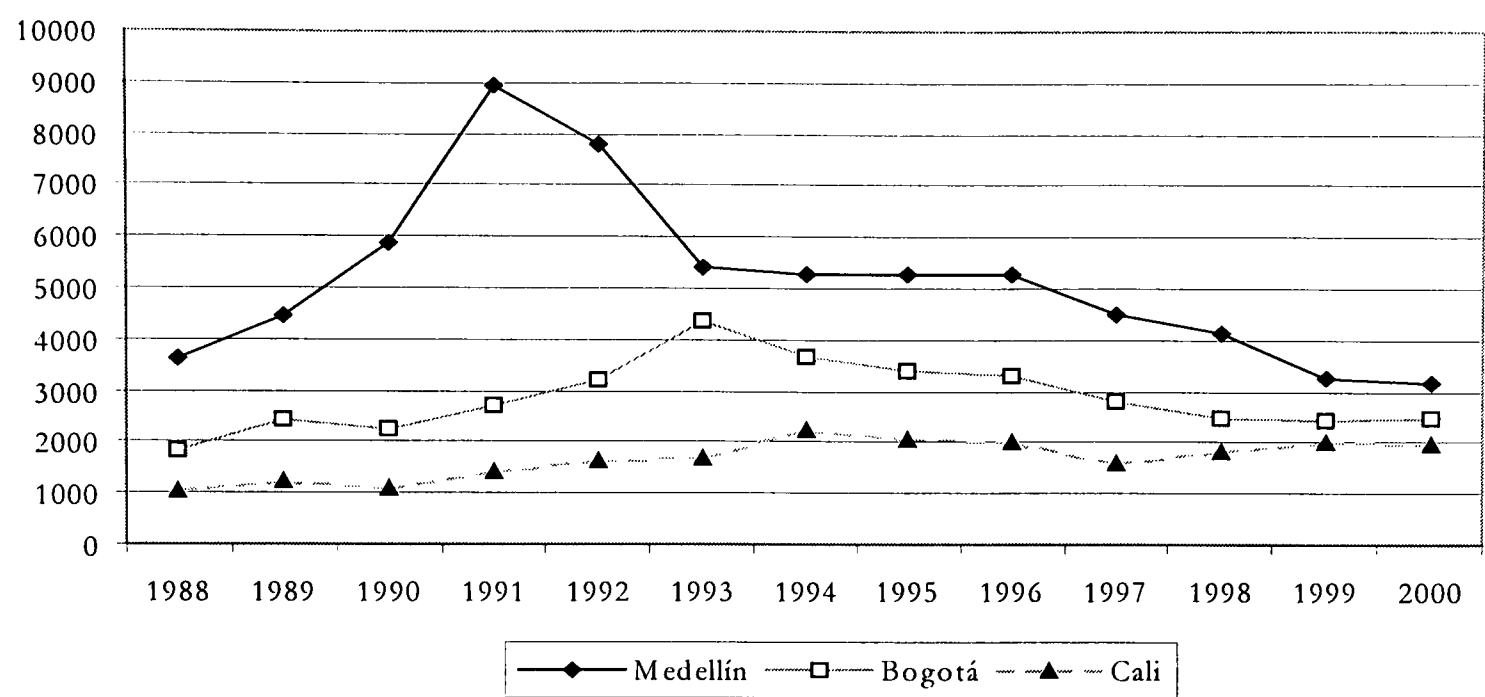
years.²² During the 1990s this pattern has remained relatively unchanged as the principal victim group remains the youth aged 15 to 24.²³ Although data availability does not permit one to define more precisely the authors and locations, it is known that a large share of urban homicides occur in public places, often in areas of gambling and prostitution. A common argument sees homicides as committed largely accidentally, mainly as a result of violent behaviour excited by alcohol and aggravated by the carrying of weapons, notably at night when perpetrators and victims socialise. These notions have been increasingly discussed because of the concentration of violence in some zones of the city. Arguably, people might drink alcohol and carry weapons all around the city, so this fact would not explain why there is such a concentration of homicides in certain specific zones. A recent study by the Instituto de Medicina Legal also showed that most of the victims of homicides during the late 1990s did not present high levels of alcohol in their blood at the moment of the assassination.²⁴

²² Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia, 1979 - 1986*, p.29.

²³ Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, p.56.

²⁴ For further details, see Instituto Nacional de Medicina Legal y Ciencias Forenses - Centro de Referencia Nacional sobre Violencia (CRNV), "Muertes Violentas y Armas de Fuego en Colombia 1996" Boletín Mensual, Vol.2, Boletín 3; Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, pp. 41-42 and p.54; Echandía, C., "Geografía de la violencia homicida en Bogotá", p.14; See also the papers published by CEDE - Paz Pública, Uniandes, notably by Camilo Echandía and Mauricio Rubio: Programa de Estudios sobre Violencia, Seguridad y Justicia (Paz Pública), Letter 1/07/1997; Rubio, M., "Crimen con Misterio"; Rubio M., *Crimen e impunidad*; Echandía, C., "El conflicto armado y las manifestaciones de la violencia en Colombia".

Figure 3. Homicides in Medellín, Bogotá and Cali, 1988 - 2000



Source: Colombian National Police - DIJIN and Presidencia de la República

Figure 3 shows the homicidal trends for the 3 largest cities of the country during the period 1988 to 2000. The graph shows similar trends for the three cities, although the cases of Medellín and Bogotá are more striking than Cali’s. The case of Medellín is especially striking because of the high levels of violence that were reached during the government’s prosecution of the main drug cartel.²⁵ The three cities saw the number of homicides increase rapidly until reaching a peak and then started a decrease that have lasted until the end of the 1990s. In spite of these peaks, homicides for the late 1990s are not significantly higher than those of the late 1980s. Cali is the only exception, as the number of homicides has almost doubled in the last decade.

²⁵ This represents the peak of the so-called “narco-terrorist” violence of 1992. A wave of homicides committed against the Police followed the arrest of several leaders of the cartel, notably Brances Muñoz Mosquera, aka ‘Tyson’. During the first week of November 1992, several policemen were shot in terrorist attacks. During the night of the 7 November 1992, several bombs exploded in the centre of Medellín and 6 other were de-activated. As a result, the government declared a ‘State of Commotion’ to take special security measures. In such circumstances, the government is allowed to adopt new security laws without having to ratify them by Congress. For the Government’s report on the declaration of the national state of commotion, see “Informe motivado al Congreso de la República sobre las causas que determinaron la declaración de la Comoción Interior” in Presidencia de la República, *Una Política de Seguridad para la Convivencia*, Vol. 1, pp. 179-187, Bogotá, 1994. For an account of the violence in Medellín, see Strong, S., *Whitewash: Pablo Escobar and the Cocaine Wars*, London 1996. See also Torres Arias, E., *Mercaderes de la muerte*, Bogotá, 1995.

The next section draws an analysis of homicide in Medellín, Bogotá and Cali. This comparison shows that despite significant differences in the levels of violence for each of the three cities, there are some clear similarities that help understand the problems of homicide in urban Colombia.

Medellín and the Valle de Aburrá

The region known as the Valle de Aburrá, which comprises the city of Medellín and the surrounding municipalities of Envigado, Bello and Rionegro is today the urban zone of the country with the highest rate of homicide. It has also one of the highest rates in the world: 161 homicides per 100,000 inhabitants in 2000.²⁶ This record dates back to 1970, when about a third of all the country's homicides started to take place in the Department of Antioquia. At that time, most of the homicides were concentrated in the north-western region of Urabá, in a few municipalities like Apartadó or Turbo.²⁷ In the late 1970s, Antioquia's violence also began to increase around Medellín and its metropolitan zone. Nearby municipalities like Bello and Itagüí reached homicide rates that were almost five times higher than the national rate. In the mid-1980s, Medellín had become the most violent city in the country.

Medellín does not appear to have a long history of violence though. The city was until the mid-1960s among the least violent in the country. Its inhabitants were regarded as peaceful, civic and hardworking. In a recent analysis, Carlos Miguel Ortiz took the cases of the most violent municipalities and compared them from a historical

²⁶ As a comparison, other rates of homicide per 100,000 inhabitants in American cities are: Cali 93 (2000), San Salvador 84 (1996), Rio de Janeiro 61 (1996), Caracas 56 (1996), São Paulo 50 (1996), Washington D.C. 50 (1997), Bogotá DC 39 (1999), Mexico DF 9 (1997), Santiago 8 (1996). For further examples on homicides in Latin American countries, see Ayres, R.L., *Crime and Violence as Development Issues in Latin America and the Caribbean*, table 1, p.3. See also Martin, G., "Crime and Violence in Cali (Colombia)", table 3, p.5.

²⁷ The Urabá region is a frontier zone where colonisation of lands is still recent, but where extensive industrial agriculture is also present. Conflicts between worker unions, guerrillas and right-wing paramilitaries are common. For a short analysis of homicides in the 1980s, see Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, table 12. See also Ortiz, C.M., "Urabá" in Cubides, F. et al., *La violencia y el municipio colombiano*, pp. 71-78.

perspective.²⁸ This analysis tries to understand the causes that triggered violence and correlated them with the economic and social changes inherent to the urbanisation and industrialisation process. To achieve this, Ortiz correlates the violence with rates of economic growth. He also adds political variables, like the consolidation of urban left-wing movements and the appearance of youth bands and armed groups funded by the illegal drug commerce.

Ortiz reaches the conclusion that the rapid process of urban development and migration created favourable conditions for the appearance and establishment of highly organised and territorial groups among migrant communities. These could easily grow in number and strength in times of economic crises, especially when there were possibilities to compete for alternative sources of income, like illegal drugs. This combination of variables was especially visible during the early 1980s and led to the creation of a local 'culture of violence' that has perpetuated the violence for more than 20 years. With these conditions, the authorities have been unable to produce effective results in their fight against violent crime.

Ortiz also looks at the creation and expansion of the *Comunas*, the poorest and most violent sectors of Medellín.²⁹ He argues that the appearance of armed groups in these sectors during the 1960s was caused by a necessity of the local people to provide some of the basic security functions that the State could not offer. These main functions included the patrolling of streets and the control over beggars, street vendors, petty criminals and prostitutes. During these years, the number of homicides in Medellín was not significantly higher than in the other cities of the country mainly because the

²⁸ Ortiz, C.M., "Ciudades y áreas metropolitanas: Medellín" in Cubides, F. et al., *La violencia y el municipio colombiano*, pp. 105-113.

²⁹ The origins of the *Comunas* date from the 1940s and 1950s when several waves of rural migrants moved to the city to flee the rural violence caused by the political *Violencia* and to search for better working alternatives within the expanding industrial sector. Some criminologists have suggested that the violence of the *Comunas* is a continuation of the violence that these migrants lived before moving to the city. Ortiz suggests a relationship between the establishment of migrant communities during the late 1950s, the consolidation and improvement of popular housing and later the appearance of *vigilante* groups that later allowed for the appearance of the 'culture of *sicariato*', a culture of mercenary teenagers with extreme degrees of violence and complete lack of life expectation. There is, however, little evidence to prove that the violence during the 1980s in the *Comunas* is related to the political violence of the 1950s.

principal functions of these vigilante groups were only to watch for petty delinquents and limit the risks of conflict in bars and public areas.

In the 1970s some of these groups became highly organised and took over the territory of smaller and less coercive rival groups. Because these gangs often counted with the population's support, they were rarely denounced to the authorities when engaged in social cleansing activities.³⁰ Some *Comunas* located in the north-eastern and north-western parts of the city, saw their levels of violence increase rapidly, mainly because of the appearance of large, well-organised and highly armed youth gangs. Rivalries between groups originated the first *sicarios*, the teenage killers who acted on paid contracts from local drug-traffickers.

Following a recession in the mid-1980s, with a slowdown in the manufacturing industry and a drop in coffee prices, the level of unemployment significantly rose in the region.³¹ Direct participation in criminal activities, dealing with drugs and trafficking with weapons, also became steps to raise in the ladder of the main cartel. At that time, Pablo Escobar, who was the leader of the Medellín cartel, counted with a large support from the local population notably in the poorest areas of the city. With his resources to invest in housing and public services for the poor, Escobar was elected as a deputy congressman for the Liberal Party in 1980. This gave him a large support among the popular classes in Medellín, who then became essential for the expansion and consolidation of the cartel. These gangs became important self-defence organisations fighting for territorial control.

In his research on the topic, Rodgers found that although youth gangs depended heavily on the drug cartels to survive, both gangs and cartels seemed to share during the 1980s 'strong symbiotic relationships' that contributed to the proliferation of both.

³⁰ This is particularly the case of youth gangs working in the *barrios* Aranjuez, Manrique and Campo Valdés inside the *Comuna Nororiental*. These *barrios* are also the same that provided most of the *sicarios* working for the drug-cartels in the 1980s. See Ortiz, C.M., "Ciudades y áreas metropolitanas: Medellín", p.106.

³¹ Ocampo, J.A., "Una década de grandes transformaciones económicas, 1986 - 1995" in Ocampo, J.A. (ed.), *Historia Económica de Colombia*, Chapter 8, Bogotá, 1991.

In 1990, there were at least 120 youth gangs in Medellín, mostly located in the *Comunas*. According to Rodgers, these gangs involved approximately 3000 youths, averaging 16 years old.³²

While many youth groups had ties with the main drug cartel, some others became affiliated to local guerrillas. Probably the best-documented examples are those of the *peace camps* organised by the guerrillas of the M-19.³³ Despite their name, these camps were not destined to bring down the levels of violence among the population; they were training and recruiting places for guerrillas. When the authorities tried to bring under control the violence of the popular parts of the city, they were perceived as another element of rivalry. The Police often raided the *comunas* and were then looked upon as another element of violence that was fighting for territorial control. In some cases, the legitimacy of the police was displaced and local youth gangs were able to pose as local providers of their own law and justice. A recent article in a newspaper described this situation as follows:

‘En medio de esta disputa por el control del sector nororiental, los niños siguen siendo las víctimas en un lugar donde ni siquiera puede entrar la Policía a vigilar porque la autoridad de las bandas es tal que nadie puede circular por el sector después de las seis de la tarde. Del total de homicidios [cometidos en la ciudad], el 14,2 por ciento corresponde a menores de edad’.³⁴

Some gangs kept good relationships with the community and protected local citizens from other delinquent organisations. However, in most of the cases the inhabitants of the zone were primary victims of crime and abuse.³⁵ In 1992, with the end of the local supremacy of the Medellín cartel and the death of most of its leaders, Medellín’s

³² Rodgers, D., “Youth Gangs and Violence in Latin America and the Caribbean: a Literature Survey”, Washington D.C., August 1999, p.7. For a description of the youth problem, see Salazar, A., *Born to die in Medellín*, London, 1990. Salazar and Jaramillo argue that at the height of violence in Medellín, there were more than 150 highly organised bands in the city, from which almost 90 were concentrated in the *Comunas Nororientales* (Comunas 1,2,3 and 4). See Salazar, A. and Jaramillo, A.M., *Medellín: las subculturas del narcotráfico*, Bogotá, 1991, pp. 21-27 quoted in Ortiz, C.M., “Ciudades y áreas metropolitanas: Medellín”, p.110.

³³ This refers to the *Campamentos de Paz* established by the M-19. See Palacios, M., “Por una agenda de Paz”, p.31.

³⁴ *El Espectador*, 16 March 2001, internet edition, available at: <http://www.elespectador.com/>.

³⁵ Rodgers, D., “Youth Gangs and Violence in Latin America and the Caribbean”, p.8.

violence started to decrease. Since 1994, the city has seen the number of homicides fall by 30 per cent, thus narrowing the ‘homicide gap’ with the other cities of Colombia. While in 1991 the total number of homicides in Medellín had approached 9,000, in 1994 it was down to 5,284 and by 2000 it had fallen to 3,151.

Table 7. Homicides in Medellín, 1988 - 2000

Year	Recorded Cases
1988	3627
1989	4443
1990	5851
1991	8954
1992	7807
1993	5400
1994	5284
1995	5285
1996	5257
1997	4478
1998	4124
1999	3258
2000	3151

Source: Colombian National Police - DIJIN

Despite the impressive peak of violence during the early 1990s, the levels of homicide in Medellín in 2000 were lower than they were in 1988: registered figures show a total number of 3,151 homicides in 2000, compared to 3,627 in 1988.³⁶ During the 1990s, no other city saw a similar variation in the number of homicides committed. Even in their worse years, Bogotá and Cali’s homicides never looked like exceeding the cases recorded in Medellín.

Bogotá and the Capital District

Colombia’s capital city, Bogotá, has always been the country’s largest city. In the 1990s it contained around 15 per cent of the country’s population of the country and

³⁶ Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, table 10, p.53.

around a third of the industrial workforce.³⁷ It is also a city with enormous disparities in income distribution and has a large share of the population - 13.6 per cent - living in absolute poverty. Despite such disparities, Bogotá did not show abnormal levels of violence before the 1980s.³⁸ Even thereafter, Bogotá for long did not attract the attention of criminologists, as the city was not known to have the problems of public order that Cali and Medellín had because of their more prominent drug-cartels. In 1988, the number of homicides in Bogotá was less than 2000, significantly less than the cases reported for Medellín (3,627), though almost twice as many cases than in Cali (1,051).³⁹

Table 8. Homicides in Bogotá, 1988 - 2000

Year	Recorded Cases
1988	1853
1989	2419
1990	2258
1991	2698
1992	3231
1993	4378
1994	3664
1995	3385
1996	3296
1997	2810
1998	2478
1999	2409
2000	2252

Source: Colombian National Police - DIJIN

³⁷ DANE, National Census 1993, internet version at http://www.dane.gov.co/Informacion_Estadistica/.

³⁸ Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*. See also Echandía, C., “Geografía de la violencia homicida en Bogotá”, p.3. Recent studies on crime and violence in the capital have suggested that current levels of insecurity are not a new phenomenon, although in recent decades they have increased considerably. There has also been a decrease in politically motivated homicides and an increase in homicides that are related to economic crimes. See Niño Murcia, S., Lugo Torres, N. and Vega, L.A., *Territorios del miedo en Santafé de Bogotá*, Bogotá, 1998, p.xiv and Uribe, M.V., *Violencia difusa en Bogotá*, Bogotá, 1993, pp. 15-16.

³⁹ National Police - DIJIN and Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, based on table 10, p.53.

Homicides in Bogotá increased until reaching a peak in 1993, when the authorities recorded more than 4,300 cases. This represents an increase of 136 per cent in a period of 6 years. Since 1994, and especially after 1996, these figures have been going down. In 1999, the number of cases per year was practically the same as it was in the late 1980s: 2,419 recorded homicides in 1989 compared to 2,409 in 1999. In 2000 the number of cases reached 2,252. This also represents a significant decrease in homicide rates, as they decreased from 65 to 36 homicides per 100,000 inhabitants in less than a decade.

Most of Bogotá's homicides are committed during weekend nights and within a few nuclei of violence. While analysing these zones, Camilo Echandía found that homicides were generally correlated to other crimes, mainly those with economic gains, violent robberies and muggings.⁴⁰ Although the evidence is scarce, it is possible that homicides are also related to kidnappings and extortion. By using available data on homicides from the *Instituto Colombiano de Medicina Legal*, Echandía classified the number of homicides by localities to see which were the most affected zones. He found that the most affected localities were persistently violent across time, and that a few localities could define the rates for the entire city.⁴¹

⁴⁰ Echandía, C., "Geografía de la violencia homicida en Bogotá", p.2.

⁴¹ Bogotá's capital district is divided into 20 different administrative localities (*localidades*) named as follows, in alphabetical order: Antonio Nariño, Barrios Unidos, Bosa, Ciudad Bolívar, Chapinero, Engativá, Fontibón, Kennedy, La Candelaria, Los Mártires, Puente Aranda, Rafael Uribe, San Cristóbal, Santafé, Suba, Sumapaz, Teusaquillo, Tunjuelito, Usaquén and Usme. These localities differ in their extent, and in the number and socio-economic level of their inhabitants. Most of the studies on urban homicide do not include the locality of Sumapaz, a rural locality that has important levels of guerrilla activity.

Table 9. Homicides in localities of Bogotá, Average 1997-99

Most Violent Localities	Homicides	%
Ciudad Bolívar	322	12.4
Antonio Nariño	276	10.6
Santafé	273	10.5
Rafael Uribe	220	8.4
Puente Aranda	181	6.9
Sub-Total	1272	48.8
Suba	197	7.6
San Cristobal	162	6.2
Engativá	146	5.6
Bosa	122	4.7
Mártires	111	4.2
Sub-Total	738	28.3
Usme	108	4.1
Tunjuelito	89	3.4
Usaquén	81	3.1
Fontibón	62	2.4
Barrios Unidos	59	2.3
Candelaria	57	2.2
Chapinero	54	2.1
Antonio Nariño	44	1.7
Teusaquillo	42	1.6
Sumapaz	n/a	n/a
Total City	2606	100

Source: based on findings by Echandía C.

The data presented in **table 9** above show the average number of homicides in Bogotá for the period 1997 - 1999. For this period, Bogotá's rate of homicide was 43 per 100,000 inhabitants. A few localities had rates several times higher than the average rate of the city. The localities with the highest rates were Santafé and La Candelaria with rates of 255 and 207 respectively. Another eight localities had rates superior than the city average.⁴² Only 5 localities (Ciudad Bolívar, Kennedy, Santafé, Rafael Uribe, Puente Aranda) account for almost 49 per cent percent of the total number of homicides. The next 5 most violent localities (Suba, San Cristóbal, Engativá, Bosa, Mártires, Usme) add another 28.3 per cent of the total number of cases. This, in other words means that half of the localities in the city produced in that period about 80 per cent of the total number of homicides.

⁴² These were Mártires (116), Puente Aranda (64), Ciudad Bolívar (62), Rafael Uribe (57), Usme (47), Antonio Nariño (45), Chapinero (44) and Tunjuelito (43). All rates are given in homicides per 100,000 inhabitants.

Echandía's important finding was that the localities with the highest numbers of homicide were also among those with the highest rates of homicide: Santafé, Rafael Uribe, Ciudad Bolívar and Puente Aranda.⁴³ This is particularly significant as it proves that large and populated localities can be as violent as small and unpopulated ones. In spite of these important findings some questions have remained unanswered. Why are some localities persistently more violent than others? What are the zones within each locality that tend to be more violent? What are the causes for this high number of homicides? Why are homicides concentrated in a few zones of the city?

If violence, and more specifically homicides seem to be committed in the same zones of the city throughout different periods of time, this could suggest that violence is not purely accidental and is more complex than it was first suggested. A common argument to explain the number of homicides committed in Bogotá has tried to correlate these crimes with the consumption of alcohol and the use of weapons in public areas at night. This argument has been increasingly refuted. Although most of the victims die in public places at night, few victims show traces of alcohol in their blood. Drink and darkness do not explain why homicides are concentrated in these few localities, given that people go out at night and socialise in public places all around the city.

A plausible explanation is that homicides are linked to other activities that are highly lucrative and competitive, such as the drugs trade and the arms trade. Echandía also claims that there is an increasing guerrilla presence in the cities, and notably in Bogotá where there is a high correlation between the existence of urban militias and the 'high indices of indiscriminate and selective violence'.⁴⁴ Indiscriminate levels of violence comprise what seem to be 'random' homicides in public places without known purposes, while selective homicides are more targeted against those who disagree or do not comply with the rules of the guerrilla. These include homicides against petty delinquents and drug-dealers but also against members of opposing political groups and public authorities, policemen, politicians and civil servants.

⁴³ Echandía, C., "Geografía de la violencia homicida en Bogotá", p.7.

⁴⁴ Echandía, C., "Geografía de la violencia homicida en Bogotá", p.15.

However, to this day there is no strong evidence of the importance of the militias' activities in Bogotá. Guerrillas are present throughout the country but there is no clear knowledge about their urban structure and organisation. There is, so far, no strong evidence of the existence of an urban guerrilla acting independently from rural guerrillas. Data used to sustain the existence of urban militias come from written media articles or from individual testimonies of policemen and guerrilla members who have been arrested. When made public, these claims affect the perception of security among the population and may increase further fears of victimisation.

An important share of homicides in Bogotá is attributed to the presence of organised delinquent groups usually formed by numbers of youths. The activities of these groups include both small street crimes and other violent crimes, assault robberies, extortion or kidnappings. Although the information available on specific gangs is scarce, it is also known that some also participate in 'social cleansing'. Myriam Jimeno and Ismael Roldán recently analysed the problem of violence in Ciudad Bolívar, a popular sector of Bogotá. They concluded that the organisation of youth bands, in some areas, could compensate for the lack of family structure of the children, where one and sometimes two of the parents are absent. Jimeno and Roldán also assert that violence is used as a risk-avoiding strategy against rival groups: group belonging gives youth the necessary protection in risk areas where public security is not guaranteed and those who choose not to participate become easy targets of crime and violence. In this situation, the street becomes the place for socialisation and gang membership which is often compulsory. Jimeno and Roldán mention that some groups had more than two hundred members, although most of the time they were smaller in number and the age of the children involved varies between 7-8 years to 25-30 years. The commission of crimes is not seen as a way of earning a living but as a way of demonstrating courage and power towards the peers. In their own words:

'Entre mayor sea el número de actos delictivos, y mientras más arriesgados y temerarios sean, mayor reconocimiento recibe el pandillero, se eleva el prestigio del grupo frente a otros y se aumenta el temor por parte de la comunidad... La estrategia evitativa empleada por mucha gente en nuestro país para minimizar el riesgo de ser agredidos o violentados por otros, basada en «si yo no me meto con nadie, nadie se

mete conmigo», no parece tener mucha utilidad en estos barrios. La pasividad puede ser castigada con la muerte misma...es una violencia sistematizada que se nutre de sí misma'.⁴⁵

Cali and its Metropolitan Zone.

Cali is the only one of the three cities that has not seen a decrease in the number of homicides during the ten year period between 1990 and 2000. Despite reaching a peak in 1994 that has been followed by a slow decrease in the figures, the authorities of the city recorded in 2000 almost twice as many homicides as it had ten years earlier. In 2000 the number of homicides reached 1,969 while in 1988 it had reached 1,051.⁴⁶ The rate of homicide that was around 23 per 100,000 inhabitants in 1983 grew to 112 in 1995 and was down to a little less than 100 in 1999 and 93 in 2000.⁴⁷ During the three-year period from 1993 to 1995, 93 per cent of the victims were men. For the year 1996, this percentage had risen to 94.4 per cent. Most of the victims were aged between 20 and 29.⁴⁸

⁴⁵ Jimeno, M. and Roldán, I., *Las sombras arbitrarias: violencia y autoridad en Colombia*, Bogotá, 1996, pp. 76-77.

⁴⁶ Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, based on the figures from table 10, p.53 and Policía Nacional – DIJIN.

⁴⁷ Piquet Carneiro, L., "Violent Crime in Latin American Cities", p.8. Figures for these years from the Ministry of Justice put the homicide rate around 120 but no mention is made of population size. See Ministerio de Justicia y del Derecho, *Lesiones fatales intencionales y no intencionales en Cali 1993 - 1996*, Bogotá, 1997, p.20. For 1999, see Martin, G., "Crime and Violence in Cali (Colombia)", p.10.

⁴⁸ Ministerio de Justicia y del Derecho - DESEPAZ, *Lesiones fatales intencionales y no intencionales en Cali 1993 - 1996*, p.26 and p.32.

Table 10. Homicides in Cali, 1988 - 2000

Year	Recorded Cases
1988	1051
1989	1223
1990	1102
1991	1420
1992	1654
1993	1702
1994	2226
1995	2079
1996	2000
1997	1627
1998	1847
1999	2004
2000	1969

Source: Colombian National Police - DIJIN

The increase in the number of homicides during the mid-1980s and 1990s is mainly attributed to drug-related delinquency and power struggles between factions of the local cartel.⁴⁹ The main difference between the drug-cartels in Cali and Medellín was the lack of overt politicisation of the Cali cartel. Its leaders kept a low profile and were not publicly involved in local politics. This gave them a comparative advantage, as they managed to infiltrate different levels of society and to attain greater influence over the local and national authorities without the confrontations brought by their counterparts in Medellín.⁵⁰ Fernando Cubides argues that in Cali delinquent organisations and members of drug-cartels were not necessarily less violent than their counterparts in Medellín. This may be true for smaller street crimes and for violent crimes like kidnappings, but it may not be the case for homicides as it is more difficult to have human corpses undetected and homicides unreported. Cubides' argument that the Cali cartel was as violent as the Medellín cartel cannot be supported when comparing homicides: figures for Medellín have consistently been significantly higher than those for Cali. This is not to say that the Cali cartel did not assert itself frequently by violent means.

⁴⁹ Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, p.45; Refer also to the Comisión de estudios sobre la violencia en Colombia, *Colombia: Violencia y Democracia*.

⁵⁰ Cubides, F., "Cali (más Yumbo, Jamundí, Candelaria, La Cumbre y Viajes)" in Cubides, F. et al., *La violencia y el municipio colombiano*, pp. 115-116.

After 1993, when the Police had captured most of the leaders of the Medellín cartel, efforts were gradually centred on capturing and dismantling the Cali cartel. Because the local authorities were under increasing pressure to disband the cartel and arrest its leaders, the latter started to respond with acts of terror against the population. This was noted in 1993 by Alvaro Guzmán when he argued that the increase of homicides were characterised by higher degrees of violence to create fear among the population. He wrote in a local magazine:

“La aparición de cuerpos en *botaderos* de la ciudad, las señales de tortura y sevicia, la racionalización de la violencia llevada a sus extremos, incluso acudiendo al terror: creemos que esta forma de violencia es la que caracteriza la coyuntura por la que atraviesa la ciudad”.⁵¹

Cubides writes that in this period the perceptions of insecurity among the citizens of Cali worsened as the authorities failed to show positive results in their fight against crime. As a consequence, the Police lost authority in most of the city and there was a decrease in the numbers of crimes denounced. For Cubides this was a vicious circle that allowed an increase of street-violence.⁵²

In the popular sectors of the city, drug-related activities were a major cause of the increase in homicides.⁵³ Youth bands either directly at the service of the cartel or simply related to it through derived activities, were often involved in territorial conflicts with rival bands. Some armed groups dedicated themselves to exterminating rival groups and ‘cleaning’ the city of what they perceived as political enemies or marginal elements. In some cases, these groups left graffiti signs that read ‘*Cali limpia, Cali linda*’ near their victims.⁵⁴

⁵¹ Guzmán Barney, A. et al., “Violencia urbana y seguridad ciudadana en Cali” in *Revista Foro*, 22 November 1993.

⁵² Cubides, F., “Cali (más Yumbo, Jamundí, Candelaria, La Cumbre y Viajes)” in Cubides, F. et al., *La violencia y el municipio colombiano*, p.116.

⁵³ Losada Lora, R. and Vélez Bustillo, E., *Muertes violentas en Colombia*, p.45.

⁵⁴ Quoted in Cubides, F., “Cali (más Yumbo, Jamundí, Candelaria, La Cumbre y Viajes)” in Cubides, F. et al., *La violencia y el municipio colombiano*, p.115.

In 1992 Cali’s local administration pioneered the analysis of homicides with the establishment of a public policy and research centre called DESEPAZ.⁵⁵ Creating detailed databases that covered homicides in each sector of the city over several years, DESEPAZ’s researchers compiled more precise statistics on the concentration of violence and on some details of the authorship of these crimes.⁵⁶ DESEPAZ’s first finding was to confirm the perception that homicides are not eventually spread geographically. As in the cases of Medellín and Bogotá, some localities are much more prone to violence than others. *Comuna 20* has been considered the most violent locality during the 1990s: it has had a rate of homicide that fluctuated between 169 and 204 per 100,000 inhabitants during the period 1997 - 1999. *Comunas 3, 7, 9 and 12* also showed rates that were around 120 homicides per 100,000 inhabitants.

Table 11. Homicides and homicide rates in selected *Comunas* of Cali

Violent comunas*	Population	1997			1999		
		Cases	Rate	Rank	Cases	Rate	Rank
Comuna 20	62,207	104	169	1	116	204	1
Comuna 3	61,929	86	137	2	74	132	4
Comuna 7	77,368	86	111	4	92	130	5
Comuna 9	68,139	74	109	5	95	149	2
Comuna 12	63,920	73	114	3	73	125	
Comuna 11	85,034	91	107		94	121	
Comuna 4	72,115	61	85		96	144	3
Comuna 15	114,171	93	81		126	121	
Comuna 14	128,400	129	101		96	82	
Rural Zone	30,000	81	305		98	358	
Cali (total)	1,866,256	1630	86		1776	96	

Rates are given per 100,000 inhabitants. * Overall ranking from more to less violent on basis of calculations of rates for each Comuna during the period 1997 - 1999. Source: DESEPAZ, *Cali, Datos y Cifras*. Table based on calculations by Martin, G., “Crime and Violence in Cali”, p.10.

⁵⁵ For a description of the programme and objectives, see below **Chapter 4**.

⁵⁶ They analysed the number of homicides committed in each of the 20 localities (*Comunas*) composing the city of Cali and compared data on a yearly basis. Each *Comuna* is numbered from 1 to 20 and contains approximately 15 neighbourhoods.

The above table shows that the most violent parts of Cali are:

- The City Centre, where *Comunas* 9 and 3 are located. This zone contains the most important *olla* of the city where there is a high concentration of prostitution, drug-dealers and petty criminals. There are several known gangs acting in this zone.
- The Northwest, known as *La Ladera*, where *Comuna* 20 is located. In the latter is situated the *Barrio Siloé*, a zone known for its youth violence and by the number of gangs and organised groups that are active, including claims of the existence of *sicarios* and *militias*.⁵⁷
- The Southeast, known as the *Aguablanca* district, where the *Comunas* 7, 12, 11 and 4, in order of their rates of homicide, are situated. Homicides in this zone are attributed mainly to youth gangs, although militia activity is also claimed to be important.
- The rural areas around the city are also extremely violent -the rate of homicide for 1999 was 300 per 100,000 inhabitants- because of the presence of guerrilla and paramilitary conflicts.

Neighbourhoods that have been consistently violent in the past include Siloé (situated within *Comuna* 3), Sucre (*Com.* 4), Manuela Beltrán (*Com.* 11), Santa Elena (*Com.* 10) and El Calvario (*Com.* 3). All have rates of homicide well above the city's rate. El Calvario is one of the most violent, with annual rates that approach 760 homicides per 100,000 inhabitants. A recent study has also indicated that within the 20 most violent *barrios* -containing around 14 per cent of the city's population - is concentrated more than 20 per cent of all the city's homicides.⁵⁸ Despite a slow decrease in the number of homicides in the city, the zones with high rates of homicide have remained particularly violent. In some of the *Comunas* mentioned above, the homicides have risen while the total number of homicides in the city has decreased.⁵⁹

⁵⁷ Rodgers, D., "Youth Gangs and Violence in Latin America and the Caribbean", p.7.

⁵⁸ These findings are based on the findings of Martin, G., "Crime and Violence in Cali (Colombia)", pp. 10-11. Data and rates of homicide per *barrio* are found in table 8, p.11. Cali's population is shown in table 6, p.10.

⁵⁹ This was the case with the *Comunas* no. 13, 14 and 15 in the *Aguablanca* district. See Ministerio de Justicia - DESEPAZ, *Lesiones fatales intencionales y no intencionales en Cali 1993 - 1996*, p.37.

Available data suggest that there is no correlation between the poverty of *Comunas* and their levels of violence. *Comunas* 20 and 3 are the most violent but they are not the poorest. Research on the subject by Hentschel showed that these *Comunas* rank eighth in terms of poverty. The poorest *Comunas* -*Comunas* 14 and 15- do not appear among the most violent, and at the same time, some of the least violent *Comunas* also seem to have the lowest levels of poverty.⁶⁰ In comparative terms across the city, however, homicides tend to affect mainly the poor: around 80 per cent of the homicides are committed against people from the lowest socio-economic levels. Gerard Martin has found that 85 per cent of violent deaths of people from the poorest socio-economic levels are homicides, compared to 54 per cent of violent deaths in the richest levels.⁶¹

Table 12. Percentage of Homicides in Cali by stratum, 1993 - 1999				
Stratum	1993	1996	1999	Share of Cali's population by stratum (1999)
	%	%	%	%
1	28	29	27	17
2	33	32	33	26
3	22	22	23	40
4	2	2	2	10
5	6	7	6	6
6	3	3	3	1
Unclassified	7	6	6	0
TOTAL	100	100	100	100

Source: Ministerio de Justicia - DESEPAZ. Data for 1999 come from Martin, G., "Crime and Violence in Cali", table 11, p.13.

Table 12 shows the classification of victims in Cali depending on their socio-economic level. People belonging to the poorest areas of the city, equivalent to strata 1, 2 and 3, accounted for 83 per cent of the city’s homicides. Those from stratum 4, belonging to the lower middle-class, suffer less from homicides with around 2 per cent of the cases. People from the upper middle classes, from strata 5 and 6, tended to share around 10 per cent of the cases.

⁶⁰ Hentschel, J., "Social Development for Cali", background paper for CDS Cali, quoted in Martin, G., "Crime and Violence in Cali (Colombia)", p.12.

⁶¹ Martin, G., "Crime and Violence in Cali (Colombia)", p.12.

This fact confirms what Echandía suggests for Bogotá: homicides are not necessarily correlated to the areas where the poorest people live, but where they tend to be engaged in other activities, like working or socialising. In those places, where there is more accessibility to economic resources, there is a higher probability of getting involved in illegal activities as a victim or as a victimiser.

Final Comments

This chapter has summarised some of the recent findings in the research on homicides in Colombia. It has described how the problem of violence is perceived as most acute in the larger cities where most of the country's homicides are committed. It also showed that homicides in Colombia are in terms of absolute numbers mainly a problem of large cities. Contrary to common belief, most of the homicides do not take place in confrontations between the guerrilla groups, the paramilitaries and the public forces. In 1987 the *Comisión de estudios sobre la violencia* argued that the violence of the streets were causing more deaths than the rural violence caused by guerrilla and paramilitary fighting. Despite the common perception that Colombians have of the intensity of the conflict, in 1999 the argument of the *Comisión* was still true.

Today, the ten largest cities in the country are responsible for 40 per cent of the total number of registered cases. In 2000, these accounted for almost 10,000 homicides. The three largest cities, Bogotá, Cali and Medellín, are responsible for the largest share of this violence, with more than 30 per cent of the total number of homicides committed annually in the country. An important share of these homicides stems from the existence of well-organised criminal groups and youth bands. These groups seem to be highly correlated with the existence of larger criminal organisations such as drug-cartels and related organisations. A possible explanation for the intense degree of violence seen in some localities of the cities may be due to the fact that bands often compete for their share of territory and for the economic gains that can be obtained in their zone.

The chapter analysed recent findings on the analysis of homicides in the cities of Medellín, Bogotá and Cali. Some conclusions can be derived from this comparison. First, the problem of homicides has to be analysed on a local basis. Each city shows that there are specific and well defined sectors of violence. This is the case not only of each one of the localities composing the city, but of each neighbourhood within each locality. The study of homicides must analyse specifically each of the zones affected and take into account not only the population living there but also its social, political and economic characteristics. This comparison also permits one to argue that despite the fact that a majority of homicides take place in zones defined as being medium or poor in terms of the socio-economic levels of their inhabitants, it is not possible to say that homicides are simply correlated with poverty. The number of homicides tends to be greater where the economic gain from other violent crimes is also greater. This may suggest that homicides tend to concentrate where there might be a larger number of parallel yet less visible crimes, such as violent robberies, kidnappings and extortion.

The next chapter analyses the problem of kidnappings in the country. Although these crimes are far more difficult to detect and report than homicides, it is crucial to understand their importance within the context of contemporary Colombian politics because after homicides, kidnappings are undoubtedly the major problem affecting citizens' security.

CHAPTER 2: KIDNAPPINGS AND EXTORTION

After homicides, kidnappings are currently the most important crimes affecting the Colombian population.¹ The impact of kidnappings has been so significant that Colombians often refer to them as ‘small deaths’.² In some of his writings about the topic, Francisco Santos has even used the expression *muertos en vida* to describe the victims of kidnapping.³ The purpose of associating kidnappings with the image of death is not only to popularise the problem, but also to promote the diffusion of anti-violence feelings among the population by changing the perception of the population that considers extortion crimes as ‘economic crimes’ instead of ‘crimes against the person’.

In the year 2000, there were more than 3,700 recorded cases plus an unknown number of cases that were not denounced to the authorities. This is due to the fact that the authorities lack information about kidnappings. Families of victims and private businesses are often reluctant to disclose details regarding the abduction and the negotiation process with the kidnappers. Today, a great number of Colombians prefer to settle an agreement in confidence with the kidnappers for fear of reprisal in case of

¹ Kidnappings are defined as situations where victims can be ‘abducted, retained or hidden’ to get something in exchange of their freedom. In recent years there have been numerous modifications of the laws dealing with kidnapping and extortion. The most important Colombian laws are Law 40 – 19 January 1993; Law 282 – 6 June 1996; Law 599 – July 2001 [*Código de Procedimiento Penal*] especially Articles 169 and 170 and the modifications made in Law 733 – 29 January 2002. For more on this, see **Chapter 4** below. Although kidnappings and hostage-taking situations are different and there are different laws to deal with these crimes, hostage-taking situations in Colombia are often treated as mass kidnappings because of the political or financial demands that are made in exchange of the liberation of victims. According to International Humanitarian Law, hostage takers seek to influence the behaviour of third parties in some way by threatening a hostage with physical harm; the definition relies on the hostage’s disempowerment in the hands of a party to the conflict and the possibility that the hostage will be exchanged for some concession made by a third party. Hostage-taking is prohibited by Article 1(b) of Common Article 3 to the Geneva Conventions as well as Article 4(2) (c) of Protocol II. See Pictet, J., “International Humanitarian Law: a definition” in United Nations Educational, Scientific and Cultural Organisation - UNESCO, *International Dimensions of Humanitarian Law*, Dordrecht, 1988. For a different perspective, see Human Rights Watch, *War Without Quarter: Colombia and International Humanitarian Law*, London, 1998, p.38.

² Rubio, M., *Crimen e impunidad: precisiones sobre la violencia*, Bogotá, 1999, p.11

³ Santos, F., “Carta a un secuestrado”, Bogotá, n.d., internet version available at <http://www.paislibre.org/>.

notification to the authorities. The payment of ransoms, followed by regular extortion fees, is also common. This, in the eyes of many citizens, remains the best alternative to avoid further victimisation. It is understandable that many kidnappings are dealt with without the knowledge of the government, as many people will prefer to pay a ransom rather than to put the victim at risk of being killed by calling the authorities.

To undertake negotiations with kidnappers, victims often use the mediation of experts who can help reducing the amount of the ransom demanded.⁴ Because negotiators sometimes charge large sums of money by selling anti-kidnapping insurance policies and by asking a percentage of the money that was saved in the ransom, they have often been accused of contributing to the business of kidnapping. Simultaneously, these negotiators have been accused of competing with law enforcement authorities which are often less efficient due to the number of cases they have to attend and to the lack of resources available for each case. This competition is considered illegal by the government, as it cannot agree on the payment of ransoms.

Article 172 of the Penal Code forbids the participation of negotiators and the issuing of anti-kidnapping insurance policies to businesses and individuals. Proponents of the article say that this kind of activity should be banned since it feeds and promotes the *business* of kidnapping. At the same time, negotiators de-legitimise the role of law enforcement authorities and make the fight against crime more difficult. Opponents of the Article argue that negotiators are essential since the authorities are too slow and inefficient to prevent these crimes. Negotiators also help bringing ransoms down and help families of victims to solve the problem in a rational way. There is an ongoing debate about Article 172 and so far there is still little consensus to decide whether to leave it or to delete it from the Penal Code. In any case, it would be almost impossible to prevent people and firms from insuring themselves against kidnapping. Anti-kidnapping insurance policies and negotiators can always be contracted in other countries, outside the jurisdiction of Colombian authorities. In 1993, Congress voted

⁴ Some of the kidnapping negotiators that have been active and caused controversy in Colombia include Werner Mauss, Control Risks Group, The Ackerman Group and Kroll. Members of the Catholic Church and representatives of the International Red Cross Committee have also been repeatedly involved in negotiations, but have not caused as much controversy because no financial compensation is charged in exchange of their services.

the first anti-kidnapping law. This law contained several articles aiming to penalise those who participated in any stage of the payment or the liberation of the victims. This included not only the relatives, but also the banks and all other entities or individuals who for some reason might be involved in the process. Several articles and paragraphs were declared as unconstitutional by the Constitutional Court as they affected individual liberties and they penalised the victims even more.⁵

Citizens who receive kidnapping threats often have no other choice but to pay extortion fees. By doing this, they want to avoid further victimisation by criminals who could retaliate and cause physical damage to close relatives, personal properties and businesses. In 2000, FARC's *Law 002* dictated that every Colombian with a fortune in excess of US\$1 million had to pay a 'voluntary' tax to the FARC equivalent to 10 per cent of their total fortune. Those who refused to pay were at risk of being 'retained' as a measure to enforce the payment. With the *Law 002*, the organisation also wanted to promote fear among citizens: by kidnapping some people who refuse to pay, guerrillas can enforce the payment of many other extortions to people who prefer to pay rather than being kidnapped. Because the extortion also focuses on private firms and businesses, the FARC has imposed extortion fees on many different sectors of the population, as there are many medium sized companies with properties, estates, machinery and inventories worth over US\$1 million. In a recent article, *Revista Cambio* suggested that in the first 6 months following the declaration of *Law 002* by FARC more than 2,000 companies were asked to pay the extortion and from that number, 60 per cent agreed to pay. There were no guarantees that payment of this tax would exempt victims from future extortions.⁶ Many citizens are thus victimised on a repetitive basis. Surveys on the topic show that those who had been targeted had 50 per cent chances of being victimised again.⁷ In some cases guerrillas have kidnapped the same victim more than once. In other cases, they have asked for a 'double ransom' once the first payment had been completed. These strategies have strong effects on the population because there is no possibility of knowing whether the extortion fee will be

⁵ For more on this, see **Chapter 4**, footnote 77.

⁶ See "La ley del monte" in *Revista Cambio*, No. 417, 18-25 July 2001.

⁷ Lemoine, C., *Nosotros los colombianos del milenio*, Bogotá, 2000, p.48.

a sufficient guarantee to regain the freedom or to avoid future kidnappings. Repetitive targeting of the same victim, or victims from the same family, is especially common in the rural areas of northern Colombia where landowners and cattle-ranchers are kidnapped despite previous payments of extortion fees, or *vacunas*.⁸ Unless denounced, these crimes are rarely investigated or prosecuted.

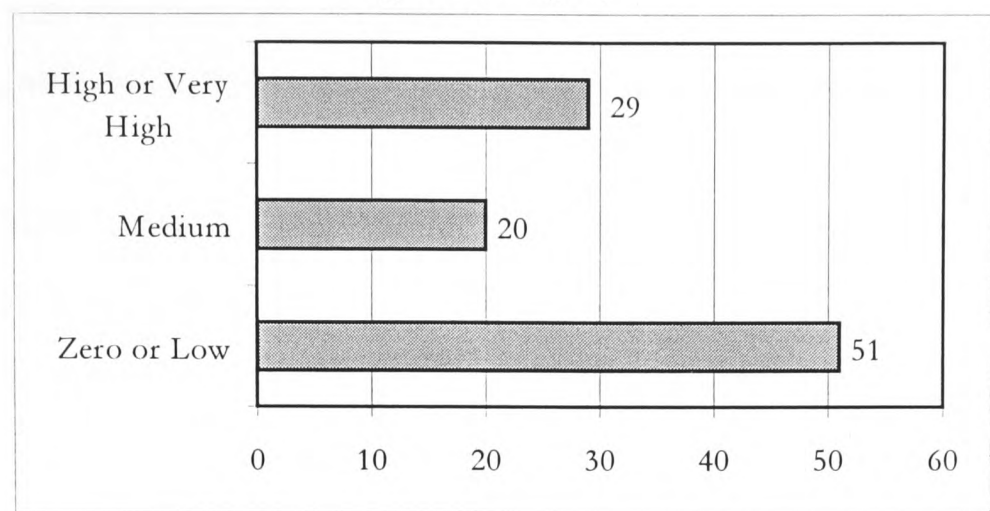
A major difference with other violent crimes is that kidnappings and extortion crimes cause long-term psychological damage to many of the victims. The lack of freedom and the violence imposed on victims are purposely transmitted to friends and families. This fact arguably causes distress to all citizens and increases the perception of insecurity among those starting to feel at risk. People who have been victimised often have difficulties returning to their normal lifestyles. This is a long and difficult task that involves strong emotional and psychological changes for the victims and for people around them.⁹ A recent survey carried out in 20 large cities throughout the country showed that half the population currently perceives to be at risk of being kidnapped.¹⁰ While almost 30 per cent of the people in the survey admitted that themselves or their relatives felt a 'high' or 'very high' risk of being kidnapped, another 20 per cent said that they felt a 'medium' risk. 51 per cent of respondents said that they felt to have a 'low' or 'zero' risk to be victimised. Since almost half of the people admit that they fear the possibility of being kidnapped, this answer shows that the topic has become a major issue for many citizens.

⁸ *El Tiempo*, 3 September 2001. See also the security reports by the national cattle-rancher's association, Federación Nacional de Ganaderos - FEDEGAN, internet version available at <http://www.fedegan.com.co/>.

⁹ The following testimony from a former M-19 kidnapper illustrates this point: 'A algunas personas había que tratarlas duro para que dieran su aporte a la revolución: los cogíamos y los guardábamos por dos o tres días; les amenazábamos la familia. Se les decía que si no colaboraban los íbamos a matar o alguna cuestión de esas. Como no teníamos la infraestructura para secuestrar, los fines de semana nos llevábamos al tipo para la finca de un compañero'. See Varios Autores, *Rostros del Secuestro*, Bogotá, 1996, pp. 29-30. Other details on cases and strategies of kidnapers in the country can be found in Braun, E., *Our Guerrillas, Our Sidewalks: a journey into the violence of Colombia*, Niwot - Colorado, 1994; García Márquez, G., *Noticia de un secuestro*, Bogotá, 1996; Pax Christi, *The Kidnap Industry in Colombia*, Utrecht, November 2001.

¹⁰ The survey was carried out by the Centro Nacional de Consultoría for a project commissioned by País Libre, "Expectativas y actitudes frente al secuestro", September 1999. The survey was done in the capital cities of 21 departments and 600 heads of household participated. The exact question was 'Considerando la situación actual, ¿piensa que el riesgo de que usted o alguien de su círculo familiar cercano sea secuestrado es muy alto, alto, mediano, bajo o ninguno?'. See Lemoine, C., *Nosotros los colombianos del milenio*, figure 26, p.49.

Figure 4. Perceived risks of kidnapping (percentages)



Source: Centro Nacional de Consultoría

Although the main victims of kidnappings have traditionally been landowners, cattle-ranchers and businessmen, victims of kidnapping in today’s Colombia come from every social group, rich and poor, urban and rural. There has been, in recent times, a democratisation of kidnapping. The poorest sectors of the population have been increasingly targeted, notably in rural areas where guerrilla activity is important and the payment of extortion fees is considered as a necessary protection for survival. Although the payment of extortion fees has been common throughout the country, the victimisation of poor people has been notably common in zones where paramilitary and guerrilla groups are present.¹¹ Because of their vulnerability, children are also targeted as they offer less resistance to kidnappers, rarely try to escape and create more pressure on parents who have to pay the ransom.

Kidnappings began to appear more frequently in the 1970s as a political tool to put pressure on the authorities. However, the number of kidnappings saw an unprecedented increase in the early 1990s and has remained above 3,000 cases per year despite the efforts of the authorities. In a recent international comparison of kidnappings around the world, Rachel Briggs put Colombia on top of the list. The second country in the list, Mexico, registered 50 per cent less cases than Colombia.

¹¹ The FARC has been kidnapping and demanding extortion fees to small farmers in their areas of stronghold, notably around the region of the Caguan. There have also been cases of kidnappings of poor people in the cities, but these cases are mainly attributed to common delinquents.

The following countries, in order of importance for their numbers of cases were among the most affected: Brazil, Philippines, Venezuela, Ecuador, the Former Soviet Union, Nigeria, India and South Africa. It is significant to note that five out of ten countries in the list are in Latin America.¹²

Although political kidnappings are still committed today, about 90 per cent of the cases are ransom kidnappings.¹³ Guerrilla groups have justified the commission of these crimes by referring to the Marxist argument which pictures the last stage of a revolution by a 'combination of all forces' aiming at redistributing the means of production. Ransom kidnappings are thus seen by most guerrillas as an alternative procedure to promote wealth redistribution in the country. With this theory, guerrillas have justified the expropriation of lands and resources and have accumulated large sums of capital to sustain their activities.

To give more legitimacy to their argument, guerrillas of the FARC have started to publish *Laws*, using the same terminology and style as constitutional authorities. This has served as a way to propagate fear among the population and to gain extra-resources by collecting extortion fees from civilians. Today, kidnapping and extortion have become a major source of income for guerrilla groups. However, the strategy of kidnapping and extorting citizens to collect 'revolutionary taxes' is not a new phenomenon. The strategy and terminology were already in use during the 1970s by the Basque separatist group, ETA. In their study on kidnapping and extortion, Mark Bles and Robert Low wrote:

'factions of the ETA resided in France but crossed the border 'to carry out attacks, often of the Civil Guard and police: bombings, kidnappings and the other highly effective method of fund-raising which they had dreamed up - the 'revolutionary tax' as they termed it. Others simply call it extortion. It consists of demanding large sums from wealthy and prominent Basque individuals and businesses on pain of violent retribution if payment is not forthcoming. You might call it kidnapping without abduction. [...] Certainly, many of the best-known names in the Basque business community, including the big banks, arguing they could not afford to put their

¹² See Briggs, R., *The Kidnapping Business*, London, 2001, p.15.

¹³ For a non-exhaustive list of well-publicised cases of kidnappings in the country, see **Appendix 1 below**.

employees at risk, have capitulated to the extortion and have subsidized ETA over the years while publicly condemning its activities.’¹⁴

FARC’s *Law 002* seems to be an exact replica of this strategy. This suggests that the FARC has adopted and copied, with much success, the strategies of other insurgent groups to finance their revolutionary goals. The impact of this has been enormous. Kidnappings have had long-term effects on the population because they have destabilised personal relations between the victims and their families, friends and colleagues. Emotions such as personal guilt, fear, anger, distress and general confusion seem to be common in most of the victims once they are released.¹⁵ A recent text from País Libre has described the situation as follows:

‘Durante el secuestro los familiares del secuestrado se cuestionan con vehemencia y ansiedad gran cantidad de preguntas que tienen que ver con su retorno. Expresan dudas, temores y expectativas que en el fondo sólo serán corroboradas cuando regrese. Incluso días después de su regreso, pueden experimentar sorpresa frente a los comportamientos inusitados que este hecho produce... El regreso de la víctima es el fin de una situación crítica altamente angustiada, pero es el principio de una nueva fase de resolución y readaptación. Es posible que en el período posterior a la liberación, aún predomine la ansiedad y el desconcierto... Después de la alegría del retorno, el secuestrado comienza a tener sensaciones y pensamientos desconocidos, que le causan desconcierto, temor, sorpresa y un inmenso gasto de energía psíquica’.¹⁶

Psychological studies on this matter have argued that victims of kidnappings usually face strong difficulties in returning to their normal lifestyles for two reasons. First, because of the fear and violence to which they were submitted during the period of abduction, victims often seem to have psychological troubles in getting over their experience and dealing with the fear of being victimised again. Secondly, because the people around victims learnt to live without them for a long period of time, they often replaced the victim in professional and familiar responsibilities. Once the victim is

¹⁴ See Bles, M. and Low, R. *The Kidnap Business*, London, 1987, pp. 200-201.

¹⁵ País Libre, *Consejos para los familiares del secuestrado*, Bogotá, n.d., internet version available at <http://www.inter.net.co/Paislibre/>.

¹⁶ País Libre, *Cuando el secuestrado vuelve a casa*, Bogotá, n.d., internet version available at <http://www.inter.net.co/Paislibre/>. See also Meluk, E., *El secuestro: Una muerte suspendida*, Bogotá, 1998 and Britto Ruiz, F., “La estructura del delito de secuestro en Colombia”, Bogotá, January 2000.

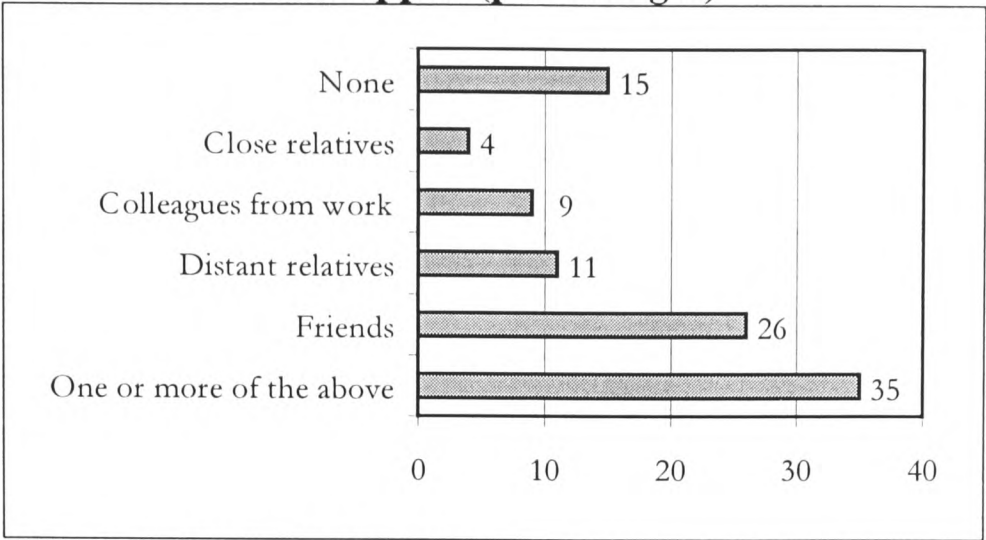
liberated, this is often a cause of personal aggressiveness and frustration, as many victims try to reintegrate their routines without realising that other individuals have much changed.

In a recent study, Navia and Ossa analyse different examples of families in which the head of the household was kidnapped. In most of the cases when the victims owned a business or where they had independent sources of revenue, a relative replaced them in their professional activities to guarantee the family income. Once liberated, the majority of victims tried to assume the same responsibilities as they had before the abduction. In most of the cases, this was a major cause of conflict between family members as the persons who had taken over major responsibilities were not ready to give them back.

In some other cases, victims accepted the new roles of their relatives and the transition was made without any conflict. There have also been cases where the victims do not want to resume their professional activities and leave all personal and financial responsibilities to other members of the household.¹⁷

¹⁷ For particular examples, see Navia, C.E and Ossa M., *Sometimiento y libertad: manejo psicológico y familiar del secuestro*, Bogotá, November 2000; see also País Libre, *Cuando el secuestrado vuelve a casa*. Another example is given in Varios Autores, *Rostros del secuestro*, where a policeman relates his return after a period of captivity of more than 3 months: 'Estaban desconcertados: me habían dado por muerto. Muerto. Esa fue la misma idea que encontré a regresar a [mi pueblo] Cobaima. No podían creerlo, realmente pensaban que estaba muerto. Mis cosas ya no existían'. See Varios Autores, *Rostros del secuestro*, p.76.

Figure 5. People who have relatives, friends or colleagues who have been kidnapped (percentages)



Source: Centro Nacional de Consultoría

In a recent survey conducted by Carlos Lemoine in 20 large cities throughout the country, 85 per cent of participants in the survey admitted that they have relatives, friends or colleagues who had been kidnapped in the past.¹⁸ While only 4 per cent of the people admitted to have close relatives that had been kidnapped, another 11 per cent admitted to have a least one distant relative who had been abducted. 9 per cent said that someone from their office had been victimised and another 26 per cent admitted to have a friend who had been targeted. The study helped to discover that almost two thirds of the people fitted in more than one of the categories. This led Lemoine, who was in charge of conducting the survey, to conclude that: ‘Para los colombianos, cualquier secuestro es una amenaza contra todos’.¹⁹ Indeed, when a kidnapping is published in the press, a great majority of the population feels concerned since hundreds of thousands of people have directly or indirectly been affected by this crime.

Kidnappings not only affect victims and their families, but they affect the entire society. Individuals become distrustful towards each other and the authorities lose their

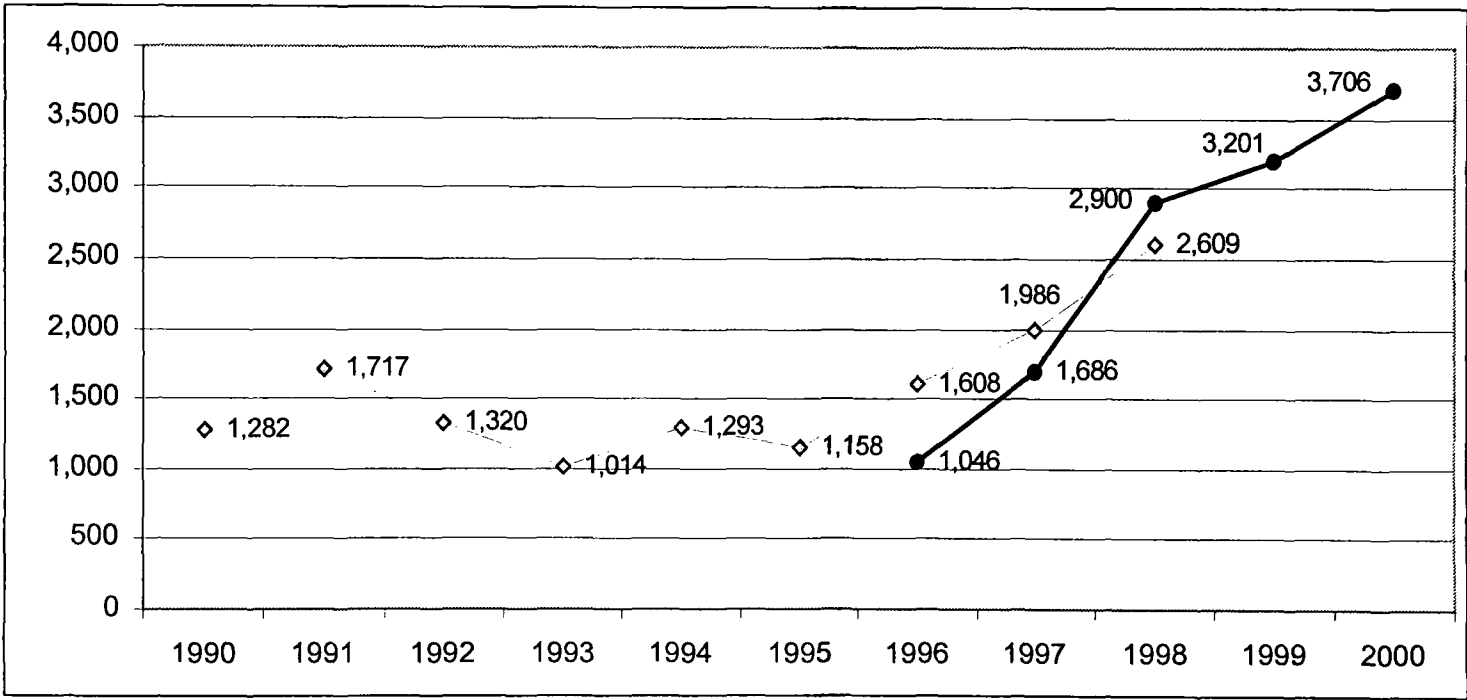
¹⁸ The survey was carried out by the Centro Nacional de Consultoría for a project commissioned by País Libre, “Expectativas y actitudes frente al secuestro”, September 1999. The survey was done in the capital cities of 21 departments and 600 heads of household participated. The exact question was ‘¿Tiene algún familiar cercano (padre, madre, hijo, hermano, abuelo o nieto), familiar no tan cercano, personas en el sitio de trabajo o amigos que hayan sido secuestrados?’. See Lemoine, C., *Nosotros los colombianos del milenio*, figure 25, p.49.

¹⁹ Lemoine, C., *Nosotros los colombianos del milenio*, p.48.

legitimacy among citizens. When victims do not denounce crimes, it becomes much harder for law enforcement authorities to find and arrest kidnappers. For criminal groups, this situation becomes ideal to continue committing crimes in impunity.

Although many people continue to deal with kidnappings and extortion in secrecy from the authorities, the denunciation of this crime has significantly increased. Sources from the government have estimated that the number of kidnappings in the last 20 years has reached 26,500 throughout the country. About 16,000 of these cases were committed in the last 5 years.²⁰ If close relatives of the victims are also taken into account, the total number of Colombians who have been affected by the problem of kidnapping much reach several hundred thousand. This is by far the highest national average in the world.²¹

Figure 6. Kidnappings in Colombia, 1990-2000



Sources: 1990-1998: Policía Nacional - DIJIN. 1996-2000: Ministerio de Defensa - FONDELIBERTAD.

²⁰ Presidencia de la República, “Posición del gobierno nacional sobre el tema del secuestro y la extorsión en la mesa de diálogo y negociación”, mimeo, Bogotá, February 2002, p.1.

²¹ The statistical data presented in this section are the official figures collected by the Colombian government throughout its different agencies. Most of the data come from the archives of FONDELIBERTAD at the Ministry of Defence. This office replaced the *Consejería Presidencial para la Libertad Personal* in November 2000, and is no longer attached to the Office of the President but to the Ministry of Defence. No statistical database covering kidnappings in Colombia would be complete without taking into account the figures provided by País Libre. It is also important to note here that there cannot be a database on kidnappings which is completely accurate. Statistics cannot be corroborated, and it is certain that a great number of cases go unnoticed by the authorities. However, this does not change the overall trends of this crime. The official database represents the minimum number of cases committed.

Guerrilla groups have been the major kidnappers during the last decade. It is calculated that guerrillas are responsible for more than 60 per cent of all kidnappings committed in the country. Paramilitary organisations have been responsible for 10 per cent of the total figures, and this mainly during election years.²² During this period, it is also important to note that about 25 per cent of the kidnappings were committed against the armed forces, notably from the National Police, when police stations were destroyed and their personnel taken hostage by guerrillas.²³ These cases of 'mass kidnappings' against the armed forces were particularly frequent during the second half of the 1990s, when almost 500 members of the Army and the Police were kidnapped.²⁴

Since 1999 guerrillas started to commit large-scale mass kidnappings against civilians by abducting entire groups of people and then selecting from them the most valuable victims. In a mass kidnapping, large numbers of people are abducted on a random basis and then identified by the kidnappers. Once this process is carried out, kidnappers often release those who cannot afford to pay a ransom, or who would not survive a period of captivity. There have been numerous cases of kidnapping in which victims had health problems or were of advanced age. If these victims are considered important for their ransom value, they are kept regardless of their physical condition. There have been many cases of kidnappings in which victims died in captivity due to poor health conditions, lack of medical treatments or simply because of the physical efforts that are imposed on them. In other cases, the victims were swapped with other members of the same family who could resist better the conditions of captivity. The most documented example of mass kidnapping is the hijacking of the Avianca Flight 964, and the subsequent kidnapping of all the passengers and members of the crew.²⁵

²² Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro, 1996-2000*, Bogotá, 2001, p.1.

²³ The armed forces include the Army, the Navy, the Air force and the National Police.

²⁴ See for example, the articles on the kidnappings of soldiers and policemen after the attack to the town of Mitú, capital of the department of Vaupés, in *El Tiempo* and *El Espectador*, Bogotá, 1 November 1998 and following days.

²⁵ Another example is the kidnapping of a group of people in the Ciénaga del Torno (Magdalena), and the case of the Church of 'La María' in Cali, when more than one hundred people attending mass in an affluent sector of the city were taken away in truckloads. Among the mass kidnappings committed in

This type of kidnapping, especially those carried out by roadblocks, are often referred to as *pescas milagrosas*, an ironic reference to a biblical parable.²⁶ The term was made popular by the mass media to describe random kidnappings committed during guerrilla roadblocks. However, the adoption of ironic expressions to describe violent crimes has often been described as inappropriate because they trivialise crime. Some people, like Mauricio Rubio, have maintained a strong position against the use of metaphors and synonyms to describe crimes because they allow for a politicisation, a justification and even an acceptance of criminal behaviour. On this, Eduardo Posada also argues that:

‘La imagen que proyecta el lenguaje que está dominando el análisis de la realidad política colombiana, tanto en el país como en el exterior, es precisamente la imagen de un Estado y de una sociedad sin legitimidad ni defensa intelectual algunas, frente a la arremetida violenta de quienes se amparan entonces bajo los supuestos argumentos de una guerra justa’.²⁷

Posada concludes that the language used to describe crime should remain clear and concise, and should be based on strictly legal definitions. This would not only give authorities more legitimacy in their fight against crime, but would also provide them with better tools to foster democratic consolidation and provide effective governance.

Random kidnappings are understandably more cost-efficient for the kidnappers, as they require less preparation and fewer logistics than traditional abductions.²⁸ These

2000, one can count the roadblocks of Rionegro and Playón (Santander), the roadblocks in the highway from Cali to Buenaventura and the roadblocks outside Bogotá in Machetá, la Calera and Sopó. More recently, the ELN kidnapped more than a hundred employees of Occidental Petroleum, a US oil company. Most of the people were released during the next day. *El Tiempo*, 17 April 2001.

²⁶ The term *pesca milagrosa* means ‘miraculous catch’ and refers to the biblical passage (St. Luke 5:1-11) when Jesus helps a group of fishermen to catch ‘a multitude of fishes’. After the miracle, Jesus orders his disciples to ‘fear not; from henceforth thou shalt catch men’.

²⁷ Rubio M., *Crimen e Impunidad*, pp. 220-230 and Posada Carbó, E. “El lenguaje de la paz y sus errores”, June 2001, internet version available at <http://www.ideaspaz.org/>.

²⁸ Although the strategy of roadblocks was already common during the early 1990s in the region of Medellín and the Caribbean, it is only when Henry Castellanos, aka ‘Edison Romaña’, started to carry out large operations blocking roads and killing victims ‘on the spot’, that the media popularised the term. The case that brought Romaña to fame was a 6-hour roadblock outside the city of Villavicencio on 6 June 1998. In that roadblock, he murdered several people including one policeman, he kidnapped several other members of the armed forces and stole several million pesos destined to pay the wages of soldiers. Romaña has also been accused by the authorities of killing victims who do not pay extortion

require more preparation because the targeted victim has to be followed during a long time to establish routines and analysing the best moment and place to proceed with the abduction.²⁹

Table 13. Recorded cases of kidnapping in Colombia

Years	Recorded Cases	Cumulative Total
1930 – 1939	5	5
1940 – 1949	20	25
1950 – 1959	289	314
1960 – 1969	816	1130
1970 – 1979	546	1676
1980 – 1989	3024	4700
1990 – 1999	16851	21551
2000 – 2001	6747	28298

Sources: 1933 to 1989, archives of Eduardo Delgadillo Bravo; País Libre, ‘Crónica de un atroz delito’. Bogotá, 1996; and Ministerio de Defensa - FONDELIBERTAD.

For guerrillas, kidnappings and extortion remain major sources of funding for their activities. The Presidency has also calculated that ransom kidnapping accounts approximately for 40 per cent of the total income of the FARC, and approximately 70 per cent of the ELN.³⁰ In a recent analysis, Eduardo Pizarro compares the numbers of military actions carried out by guerrilla groups throughout the country and found that the numbers of municipalities with important guerrilla presence had grown from 437 in 1991 to 622 in 1995. In 2000, guerrillas were active in almost 60 per cent of the

fees in time. See “Entrevista con Romaña” in *Revista Semana*, No. 933, 13 March 2000; Rubio, M., *Crimen e impunidad*, pp. 11-20.

²⁹ There is an extensive literature of strategies of ransom kidnapping at the international level. While most of the books relate kidnapping cases, some of them also provide theory on ransom negotiations and liberation of victims. See Ellsberg, D., *The Theory and Practice of Blackmail*, Santa Monica, 1968; United States Congress - Committee on internal security, *Political kidnappings, 1968-73*, Washington, D.C., 1973; Baumann, C.E., *The diplomatic kidnappings: a revolutionary tactic of urban terrorism*, The Hague, 1973; Jenkins, B.M., *Terrorism and kidnapping*, Santa Monica, 1974; Messick, H. and Goldblatt, B., *Kidnapping: the illustrated history*, New York, 1974; Alix, E.K., *Ransom kidnapping in America, 1874-1974: the creation of a capital crime*, Carbondale, 1978; Cassidy, W.L., *Political kidnapping: an introductory overview*, Boulder, 1978; Clutterbuck, R.L., *Kidnap and Ransom: the response*, London, 1978; Clutterbuck, R.L., *Kidnap, Hijack and Extortion: the response*, Basingstoke, 1987; Moorehead, C., *Fortune's Hostages: a study of kidnapping in the world today*, London, 1980; Bles, M. and Low, R., *The Kidnap Business*; Fass, P. S., *Kidnapped: child abduction in America*, Oxford, 1997; Briggs, R., *The Kidnapping Business*, London, 2001.

³⁰ See Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, Bogotá, 1999, p.61.

municipalities of the country. Pizarro also argues that the financing of these operations came from illegal activities:

‘To sustain this strong guerrilla expansion, the insurgent groups sought to diversify their sources of financing, thanks to a delimitation of the frail borders between what is political and what is criminal action. For instance, they kept their national depredation on “traditional enemies” through kidnapping, and also multiplied their extortion of the drug producers and traffickers, and also on the oil, mining, and agro-industrial sectors of the Colombian economy’.³¹

Although the exact amount obtained from kidnapping and extorting civilians cannot be calculated, these crimes can certainly be classified today as one of the major sources of illegal income in Colombia, perhaps the most important after illegal-drug production and the arms trade. Estimates from official sources tend to vary greatly with those from private companies. Control Risks London calculated that the average ransom paid in 2000 was approximately US\$127,600, and the company estimates that the revenues of kidnapping for the guerrillas were between US\$150 and US\$500 millions. The Colombian armed forces estimated that the average ransom was around US\$28,000 and that the annual revenues of these crimes were close to US\$72 millions. Differences for the total annual revenues of kidnapping demonstrate that it is extremely difficult to quantify exactly the income of these crimes since there is a large number of cases that are not reported. The significant differences between the estimates of Control Risks and the Army may suggest that the Army is aware of more cases of small ransoms than Control Risks, which brings the official figure down. It could also suggest that the Army is not aware of the payment of large sums of money, possibly paid by employees of multinationals or by wealthy people who are more inclined to ask the services of private firms like Control Risks. Private companies have an interest in publishing large figures for ransoms because this increases the value of their services.³²

³¹ Pizarro Leongómez, E., “Toward an Institutional Collapse?” in Zackrisson, J.L., *Crisis? What Crisis? Security Issues in Colombia*, Washington, 1999, pp. 15-16.

³² *Revista Semana*, No. 948, 11 July 2000. The figures calculated for Control Risks can be found in Briggs, R., *The Kidnapping Business*, p.17; and the official figures of the Army can be found in Ministerio de Defensa, *Revista del Gula 1999*, Bogotá, April 2000, p.21.

Guerrillas have been extorting large numbers of people and companies to finance the conflict against the State. By justifying their will to tax the rich through kidnapping and extortion, they have institutionalised the use of kidnapping and extortion within their revolutionary fight. They have also encouraged a simultaneous industry of opportunistic kidnapping led by organised delinquents. These groups often use the reputation and the name of the guerrillas to commit crimes and sometimes, but not always, sell their victims to them.

Extortion fees are often referred to as 'vacunas'. These fees have traditionally been imposed on the middle-classes, but have recently been extended to all sectors of the population including the poor. As a way to maintain the terror and to keep levying 'taxes' from extortion, guerrillas also kidnap people to convince those who would probably not agree to pay an extortion in the first instance. Although it is impossible to calculate, this could suggest that a great majority of people must buy their right to be free in exchange for paying regular instalments to the guerrillas. This not only increases the perception of insecurity among the population but it also de-legitimises even further the reputation of the authorities as these cannot do much to prevent further crimes.³³

With this argument the guerrillas have been able to justify their responsibilities as kidnappers by promoting what they call 'political retentions', even if these also involve the payment of economic ransoms. The official view of the ELN on this has been to argue that it only retains those who have 'illicitly acquired fortunes'. In the guerrilla's view these individual 'detentions' are not violations, since all the benefits of kidnappings are supposed to benefit the entire organisation, not only the kidnappers themselves.³⁴ Manuel Pérez, a former leader of the ELN, once argued that:

³³ The same problem was seen in Southern Italy with the racketeering and kidnapping threats from the Mafia. Fighting the extortion is like fighting an 'invisible enemy'. See Rossani, O., *L'industria dei sequestri: dalla Mafia alle Brigate rosse. La storia, la tecnica, i nomi*, Milano, 1978; Caramazza, I.F., *Phenomenology of Kidnappings in Sardinia: towards an international perspective of a local crime problem*, Rome, 1984.

³⁴ Human Rights Watch, *War Without Quarter*, p.38.

‘Detenemos a la gente que se ha enriquecido ilícitamente. Hoy el Gobierno también lo está haciendo con los narcotraficantes. Detenemos a los terratenientes, se les juzga, se analiza sus riquezas y se les exige fianzas a cambio de la libertad. Se les explica que ese dinero va a manos del pueblo, a manos de una causa justa y noble como es la lucha por los ideales. Efectivamente, exigimos impuestos de guerra a las multinacionales’.³⁵

Public opinion has often criticised the above discourse. The justification of kidnapping has transformed the goal of a political revolution into a *kidnapping business*. Guerrillas have lost much popular support, both in Colombia and abroad, for this reason. By extorting money from the middle-classes, guerrillas have also fostered the creation of organised delinquent groups that have taken advantage of the current insecurity to commit crimes in impunity.³⁶ This strategy of indiscriminate kidnapping has often been criticised on the evidence that guerrillas subcontract delinquents to abduct victims. Some cynical writers have referred to the ‘franchises of the FARC’ whereby delinquents work on an independent basis but use the name of the guerrilla to commit their crimes.

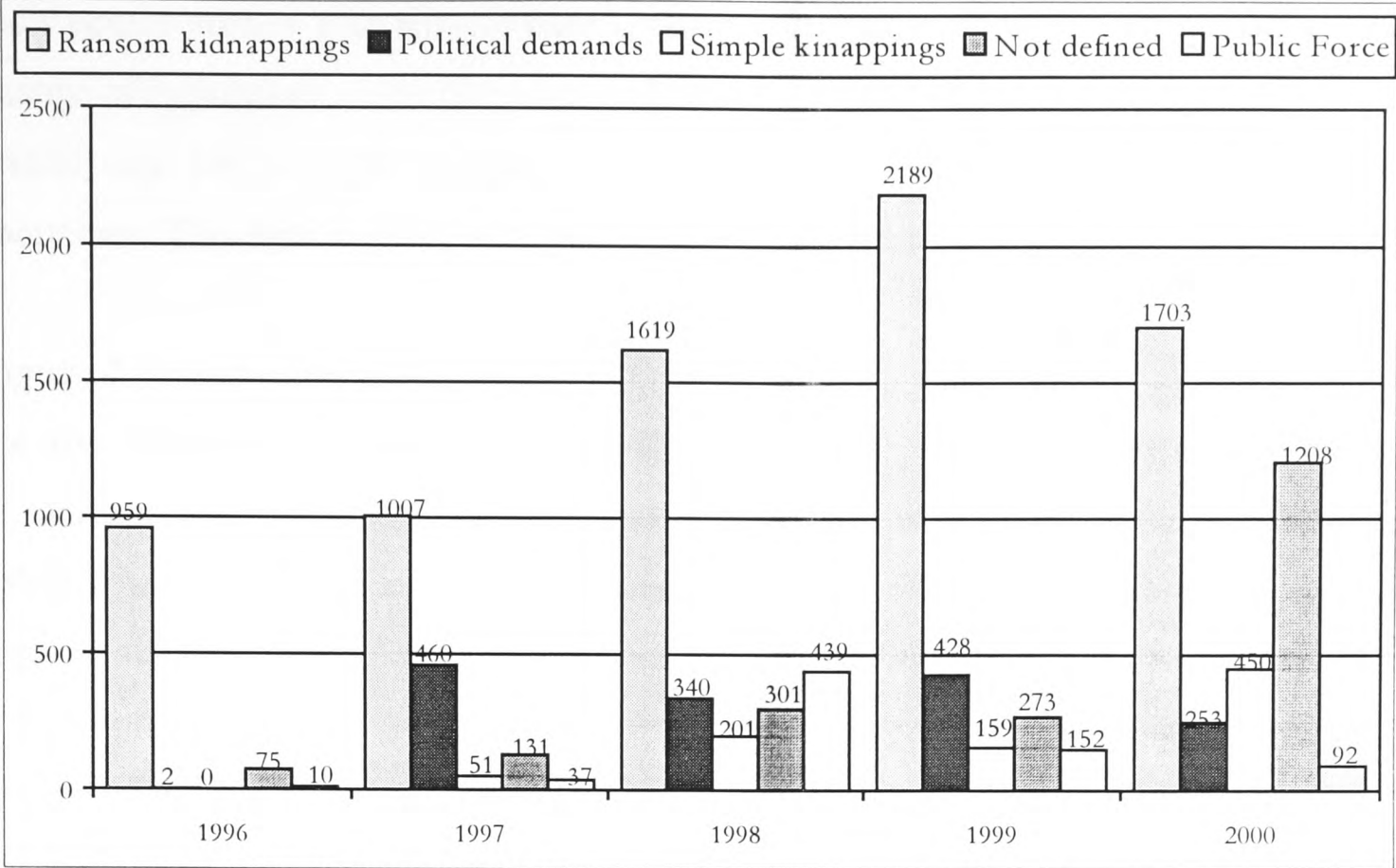
The problem has become so important that even the poorest strata of the population have become victims of kidnapping and extortion. A report made by the GAULAS, the anti-kidnapping units of the armed forces, stated that extortion crimes and low-ransom kidnappings have significantly increased in recent years. There have been cases of kidnappings with ransoms equivalent to 100,000 Pesos or approximately US\$50. The report also mentions that many of these small extortion crimes are committed even inside the prisons, where organised groups of inmates often put pressure on other groups or individuals.³⁷

³⁵ This was said by the leader of the ELN, Manuel Pérez Martínez, aka ‘Cura Pérez’. Quoted in Palacios, M., “Por una agenda de Paz”, México City and Bogotá, December 1997, p.40.

³⁶ See Silva, G., “McFARC” in *El Tiempo*, 13 June 2000.

³⁷ See “Secuestros estrato uno” in *El Tiempo*, 2 June 2000.

Figure 7. Kidnappings in Colombia by motive, 1996-2000



Source: Ministerio de Defensa - FONDELIBERTAD

Figure 7 shows a classification of different types of kidnappings in Colombia since 1996. This graph distinguishes four main categories of kidnappings and follows the main definitions specified by the law and used by the Ministry of Defence and by País Libre. These four categories are a) ransom kidnappings, b) kidnappings made to demand political requests, c) kidnappings of members of the armed forces and d) the ‘simple’ kidnappings that do not have as a purpose the extortion of money or political demands.

Types of Kidnapping

Although ransom kidnappings may sometimes be accompanied with political demands, most of the time the main goal of these crimes is the extortion of money from families and businesses. This is currently the most common type of kidnapping being committed in Colombia, with figures increasing steadily during the decade of the 1990s. Between 1995 and 2000 approximately 8,000 cases were recorded by the authorities.

The second type of kidnapping involved the demand of political concessions. The kidnapper's goal is primarily to exert pressure on the government and to demand a change of legislation, or the liberation of prisoners. The most common victims of these crimes are known public figures, like politicians, journalists, artists and even sportsmen. This type of kidnapping has remained stable in recent years.³⁸

Figure 7 distinguishes the kidnapping of members of the armed forces, although these are also considered as political kidnappings. This distinction is made by the Ministry of Defence and by País Libre to separate known cases of civilians and policemen or soldiers who are retained and taken prisoner by guerrillas. The government keeps separate data regarding the kidnappings of civilians from those of the members of the armed forces, and has responded differently when negotiating the liberation of the victims. This has been of significant importance under the Pastrana administration, 1998-2002, because guerrilla groups have been demanding the exchange of kidnapped policemen and soldiers with an equal number of convicted guerrilla members who are today serving prison sentences.

The distinction between civilians and members of the armed forces is also useful in analysing how political kidnappings increase before and during electoral periods. A good example is 1998, the year when general elections were carried out throughout the country. That year, the guerrillas retained a significantly larger proportion of members of the police than in previous years. This figure later decreased again, from 439 to 152 during the years 1998 and 1999. This was mainly due to the peace negotiations that the Pastrana administration undertook with the largest guerrilla groups in the country, notably the FARC and the ELN.

³⁸ In 1996 only 2 political kidnappings were recorded. This is certainly due to an inconsistency of the figures rather than a low number of cases. 1996 is also the year in which was created the *Consejería Presidencial para la Libertad Personal*. This office was the first civilian-led office charged with designing anti-kidnapping policies and analysing the figures of the Ministry of Defence. It is only later that the government and non-governmental organisations like País Libre started to co-operate to improve the quality of data.

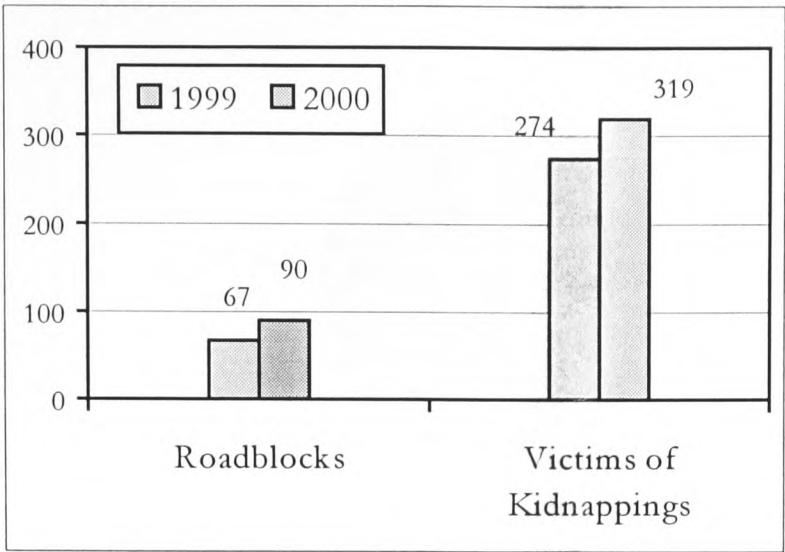
The third type of kidnappings includes what the government defines as ‘simple kidnappings’³⁹. Despite the name, this category is probably the most confusing to define. The legislation defines simple kidnappings as being ‘all those considered different to extortion kidnappings’. Simple kidnappings include mainly cases of illegal child custody but may also include short-term abductions carried out by delinquents on the streets, such as bank-robbers who take human shields to escape but who do not demand any ransom or concession from them. Simple kidnappings can also be confused with what is known in Colombia as ‘*paseos millonarios*’, a type of abduction in which victims are forced to give away all their personal belongings, as well as credit cards and chequebooks then used to steal money from their bank accounts.⁴⁰ The category also includes all the roadblocks made by the guerrillas in the outskirts of cities and in rural zones as long as no victims are abducted for a long period of time. Roadblocks can sometimes be made with the purpose of demanding something from, or protesting against, the government.⁴¹ Roadblocks often have the sole purpose of stealing money, personal belongings and vehicles from the victims, but do not necessarily involve long-term retention.

³⁹ See Law 733 of 2002 and other laws mentioned in **footnote 1** above.

⁴⁰ This kind of kidnapping is perhaps the most common in other Latin American countries, as it does not require a large amount of organisation and logistics from the kidnappers to keep the victims for a long period of time. In Mexico, this kind of kidnapping has also become common in recent years, and it is referred to as ‘*secuestro express*’, or ‘*secuestro al paso*’ in Peru. Illegal child-custody should not be classified together with the ‘*paseos millonarios*’, with hostage taking situations and with roadblocks. The statistics of the government currently mix up all these crimes. Even if in some databases readers are warned of this fact, the data are still prone to cause confusion. For more on this, see the **Introductory Chapter** above.

⁴¹ The blockade in the Putumayo Region during the month of November 2000 to protest against Plan Colombia is a good example. During this blockade, many peasants were protesting against the fumigation of thousands of hectares of lands where coca is being grown. Guerrillas often induce indigenous communities or settlers to resort to this form of protest, and to create roadblocks in remote regions of the country.

Figure 8. Kidnappings made during roadblocks, 1999-2000

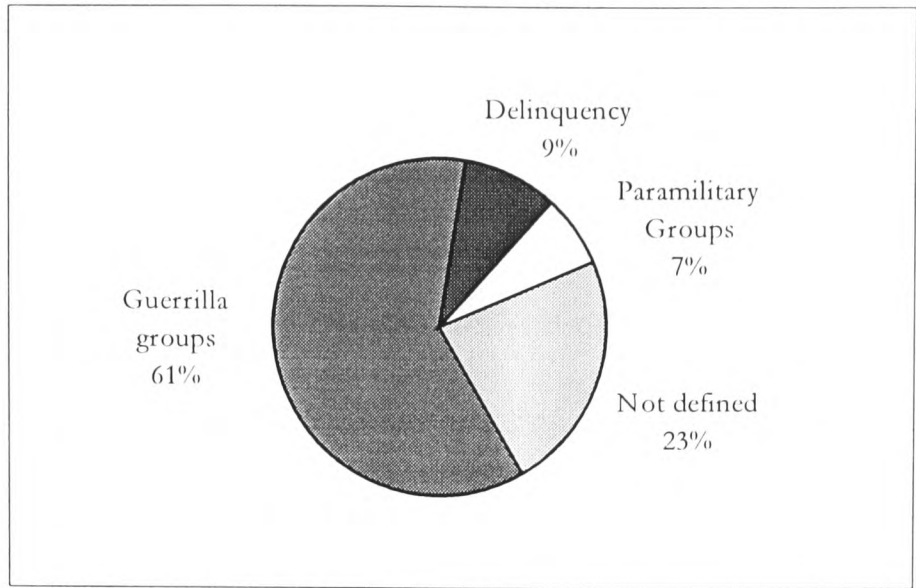


Source: Ministerio de Defensa - FONDELIBERTAD

In recent years, guerrillas have also increased the number of roadblocks. They use these to steal goods, money and cars. By blocking roads, guerrillas are also able to kidnap randomly victims who end up paying ransoms or, in the case of someone working for the government, being used to extract a political concession. While in 1990 this kind of kidnapping was almost non-existent, in 1999 more than 270 people were abducted in roadblocks. In 2000, this number was close to 320 and the number of illegal roadblocks had also grown from 67 to 90 in just one year (see **Figure 8** above).

Every year, a large number of known kidnappings remains unclassified. This includes many cases in which families have had no contact at all with the victims for several months and hence cannot explain the reasons behind the abduction. This category also involves a large number of kidnappings that are not fully reported to the authorities. Law enforcement agencies may be aware of the crime because the relatives may have denounced it at an early stage, but because of the fear of retaliation from kidnappers, they have preferred to negotiate the liberation of the victim in complete secrecy. When this is the case, these crimes remain unclassified because the authorities cannot know what were the demands from the kidnappers.

Figure 9. Percentage of cases attributed to kidnapping groups, Colombia 2000



Among all the kidnappings that are annually reported, a significant share remains unclassified, either because the victims recover their freedom before the authorities are able to investigate the crime or because the victim simply *disappears* without giving any other sign of life. Disappearances are common in paramilitary-controlled areas, where individuals who are suspected of collaborating with guerrillas are abducted, murdered and hidden.⁴²

In recent years, paramilitary groups also started committing more kidnappings. The paramilitaries have increased the number of their kidnappings, but so far do not consider this a key element in their military strategy, since it would reduce the support that they get from the rich and the middle-classes. While five years ago no kidnappings were attributed to paramilitary organisations, in 2000 the number of cases attributed to them ascended to 280. Although many kidnappings are annually committed by paramilitary groups, most of the cases attributed to them do not involve the payment of ransoms. Usually victims are of high political importance, such as members of congress, journalists and politicians. In most of the cases, these crimes had the purpose of protesting against the government’s position within the peace process with the guerrillas. Paramilitaries have also been accused of kidnapping relatives of senior

⁴² See Cubides, F., “De lo privado y de lo público en la violencia colombiana: los paramilitares” in Arocha, J., Cubides, F. and Jimeno, M. (eds), *Las Violencias: inclusión creciente*, Bogotá, 1998, p.73.

guerrilla officers to force them to retreat from strategic areas of the country or to liberate prisoners and victims of kidnapping.⁴³

Paramilitary groups kidnap approximately the equal number of people for economic and political reasons, but in contrast with the guerrillas have only rarely kidnapped members of the armed forces. In 2000, there were only 2 of these cases, as opposed to more than 70 members of the armed forces kidnapped by guerrillas. This may change in the near future, if the government starts combating paramilitary groups on a larger scale.

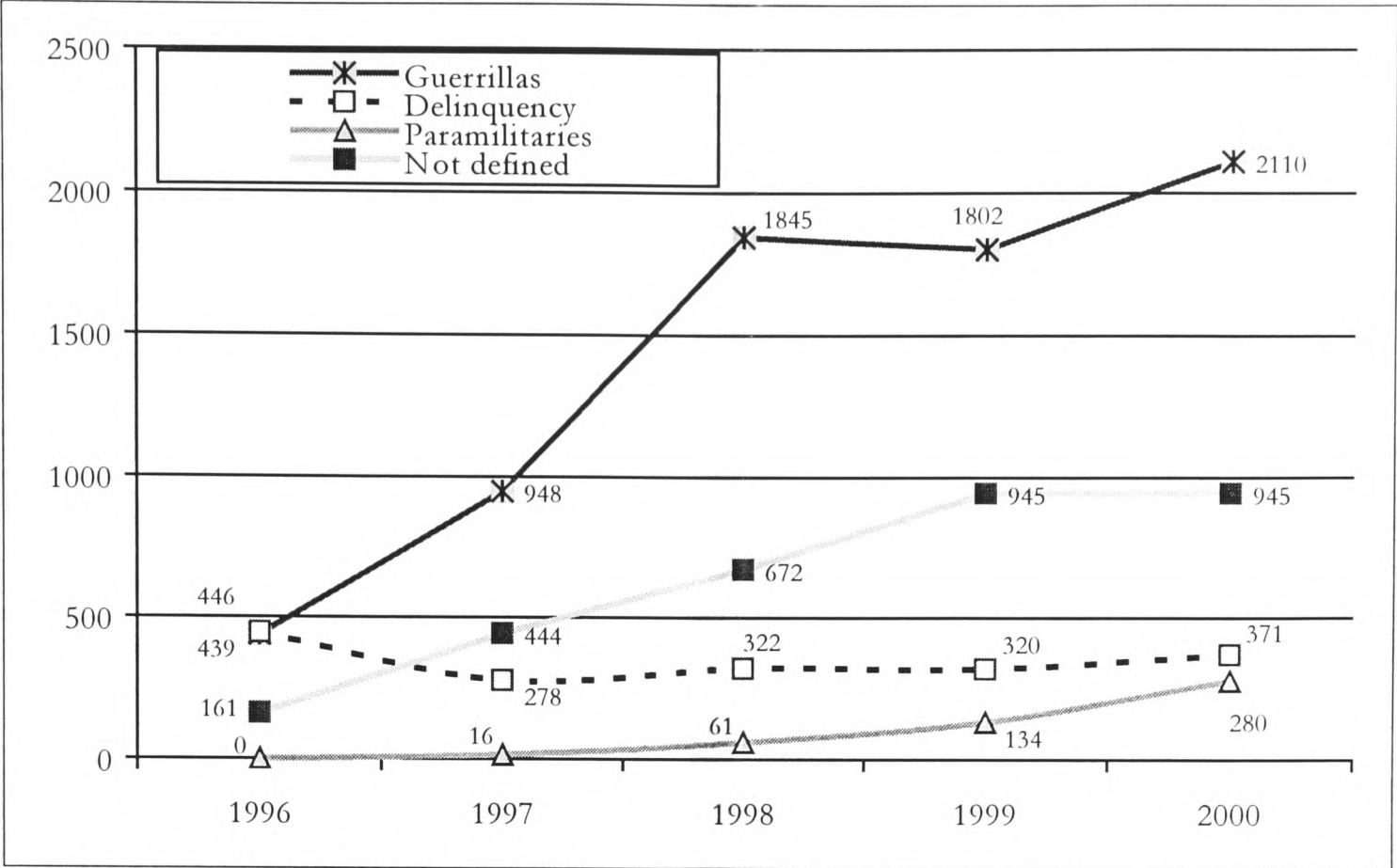
The number of cases attributed to delinquent groups has remained relatively stable in recent years.⁴⁴ It is important to note that until 1996 there were more cases attributed to delinquent groups than to guerrillas. **Figure 10 below** shows that in 1996, the number of kidnappings committed by delinquent groups and by guerrillas was the same.⁴⁵ From 1997 onwards, the gap between guerrillas and delinquent groups has constantly increased, mainly because delinquent groups have lacked the necessary infrastructure to expand their kidnapping activities. Reports often refer to delinquent organisations that commit kidnappings and then sell their victim to the guerrillas. This seems to be especially common in big urban centres such as Bogotá, Cali or Medellín, where the presence of guerrillas is not so strong and where the risks of investigation and capture by the authorities are greater.

⁴³ For a testimonial account of the strategies of kidnapping followed by paramilitary groups, see Fidel Castaño's autobiography, edited by Mauricio Aranguren, in the book, *Mi confesión*, Bogotá, 2001.

⁴⁴ This does not mean that delinquents in the cities have not committed increasing numbers of kidnappings. Once the victims have been kidnapped, they are sold to the guerrillas who negotiate the ransom to liberate their victim. See Bejarano, J. et al., *Colombia: Inseguridad, violencia y desempeño económico en las áreas rurales*, Bogotá, 1997, p.50.

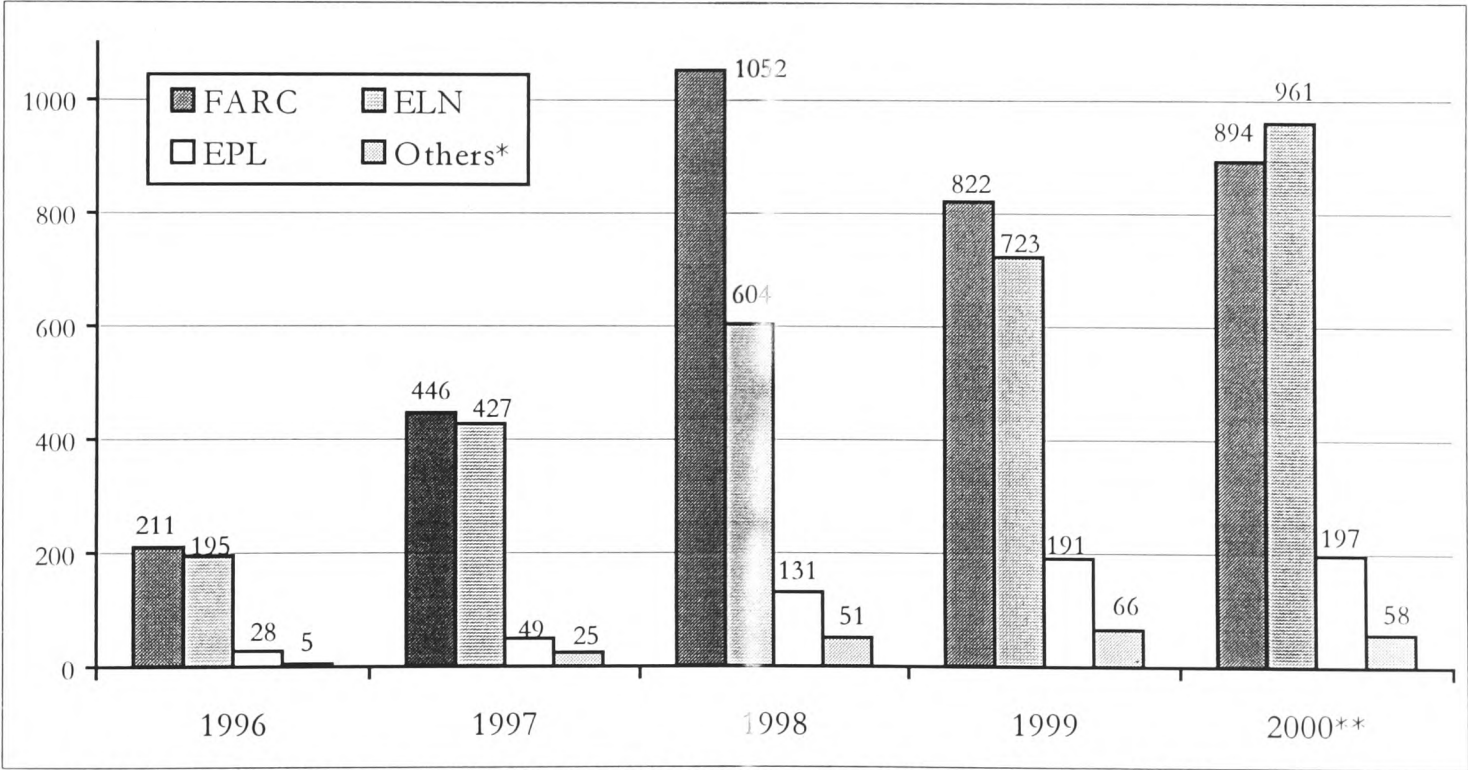
⁴⁵ A document published by País Libre shows that until 1996 more than 52 per cent of kidnappings were committed by delinquent organisations. Guerrillas followed with 48 per cent. See País Libre, *Crónica de un atroz delito: breve reseña del secuestro*, Bogotá, p.15, internet version available at <http://www.inter.net.co/Paislibre/>.

Figure 10. Kidnappings in Colombia by authors, 1996-2000



Source: Ministerio de Defensa - FONDELIBERTAD

Figure 11. Number of kidnappings by guerrilla groups, 1996 - 2000



Source: Ministerio de Defensa – FONDELIBERTAD. *Other guerrilla groups include the Ejército Revolucionario Guevarista (ERG), the Jaime Bateman Cayón Group (JBC) and the Ejército Revolucionario Popular (EPL).
** Provisional figures for 2000. A large number of cases remain unclassified.

The figures above show the rapid and constant growth in the number of kidnappings attributed to the two largest groups, the FARC and the ELN. Since 1996, these two

groups have committed annually almost 90 per cent of the recorded number of kidnappings caused by all guerrillas throughout the country.⁴⁶ Of the two, the FARC has consistently been the major group behind the nation's kidnappings because of its strategy to use kidnappings as a main element of their political conflict against the system. Because the FARC is the largest insurgent organisation, it has arguably the best strategies, logistics and infrastructure for conducting successful kidnappings and keeping the victims under control while negotiations take place. Between 1998 and 2002, many people accused the FARC of using the demilitarised zone of the Caguán in southern Colombia to keep abducted people. For this group, it is relatively easy to maintain kidnapped victims in their territory since law enforcement authorities could not enter in that zone. However, this is not the only reason behind the escalation of ransom kidnappings. The ELN, which has not possessed such a demilitarised zone, also increased its number of kidnappings during the period. It is consequently not possible to say that the government involuntarily increased the problem of kidnappings by giving the Caguán zone to the FARC.

The second largest guerrilla group, the ELN, has also used kidnapping as part of its revolutionary programme. For the late 1990s, recorded statistics showed that the ELN were as responsible as the FARC in fostering the business of kidnapping. The ELN, however, is probably more dependent on kidnapping and extortion than the FARC since it has not taken an active role in other highly lucrative activities like the commerce of illegal drugs and the import of weapons for the black-market.

By achieving what Pizarro describes as an 'insurgency war without revolution', Colombian guerrillas have not been able to win a military war: they have been able to perpetuate a conflict, in which money rather than ideology has become the pillar of the revolution.⁴⁷ Marco Palacios, went even further when he resumed the situation as follows:

⁴⁶ Because of their lower importance in this subject, this paper will not deal with the kidnapping strategies of smaller guerrilla groups such as the Ejército Revolucionario Guevarista -ERG, the Jaime Bateman Cayón Group and the Ejército Revolucionario Popular -EPL.

⁴⁷ See Pizarro Leongómez, E., *Insurgencia sin Revolución*, Bogotá, 1996.

‘Si bien se acepta que las raíces del conflicto social se hunden en contextos inequitativos e injustos, se esgrimen otras explicaciones para dar cuenta de la persistencia y degradación del conflicto armado, casi todas relacionadas con los excedentes económicos que controla la guerrilla. Esta se transforma en una organización cuasiempresarial y cuasidelictiva que actúa más por consideraciones de peculiar racionalidad schumpeteriana predatoria, que por los agravios sociales a los que dice responder’.⁴⁸

With the application of what Palacios describes as a predatory Schumpeterian rationality, the FARC and the ELN have profited the most from kidnappings since they now rely on these crimes to continue funding their activities. While the ELN has also been kidnapping people for their ransoms, it has also committed a number of political kidnappings as a way to publicise its activities. Among the most notorious mass kidnappings, one can recall the cases of the Avianca flight, *La María Church* and the *Ciénaga del Torno*. This has also been a major strategy used to force the government to undertake peace negotiations. The case of the Avianca Flight 964 was interpreted as a propaganda coup to attract the attention of the mass media, the government and the population, which had been focusing on the peace process with the FARC. This kidnapping started as a hostage taking but rapidly transformed itself into a mass kidnapping with the purpose of extracting money from all passengers and crew. While the elder and frailer passengers were freed the day after the abduction, some of the passengers and crew remained captives for more than a year.⁴⁹

Other smaller guerrilla groups have not participated so actively in kidnappings. The exception is the Popular Liberation Army - EPL, which was responsible for approximately 10 per cent of the number of cases committed by the insurgency.⁵⁰ The Revolutionary Popular Army - ERP, which has not been promoting publicly its acceptance of kidnappings, is responsible for an annual average of 35 to 40 people. This group has only started to increase the number of victims since 1998, and it is still

⁴⁸ Palacios, M., “Por una agenda de Paz”, p.37.

⁴⁹ The account of the kidnapping has been recorded by one of the passengers in a diary. Although the text does not present any significant analysis of the situation, it depicts the relation of the kidnappers with their victims while in captivity. See Kally, L., *Secuestrada*, Bogotá, 2000.

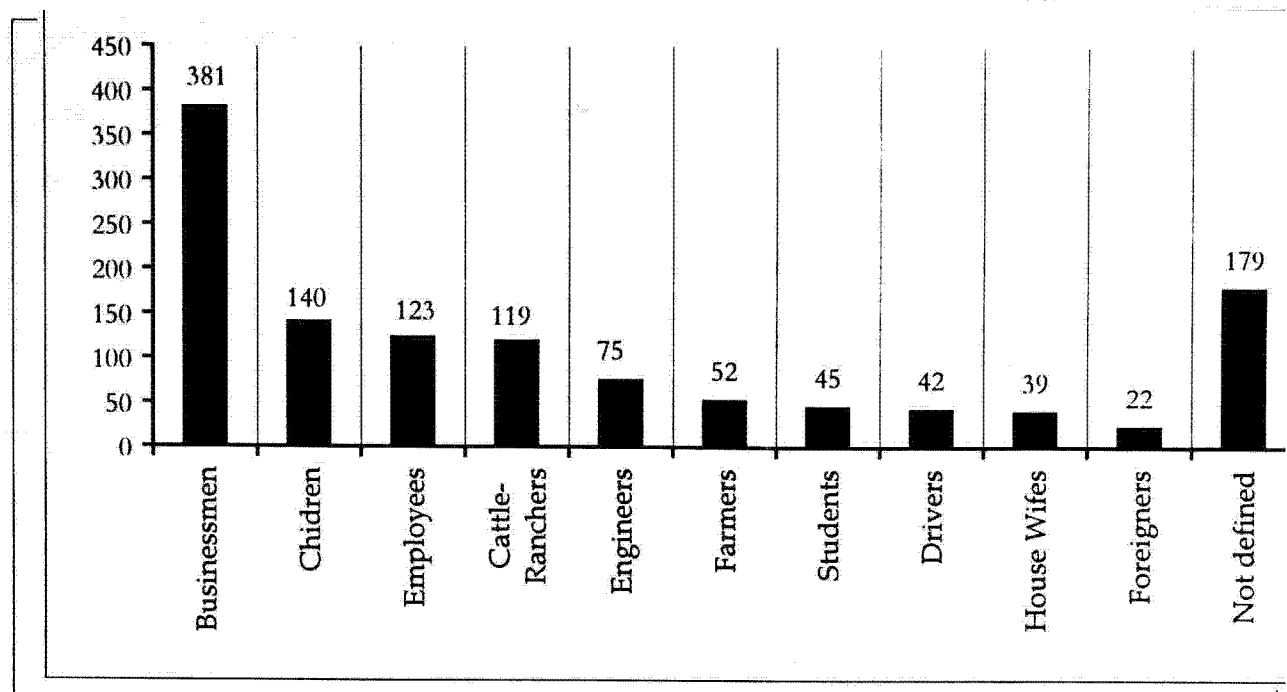
⁵⁰ The reason for this may be either because these are smaller organisations and lack the infrastructure to kidnap and maintain their victims in safe places, or because the guerrilla group in question is on the verge of defeat, such as the ERG or the Jaime Batemán Cayón.

too early to analyse whether it has substantially changed its strategy towards ransom kidnappings.

Principal victims of kidnapping

The authorities have concluded that among the victims of ransom kidnappings, those who are most at risk are mainly businessmen, followed by company employees and cattle-ranchers. For security reasons it may be possible that some Colombians describe themselves as ‘employees’ of the companies they own. The general perception is that employees have a lower risk of being victimised than the owners. These statistics may be helpful to understand the patterns of victimisation, but may be extremely blurry and should be used with caution. Company employees may include any kind of employee, ranging from blue-collar workers to white-collar executives. Because of their vulnerability, sons and daughters of target victims are also particularly at risk since they offer less resistance to kidnappers when abducted. By taking away young children and teenagers, kidnappers find it easier to obtain political concessions from the government or large sums of money from their families. Bus drivers are also common victims of kidnappings. Usually, they are taken during roadblocks organised by guerrillas in remote regions. Because inter-municipal buses are often the only link between urban zones and remote rural regions, drivers can be kidnapped for a ransom and their buses are burnt.

Figure 12. Occupation of the victims of ransom kidnappings, 2000



Source: Ministerio de Defensa - FONDELIBERTAD

Engineers also appear as a separate category because of the long-standing tradition of the guerrillas, and especially the ELN, of targeting companies from the oil, mining and energy sectors. Because most of these companies are multinationals and because of the resources that they command, their employees are often the targets of these crimes.⁵¹ The fact that most of the activities of these companies are based in remote areas of the country also makes difficult the tasks of law-enforcement agencies since these cannot investigate and prosecute criminals. For these companies, it is sometimes easier to pay the extortion fees and include these in their operation costs. Since the profits of mining and energy companies are always important, they can afford to pay extortion fees without suffering losses. Other firms in less profitable sectors of the economy often cannot afford these losses and have to close or relocate their operations.

Foreigners also tend to be important victims of kidnapping since the ransoms paid by them are much higher than those paid by Colombians. Although in the year 2000 only 22 cases of kidnappings of foreigners were reported to the authorities, it is probable

⁵¹ To understand the history and strategy of the ELN, see the chapter by Peñate, A., “El sendero estratégico del ELN: del idealismo guevarista al clientelismo armado”, in Deas, M.D. and Llorente, M.V., *Reconocer la Guerra para construir la Paz*, Chapter 3, pp. 53-98. See also Peñate’s research on the ELN in an oil producing region, “Arauca: politics and oil in a Colombian province”, unpublished M.Phil. thesis, Oxford, 1991.

that many others preferred to negotiate directly with kidnappers to pay ransoms and extortion fees. Figures from the Army indicate that at least 230 foreigners have been kidnapped in the last 5 years.⁵² Pax Christi, a non-governmental organisation, has recently started a world campaign to denounce the duality of foreigners in this matter. This is because foreigners, and notably Europeans, pay important sums of money through ransoms and extortions. Yet, European governments have been active negotiators in the peace processes with guerrilla groups.⁵³ At the same time, Pax Christi denounces the fact that many European companies and individuals contribute to the *kidnapping business* by paying large ransoms and regular extortion fees to guerrillas and paramilitary groups.⁵⁴ Pax Christi's cause is that the international community, and especially the European Union, should be more active role in denouncing these crimes and in preventing the payment of money to criminal groups in Colombia.

In the cases of political kidnappings, where civilians are kidnapped and no monetary ransoms are paid, the occupation of the victims is easier to define. The main victims of political kidnappings are town mayors (*alcaldes municipales*) or members of local or national councils (*consejales* and *parlamentarios*). Members of parliament, especially those who represent areas where guerrilla groups are present, are often targeted. The risks of being kidnapped increase when victims hold a public office or are running for elections. The aim is commonly to achieve a political objective at a local or national level. The Ministry of Defence, in a recent publication, has underlined this by noting that:

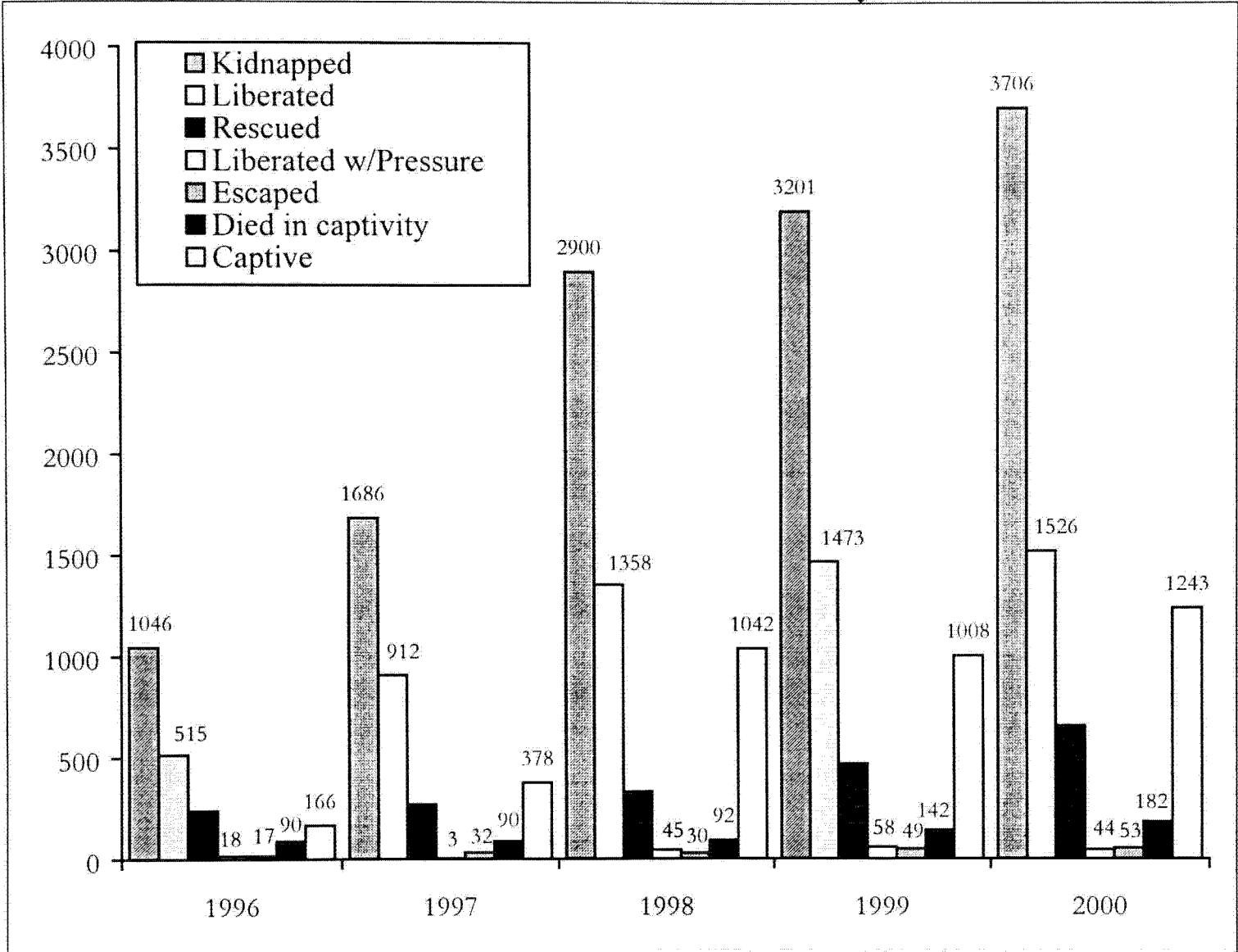
⁵² Colprensa, "Extranjeros, en la mira de los secuestradores", 24 September 2001, available at <http://www.procesodepaz.com/notas/Septiembre242001/A924N3.html/>.

⁵³ In October 2000, the EU announced the financing of €105 million in programmable aid, corresponding to the entire allocation for Colombia during the period 2000-2006. This aid will be invested in the following areas: projects in the sphere of social and economic development and combating poverty; support for alternative and sustainable development; support to administrative and judicial reform; actions to support the promotion and defence of human rights. Some financial aid will also be sent to attend emergencies like mass displacements caused by the conflict. Several European countries also participate in the *Comisión facilitadora* that mediates in the negotiations between guerrilla groups and the government. European members of the commission include Spain, France, Italy, Norway, Sweden and Switzerland. The other countries involved in the commission are Venezuela, Canada, Mexico and Cuba. For more on the EU and Colombia, refer to the EU external commission's website at: http://europa.eu.int/comm/external_relations/colombia/intro/index.htm/.

⁵⁴ Pax Christi, *The Kidnap Industry in Colombia*, p.9.

‘Actualmente, los secuestros [políticos] son dirigidos principalmente a alcaldes electos y funcionarios con una mayor jerarquía dentro de la administración pública, para conminarlos a actuar en pro o en contra de determinadas circunstancias, dentro del ejercicio de sus funciones’.⁵⁵

Figure 13. Situation of victims at the end of each year, 1996-2000



Source: Ministerio de Defensa - FONDELIBERTAD

Figure 13 shows the reported situation of the victims at the end of each year since the mid-1990s. The most notable feature of this graph is that the number of liberations does not grow at the same pace as the number of kidnappings. This can mean that more people remain in captivity for more time. It can also mean that people do not report the fact that they have been liberated. Law enforcement authorities are not always informed about the liberation of victims for three reasons. First, the victims are often afraid of possible retaliations from kidnappers. Secondly, victims do not want to think

⁵⁵ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.4.

about the crime after they have recovered their liberty. Thirdly, they presumably do not want to give details about the ransom paid for their liberation.

A *liberation*, as the Colombian government defines it, takes place when the victim is freed after a period of negotiations. However, to say that someone was *liberated* does not explain if a ransom was paid, or if a political concession was made by the State, if the victim was liberated for health grounds. Despite efforts from the government and from organisations like País Libre, most of the victims prefer not to talk about their experience once they have recovered their freedom. The authorities have therefore been unable to improve their data about liberations of victims.

Figure 13 also includes some of the results obtained by the government in the fight against this crime. Because it is impossible to know exactly what has been the level of governmental involvement in the number of liberations that take place annually, one can only look briefly at the more active part of the process of liberating victims. Governmental involvement usually takes place in the form of rapid armed interventions that lead to the rescue of victims. A governmental response can also be in the form of ‘pressure’ made against kidnappers, for example by capturing or negotiating with influential leaders of the guerrilla or paramilitaries.⁵⁶ This is perhaps the most visible aspect of governmental involvement and can be seen through the number of rescues attempted by the government. Preventive policy-making to avoid kidnappings has, until now, been almost non-existent. The authorities have mainly tried to enforce the law and react to crimes once they have been committed.⁵⁷

In 1996, while more than 1,600 kidnapping cases were recorded, close to 240 people were rescued and only around 166 remained captive. From 1997 onwards, the number of captive people has permanently increased and has been significantly higher than the number of rescued people. In 2000, more than 3,700 people were kidnapped and almost a third of them - around 1,200 - were still captive by the end of the year. In that

⁵⁶ Usually the government negotiates only with guerrilla groups since they have the status of ‘belligerent group’. Since the paramilitaries do not hold such status, in theory the authorities should not negotiate with them. In practice, negotiations for the liberation of victims are frequent.

⁵⁷ For more on this, see **Chapter 4** below.

year, the authorities only managed to rescue around 660 victims. Available data show also similar increases in the numbers of rescues and the number of deaths in captivity. This indicates that the risk of being killed while kidnapped has risen since the authorities adopted stronger strategies to rescue people. Kidnappers may try to take their hostage as a guarantee to escape capture or may even eliminate the victim to avoid being identified if caught. The following testimony illustrates the argument from the kidnapper's point of view:

‘El ganadero permaneció ocho meses en el mismo sitio, vigilado por unas diez personas. Nunca fue necesario cambiarlo de lugar, lo cual fue bueno porque se corrió menos riesgo. De todas formas, la consigna era que si ocurría algo había que darle al tipo para uno salvar su vida’.⁵⁸

Another testimony, this time made by a policeman retained by the ELN, shows the same argument from the victim's point of view:

‘El guerrillero que me atendía salió corriendo y cerró la puerta al escuchar el ruido de unos helicópteros. (...) Sentí alegría, creí que en ese instante me iban a rescatar. Pero a la vez pensaba que de pronto abrirían la puerta, me matarían y me dejarían allí tirado. Como estaba amarrado y vendado no lo podría evitar’.⁵⁹

The number of escapes has always been low. Assessing the right moment and the right place to escape is extremely difficult, but some former victims have suggested that the probability of a successful escape is higher during the first hours of the captivity.⁶⁰ Victims are often kept in unknown places, often in remote and unpopulated areas of the country. If they are taken to a guerrilla or to a paramilitary controlled area, the probabilities of escaping are close to nil since it is too difficult to get help or to find the way to security in an unknown area. In recent years, only around 1 per cent of the victims has managed a successful escape.

⁵⁸ Testimony of a former M-19 kidnapper, in Varios Autores, *Rostros del secuestro*, p.33.

⁵⁹ Varios Autores, *Rostros del secuestro*, p.59.

⁶⁰ See Braun, E., *Our Guerrillas, Our Sidewalks*, Chapter 1.

Geography of kidnapping

During the year 2000 Colombian authorities registered more than 3,700 kidnappings throughout the country, but most of them took place only in a few zones. The departments with advanced industrial sectors and large urban agglomerations such as Antioquia, Valle, Cundinamarca had the highest number of cases, especially in or around the largest cities of Medellín, Cali and Bogotá.

The departments located in the region of *Magdalena Medio*, comprising areas of the departments of Santander, southern Bolívar and Cesar also showed significantly high numbers of kidnappings. These departments have a long tradition of violence and guerrilla activity because of the concentration of land dedicated to cattle ranching as well as the presence of mining and energy companies. These sectors of the economy are highly lucrative and, as mentioned above, provide large quantities of potential victims among the landowners, engineers and employees of multinational companies.

The cities of Medellín, Cali, Bogotá, Cartagena and Bucaramanga are the five largest urban agglomerations of the country with an estimated 55 per cent of the country's entire population, almost 23 out of 40 millions. In or around these urban agglomerations are committed more than 60 per cent of the total number of kidnappings registered annually in the country - 2,234 recorded kidnappings out of a total of 3,706.

Figure 14. Kidnappings in Colombia during 2000 by Departments

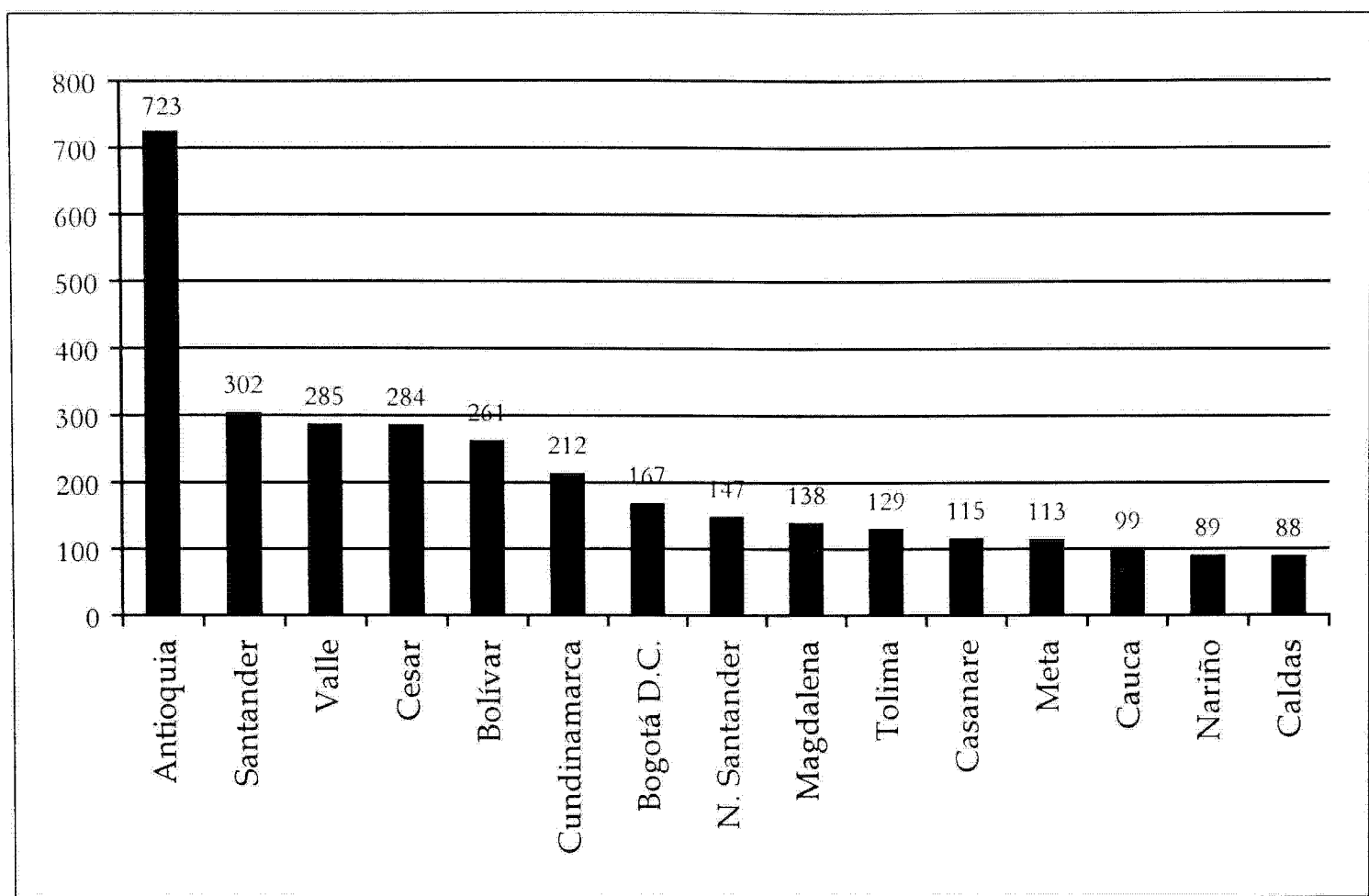
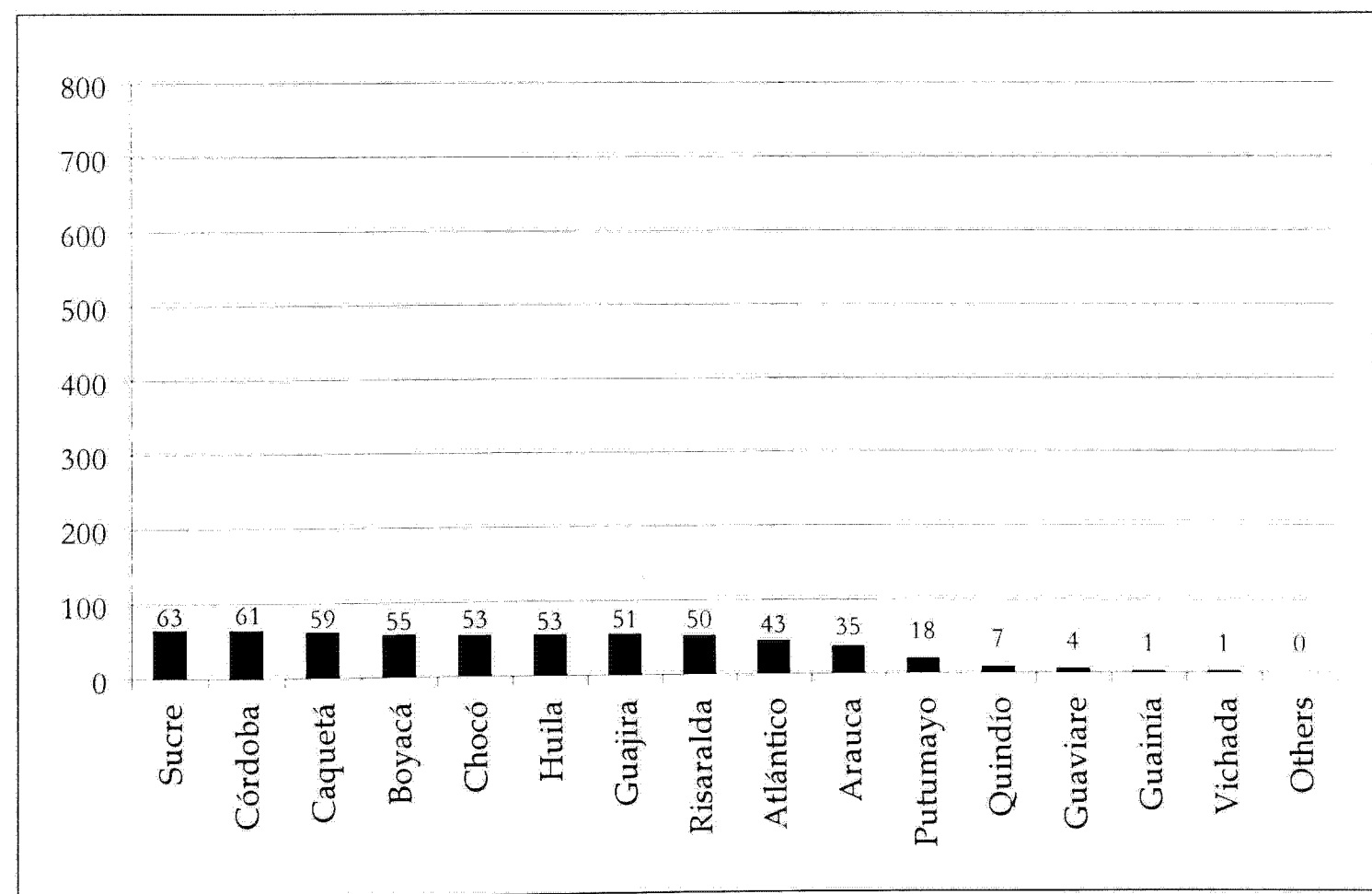


Figure 14. Kidnappings in Colombia during 2000 by Departments (continuation)



Source: Ministerio de Defensa - FONDELIBERTAD

Antioquia

The department of Antioquia alone accounted for 20 per cent of all registered kidnappings in the country, a reported number of 723 out of 3,706. Medellín, its main city and capital, had more than 133 recorded kidnappings, and Barbosa and Caldas, two relatively important urban agglomerations presented almost 40 cases. Rural municipalities, such as La Unión, Cocorná and Guatapé accounted for more than 120 kidnappings. From all known kidnappings in this department, the authorities have classified 337 kidnappings (37 per cent) as being ransom kidnappings, while 65 (9 per cent) were classified as having political purposes and another 19 cases involved the abduction of members of the armed forces. Although a significant share of kidnappings - close to 30 per cent - remains unclassified, the authorities suspect that these are also ransom kidnappings.⁶¹

Recent analyses made by FONDELIBERTAD describe the FARC and the ELN as the main authors of kidnappings in this department. The major kidnappers were the ELN with more than 320 cases, equivalent to 45 per cent of the kidnappings. The FARC with more than 100 victims accounted for 14 per cent. Paramilitary groups were responsible for 8 per cent of the cases while common delinquents only 6 per cent. Other guerrilla groups, such as the EPL or the ERG had less than 1 per cent of the total share of kidnappings in the department. In Antioquia, kidnappings are generally localised in the zones where armed groups have a strong presence but where there is not a significant level of violence in terms of confrontations between guerrilla groups, paramilitary groups and the armed forces. **Appendix 2** lists the principal municipalities of the 6 departments with higher numbers of kidnappings, and shows also the presence of guerrilla groups, paramilitaries, illegal-drug dealers and delinquents.⁶²

⁶¹ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.15.

⁶² The information about the presence of armed and delinquent groups was taken from the study by Cubides, F. et al. that classified all the municipalities in the country depending on their levels of violence. The classification was divided into 'very violent', 'relatively violent', 'very pacific' and 'other municipalities with presence of organised groups of violence' depending on the level of fighting and homicides between armed groups. None of the municipalities with high numbers of kidnappings were classified as being 'very violent' or 'very pacific'. While some of the municipalities listed here appeared as being 'relatively violent', most of them come from the list containing 'organised groups of violence'. This means that kidnappers can be present in municipalities where they demand extortions without the

The ELN has a strong presence in the municipalities with higher numbers of kidnappings such as La Unión, Cocorná or Guatapé. The FARC was the second largest kidnaper in this department and is present in fewer municipalities that are affected by kidnapping. Paramilitary groups do not seem to have a predominant presence in any municipality where kidnappings are important. This may be due to the fact that paramilitaries kidnap their victims either for homicidal ends in guerrilla controlled zones or because they kidnap politicians and civil servants in urban areas where they do not have a predominant presence, such as Medellín.

The EPL, despite having a presence in several municipalities where abductions are common (Cocorná, Barbosa or Carmen de Viboral), has practically stopped kidnapping people in this region. This is mainly because the EPL has lost its military strength in recent years.

Santander

Santander was the second department with most cases of kidnappings in the country. It accounted for almost 300 kidnappings, around 10 per cent of the total number of cases. The pattern of kidnapping seems to resemble the one found in Antioquia: while most of the kidnappings involved the payment of a ransom (38 per cent), a very small proportion (9 per cent) were classified as being political.

The cities of Bucaramanga and Barrancabermeja were the places most affected by these crimes. While Bucaramanga is not considered as a violent municipality, Barrancabermeja is one of the most violent cities in the country because of the important levels of violence between guerrilla groups and the paramilitary groups. These have been extremely active around the city.

need to fight the government. It is important to note, however, that the above classification defined the degrees of violence by counting the actions of the guerrilla against the state. Degrees of violence in this case, do not include the number of homicides per city. See Cubides, F. et al., *La violencia y el municipio colombiano: 1980-1997*, especially the statistical appendix pp. 253-316.

Because of their strong presence in this department, the ELN was the principal author of kidnappings. Among the 10 municipalities affected by this crime, this guerrilla group has a strong presence in at least 8 municipalities, and this, without counting Bucaramanga where urban factions are also said to be present.

The EPL has been more active in Santander than in Antioquia despite having a weaker municipal presence there. In 2000, this group was responsible for more than 70 cases despite being active only in the violent zone around Barrancabermeja. Other groups such as the FARC or paramilitary organisations seem to have a strong presence in most of the municipalities, but are not very active in kidnapping people in this zone. The FARC was responsible for 31 kidnappings while the paramilitaries were responsible for only 17 reported cases, or 10 per cent and 5.6 per cent of the total departmental kidnappings respectively.

These facts suggest the idea that guerrillas are less willing or do not have the possibilities to kidnap people when levels of violence are higher. The only group that kidnapped a significant proportion of people was the ELN and this probably because the group controls a large area of the territory in this part of the country.

Valle

Despite being the department with the third biggest number of kidnappings in the country, the statistics for Valle have shown a slight decrease since 1998. In 2000, the numbers decreased by almost 12 per cent.⁶³ This may be due to the dismemberment and capture of the leaders of the Cali Cartel in the last two years.

Cali remains the city with the largest number of kidnappings with more than 150 cases, 50 per cent of the region's kidnappings. Most of these were committed by delinquent groups working for the guerrillas or for any of the smaller drug cartels.⁶⁴ **Appendix 2** shows that the municipalities with strong presence of drug-dealers such as

⁶³ Ministerio de Defensa - FONDELIBERTAD *Evolución del secuestro 1996-2000*, p.18.

⁶⁴ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.19.

Buenaventura, Tuluá, Jamundí, Buga, Ginebra and El Cerrito are the places where kidnappings are most common. These municipalities also show an important guerrilla and paramilitary presence, factors that clearly affect the security of local citizens.

The categorisation by Fernando Cubides *et al.* does not show any municipality with predominant presence of the ELN. Despite its presence in many areas of the country, the ELN's hold on many smaller areas of the territory is not permanent and is constantly subject to Army incursion. For this reason, some municipalities may not appear as having a strong ELN presence despite the fact that this group is sometimes active in these places. However, this group has carried out several major mass kidnappings in the department including the kidnapping of 156 people in the María Church in Cali in 1999 and the kidnapping of more than 70 people on the Cali - Buenaventura road known as *la Vía al Mar*, Kilometre 18.

Although the FARC has a strong municipal presence in most of the towns where the levels of kidnappings are high, the group was only attributed 32 cases in 2000. The most affected towns were Florida, Candelaria, Caicedonia and Tuluá. Paramilitary groups were not active kidnappers in this zone, with only 6 cases attributed to them. The small Jaime Bateman Cayón guerrilla group committed two kidnappings in this region during the year 2000.

As with the other departments, most of the kidnappings involved payments of ransoms while only a small proportion had political motives: 38 per cent and 9 per cent respectively.

Cesar

Together with Santander, Antioquia and Bolívar, the department of Cesar is part of the *Magdalena Medio*, a region considered to be 'very violent' because of the important presence of guerrilla and paramilitary groups.⁶⁵ The guerrillas of the ELN are the

⁶⁵ Ortiz, C.M., "Magdalena Medio" in Cubides, F. et al., *La violencia y el municipio colombiano: 1980-1997*; See Murillo, A., Arcila, M.T., Alonso, M.A., Restrepo G. and Bonilla, G.E., *Un mundo que se mueve como el río: historia regional del Magdalena Medio*, Bogotá, 1994.

major kidnappers in this department, with more than 180 cases, equivalent to 63 per cent of local kidnappings. The ELN is present in the 10 municipalities where kidnapping are most common. The FARC, although being present in 5 of the 6 most important municipalities in terms of kidnappings, accounted for only 5 per cent of the abductions. Paramilitary groups were responsible for almost 7 per cent of the cases.

The majority of cases were ransom kidnappings and a great share was committed against landowners and cattle-ranchers. Political kidnappings involving civilians accounted for 7 per cent of the cases and less than 3 per cent involved kidnappings of members of the armed forces. Among the victims, the principal targets were businessmen (15.14 per cent), civil servants (11.27 per cent), cattle-ranchers (6.69 per cent) and engineers (5.63 per cent). Drivers and children accounted for 4.93 per cent and 2.46 per cent respectively.

Bolívar

The case of Bolívar is similar to Cesar in the sense that the southern part of the department is considered a violent region due to its proximity to the *Magdalena Medio* and therefore presents important degrees of military activity and confrontations between the armed groups. FONDELIBERTAD has noted the fact that kidnappings in this zone are rising rapidly and have more than doubled in recent years, mainly because of the costs of the conflict: more than 40 per cent of local kidnappings had financial purposes, while only 4.2 per cent were considered as political. Simple kidnappings involving roadblocks accounted for a large share equivalent to 27 per cent of the cases.⁶⁶

The classification made by Cubides *et al.* shows a strong presence of both the ELN and the FARC together with *narcos* and paramilitary groups. The FARC is responsible for the majority of kidnappings, with more than 27 per cent of the total number of cases. The ELN followed with 41 cases, equivalent to 15.71 per cent, and the other guerrilla groups such as the EPL and the ERP participated with more than 8 per cent of the

⁶⁶ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.22.

cases each. Paramilitary groups kidnapped around 20 people (7.6 per cent) while the organised delinquents were responsible for about 10.3 per cent of the cases, with almost 30 kidnappings. 22 per cent of the cases could not be classified.

Cundinamarca

This department has seen an important increase in the numbers of kidnappings in recent years, with the percentage increasing as much as 79 per cent during the period 1999-2000. This could indicate a growing interest of the kidnappers to extort from people in the central region of the country, where violence is still relatively limited and potential victims of kidnappings are common due to the proximity of the capital city. In this department, 142 kidnappings out of 212 involved the payment of ransoms. This represents almost 70 per cent of the cases. Only 6 cases, equivalent to 2.8 per cent, had political motives.⁶⁷ Simple kidnappings and kidnappings of the armed forces accounted for 11 and 1 cases (5.1 per cent and 0.4 per cent) respectively.

In Cundinamarca, the FARC has a notable presence in most of the municipalities where kidnappings are common. In some municipalities such as La Calera or Anapoima where this group does not have a strong presence, it is all the same known to be active in kidnapping people.⁶⁸ In the year 2000, the FARC was the author of more than 150 cases, almost 70 per cent of the cases where the authoring of these crimes were known.

Delinquent groups are important kidnappers inside and around the industrial zones of Bogotá and there have been several reported cases of victims being sold to the FARC. For this reason, it is very difficult to calculate the exact number of kidnappings committed by delinquent groups.⁶⁹ In 2000, delinquent groups working on their own,

⁶⁷ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.24.

⁶⁸ Guerrilla factions of the FARC have attacked and have made several roadblocks close to La Calera. Due to the proximity of this town with Bogotá, these attacks are purely strategic. They serve as a political tool by the guerrillas to appear in the news media and to put pressure on the government.

⁶⁹ The authorities classify the authors of kidnappings when a ransom or political demand is made. However, it is impossible to know who is the intellectual author of most kidnappings. When delinquent

that is, without the known support of the guerrillas, were responsible for almost 9 per cent of the cases.

Other armed groups, such as the ELN or paramilitary organisations were also present around Bogotá but have not been active in the kidnapping business. In 2000, only 2 cases were attributed to each one of these groups. Drug-traffickers, although present in Cundinamarca, did not commit any reported kidnappings like their counterparts in the Valle region.

Bogotá and the Capital District

The capital city, Bogotá, has also seen an increase in the numbers of kidnappings. According to FONDELIBERTAD, the authorities reported 167 cases in 2000, an increase of 18 per cent compared to 1999.⁷⁰ Almost 80 per cent of the victims admitted that a ransom was paid. A small proportion of other kidnappings is classified as being 'simple' kidnappings (5 per cent) and political kidnappings are rare. In 2000 there were no recorded cases of political kidnappings being committed in this city.

The principal authors of kidnappings in Bogotá belonged to delinquent groups and to the FARC. In 2000, out of a total of 133 cases, 46 kidnappings were made by organised delinquents and 33 by the FARC. In this city, a large proportion of kidnappings seems to be committed by common delinquents 'on request' from the FARC. Because of this, a large number of cases remain unclassified and the exact authors cannot be determined until someone reports the crime. The view of the Ministry of Defence on this subject follows the pattern mentioned above: because organised delinquents often commit crimes under the patronage of the FARC, the main responsibility goes to this group, even if no proof can be established. The ELN is sometimes responsible for kidnapping people around Bogotá, although their presence is not strong around the capital city. The ELN claims to have an urban front in Bogotá

groups sell their victims to the guerrillas before contacting the relatives of the victims, there are no possibilities of knowing who committed the abduction.

⁷⁰ It is important to mention that many of the residents of Bogotá are kidnapped outside the limits of the city and therefore appear as being kidnapped in the department of Cundinamarca.

called 'Frente Urbano Oscar Fernando Serrano Rueda' but there is no strong evidence of permanent ELN presence in the city.

As in the rest of the country, the main victims of kidnappings in Bogotá were those with access to economic resources, such as businessmen, engineers and foreigners. Because of the number of schools and universities, students and children are also common victims. The geography of kidnappings in Bogotá remains unclear and there has not been a single analysis carried out on the main locations where these crimes are committed in the city. Authorities only know that the sectors most propitious for kidnapping are the avenues and main roads connecting the capital with the outskirts, and kidnappings usually take place outside rush hours to avoid heavy traffic.⁷¹ These factors facilitate an easy escape for kidnappers.

Final Comments

Guerrillas have promoted the use of predatory, criminal activities to finance the increasing costs of arms and goods and of their operations generally. Since the mid-1980s to the late 1990s the FARC has grown from 3,600 fighters distributed in 32 fronts, to an organisation with more than 60 fronts and 15,000 plus members. From the 3,700 recorded kidnappings last year, 61 per cent were committed by the guerrillas, notably the FARC, the ELN and to a lesser extent the EPL. Because guerrilla organisations are large and control extensive areas of the territory, victims tend to spend more time in captivity than in other Latin American countries.

The FARC, being the largest and most organised guerrilla group in the country, has been able to commit the majority of the kidnappings and has promoted actively this practice among its fronts operating in the country. This guerrilla group also subcontracted common delinquents to commit abductions in exchange of money. Once sold to the guerrillas, the victims are kept in rural areas until the payment of ransoms.

⁷¹ Ministerio de Defensa - FONDELIBERTAD, *Evolución del secuestro 1996-2000*, p.26.

The ELN also grew from 300 to 3,500 men and from 4 to 30 fronts between 1980 and 1990.⁷² This expansion can also justify the importance of the revenues of kidnappings and extortion for this group. The ELN has also a long tradition of extorting and kidnapping people, mainly those working for the oil, mining and energy sectors. In recent years, however, they have also increased their number of kidnappings around the largest cities and have committed several major mass kidnappings to bring pressure on the government.

So far, paramilitary groups author less than 10 per cent of the country's kidnappings because these crimes are not part of their main military strategy. Most of the kidnappings attributed to them had political purposes. Abductions are often made to protest against the government's peace negotiations with guerrilla groups. Paramilitary groups, however, are also known to collect funds from citizens. Although some of these *contributions* are voluntary, many cases involve the payment of extortion fees, or *vacunas*.

By integrating into their discourse the need to tax citizens and businesses through extortion and kidnapping, armed groups around the country have established an industry of kidnapping that has affected most of the population and the citizens' security, notably around the areas of the country where economic activities tend to be concentrated. These areas are around the cities and in the rural areas where are concentrated the productive sectors of the agriculture, cattle-ranching and mining.

The consequences of kidnappings in the country have been enormous. Relations between people have been affected at all levels of society; family relations have severely been destabilised and individuals have become more self-reliant, distrustful towards each other and sceptical about the country's situation. These crimes have also had a negative impact on community relations creating a loss of trust among people and towards the authorities. This lack of trust is reflected by a lower capacity to implement effective security policies and to provide acceptable levels of governance by the authorities. Kidnappings and extortion crimes have had serious economic

⁷² Palacios, M., "Por una agenda de Paz", p.11.

consequences, since these crimes have significantly increased the costs of firms to guarantee the security of their personnel and their installations. Firms have to face significant losses of income, forcing many to close offices, fire employees and relocate operations.

The problem of kidnapping has also affected foreigners, both in the country and abroad. While only a small minority of cases involves the kidnapping of foreigners, they have usually been primary targets since ransoms paid are much higher and they can often be paid in hard currencies abroad. Kidnapping foreigners cause much publicity and create distress among citizens, they also serve as a way to extort many other citizens who prefer to pay than to be abducted. Today, many Colombians including those from the poorest sectors of the population have also been forced to pay. These cases, however, do not attract the attention of the authorities or the media.

For Colombia's economy this has been reflected by a decrease in the levels of investment, both foreign and local. The impact on tourism has also been important, even in zones where kidnapping is not so frequent. While the current economic crisis may reflect the global and regional economic slowdown, it is undeniable that the insecurity is among the main obstacles to achieve a rapid economic recovery and to promote further development of the country and its people.

The FARC and the ELN, the two largest guerrilla groups in the country, are responsible for about 70 per cent of all kidnappings committed. However, the government's response to these crimes has been slow and incoherent since it has been trying to negotiate peace with these groups without demanding a complete stop of the kidnapping business. Since a truce with the guerrillas would also mean a sharp decrease in their revenues, the difficulties to end with the kidnapping business are evident. Guerrillas have always preferred to focus on the issue of wealth redistribution rather than wealth creation. By maintaining the strategy of taxing citizens through kidnapping and extortion, they are causing great problems to the majority of Colombians. Increasing levels of violence, lost revenues, investments and

opportunities have been evident consequences if this. Long-term consequences have also included mass migration, unemployment and increased poverty.

All these problems have perpetuated the levels of fear among the population. The next chapter focuses on this issue; it looks at the concept of fear and perception of crime among the population. It also discusses the impact that these factors have had on the capacity of the authorities to reduce violent crimes and to promote the rule of law.

CHAPTER 3: PUBLIC PERCEPTIONS AND FEAR OF CRIME

This chapter deals with the perception of crime in Colombia. The topic is essential to understand the consequences of violent crime in a society where citizens often have to rely on their own strategies to minimise potential victimisation risks. Public perceptions can be used to understand how people react to violent crime and how this may affect citizen security strategies.

As shown in Chapter 1, during the past years the number of homicides has decreased by almost 15 per cent. Although most of the victims are poor, homicides are not necessarily committed in the poorest areas. They tend to be concentrated in the areas where economic resources are available and where other crimes like robberies are common. Chapter 2 showed that kidnappings are spread around the country and most cases tend to concentrate near the large urban centres or in rural areas where illegal armed groups can impose the payment of illegal taxes to citizens in exchange of their liberty. The general perception among the population is that violence has significantly increased because of the daily amount of information on violent crime that people have to process. Citizens see, hear and read about crimes, many of which are never brought to justice. This fact can have important consequences on the population, as many will live in fear and perceive increased victimisation risks. Colombians have learnt to live in a society of risk, where crime levels are high and where individual behaviours must adapt in order to deal with the insecurity. Violent crimes like kidnappings worsen this situation by increasing the levels of fear among citizens.

Homicidal risks can often be minimised by avoiding risky locations where violence tends to concentrate. Extortion crimes, however, can rarely be avoided nor minimised, as they tend to be targeted against selected victims. The victims include the individuals on whom the crime was inflicted and their close relatives who had to share the experience. After this, many other people will potentially feel at risk. Public perceptions may consequently be useful to understand these risks.

The problem is that perceptions tend to vary from one place and one individual to another. Perceptions depend on factors such as sources of information that the individual accesses, personal interests and ways of diffusing the information. Thus, the analysis of perceptions of crime and security risks is a difficult task because neither perceptions nor risks can be easily measured or quantified. Recent findings in risk literature argue that risks can actually be measured. Mathematical models have been developed in order to quantify the probability of risks, defined as the unlikely events that cause high-damaging consequences.

The most common topic in risk literature deals with health risks: risks of smokers developing cancers, risks of environmental pollution or car accident risks. Risk literature, however, has not been able to quantify security risks due to the impossibility of modelling populations at risk. Arguably, it is possible to count the number of smokers that have developed cancers and the number of cigarettes smoked annually. The calculation of risk of developing cancer is consequently feasible. Victimization risks cannot be calculated like that. One can find reliable data on crime and then try to calculate victimisation trends but the quantification of security risks cannot be known because crime varies depending on innumerable other variables such as the time of the day, its location, the number of people around possible victims as well as general factors like the conditions of governability and legitimacy of the authorities.¹

Important questions arise when studying perceptions of crime. How close to reality are these perceptions? To what extent can individuals rely on perceptions in order to minimise the risks of victimisation? How can citizens effectively measure these risks? In a few words, how can individuals know when being 'safe is safe enough'?

There seems to be a certain degree of subjectivity in the decisions that individuals take to avoid victimisation risks. Possible alternatives may include the adoption of a

¹ It is interesting to note that a recent review of risk literature since the 1970s, covering 26 chapters over 500 pages, deals with a vast array of topics from fatality risks when driving without belts, to developing cancers and living a nuclear tragedy. Not a single chapter though deals directly with security risks. In spite of this, the book provides an interesting source of concepts that refer to crime situations and that can be brought together in order to understand better the topic of crime risk. See Slovic, P. (ed.), *The Perception of Risk*, London, 2000.

constrained behaviour that limits the probability of being victimised. Examples of a constrained behaviour may include the refusal to go out at night, or to visit public places. It may also include the decision to migrate or the fact that someone accepts to be victimised.² Alternatively, those who perceive the risks to be manageable may sometimes decide to adopt defensive or retaliatory behaviours. Examples of such behaviours abound. While some people accept to pay extortion fees, some others get kidnapped because they have refused to pay. Some of them will call the authorities while some others will retaliate by contracting private security groups. Others will simply avoid the risks and leave the area where they feel insecure. These are essential consequences that must be kept in mind when analysing the effects of violent crime in the population.

To discuss this topic, the chapter is divided into two main sections. The first one defines concepts of risk theory and perception, while the second section illustrates these arguments by presenting examples taken from Colombia. The main argument shows how perceptions can differ from one person to another and thus have strong consequences for the legitimacy of the authorities, and their effectiveness in bringing down levels of violent crime.

Perceptions can be created and modified at any time. By diffusing news on crime, the media have a singular role in creating perceptions on the subject among the population. However, different uses of language, phraseology and content will lead readers to have different perspectives on the same topics. Usually, the perceptions of crime will be closer to reality when individuals increase their knowledge on the subject. To improve public perception of crime, it is necessary to provide a better understanding of crime problems among the public, to improve the levels of communication between citizens and authorities and increase the levels of citizen participation in security strategies. If these goals can be reached, citizens may have a better understanding of the problems

² Other mentions of the adoption of a constrained behaviour can be found in Caldeira, T.P.R., *City of Walls: crime, segregation, and citizenship in São Paulo*, London, 2000, p.28 see also Comisión Económica para América Latina y el Caribe - CEPAL, *Equidad, Desarrollo y Ciudadanía*, Santiago, 2000, p.310.

of crime and violence. This gives the authorities the legitimacy to obtain better results in their citizen security strategies.

Theory and Concepts on Perceptions of Crime

The Oxford English dictionary defines the concept of perception as ‘the ability of the mind to refer sensory information to an external object as its cause’.³ It is the ability that individuals have to give an interpretation of the situations they see, hear or feel. Perception of crime can be defined as an interpretation of past experiences in crime and victimisation risks existing in a community at a given time.

Perceptions of crime can be created and disseminated among the public by different actors that may or may not have similar opinions on the matter. Government officials and policy-makers, security consultants, private companies, the mass media and the international community are just some of the actors that participate in the creation and diffusion of crime perceptions. Common citizens also engage in this process by spreading their own views and telling past experiences. All citizens observe, hear and process ideas that can affect other people’s opinions, both at local, national and international levels.

The topic of perception has thus to be considered as a key concept in crime analysis. This is a difficult task because perceptions are not only based on the *official crime statistics* published by government authorities, but they also include personal views based on eavesdropping, life anecdotes and public imagination. Governments can have an influence on public opinions by publishing and explaining citizen security strategies and by reporting results of their fight against crime. Mass media representations of crime play an essential role in the diffusion of public opinions. The mass media can improve the views that citizens have of their governments, but can also counterbalance the efforts of the government by sensationalising news on crime and by criticising the

³ Oxford English Dictionary, Oxford, internet version available at: <http://www.oed.com/>.

government's lack of results. This may damage the public's opinion and create perceptions that are not necessarily in accordance with the reality.

Not everyone will necessarily share and diffuse the same perceptions. Different views are spread as a result of the differences in the quality of data used and different uses given to it. Personal opinions will also depend on the individual's role inside the community as well as the available knowledge on the topic, the age of the person, the wealth and other individual or personal interests. Perceptions of crime may consequently change and evolve rapidly. They can evolve in a positive way if individuals feel that crime levels have diminished or, on the contrary, they can worsen if citizens fear that victimisation risks have increased. This may lead people to perceive the existence of high-risk zones that may have significant impacts on the local population and on foreigners. The existence of high-risk zones may erode social relations among individuals living in those zones, produce a de-legitimisation of the authorities and even a slowdown in commercial activities. In short, negative perceptions may also cause individuals to leave their cities or regions in order to minimise the risks of victimisation. Negative perceptions can also provoke unforeseen reactions among the public.

One of the most common consequences of the perception of crime is the general appearance of fear among individuals.⁴ This involves the adoption of constrained behaviours that may change social habits by forcing individuals to do certain things that they would not do otherwise, such as avoiding public places, not going out after dark or fearing strangers. This fact supposes that individuals are able to judge the risks and prospect about the chances of avoiding crime. Public perceptions are essential variables in the generation of these judgements.

⁴ Fear of crime has been described as negative emotional reactions that people start to generate after having being victimised or after perceiving risks of crime. Most studies about fear of crime do not differentiate between perception of crime and fear of crime. Authors assume the existence of fear to be a necessary element for the creation of perception of crime. The first authors to note this were Ferraro, K. and LaGrange, R., "The measurement of Fear of Crime" in *Sociological Inquiry* 57, 1993, pp. 70-101.

Researchers on the subject have argued that perceptions of risk may decrease the levels of trust among individuals.⁵ A decrease in the levels of trust may cause serious damage to the social relations of a community. A complete lack of trust will promote individualism and lack of co-operation among people de-stabilising social relations inside communities.⁶ This factor will force individuals to act individually when confronting situations of crime and will eliminate the potential to co-operate with others when analysing potential risks of victimisation.

As a result, the concept of trust is essential to understand crime in the urban context: if citizens show high levels of trust among each other, co-operative strategies aiming at reducing victimisation risks will also emerge.⁷ In other words, the consolidation of trust can reduce fears and ameliorate the perception of crime. The existence of trust can also improve the levels of communication and knowledge and therefore help to propagate perceptions that are closer to reality. The propagation of perceptions does not affect only one individual in the community: perceptions affect simultaneously individuals and groups. The creation and diffusion of perceptions has therefore reciprocal effects on the community. Individuals who perceive different ideas from other people will probably change their own behaviour. Simultaneously, the way in which individuals decided to change their behaviour will also affect other peoples' perceptions.⁸

⁵ See Hraba, J., Bao, W., Lorenz, F.O. and Pechacová, Z., "Perceived Risk of Crime in the Czech Republic" in *Journal of Research in Crime and Delinquency*, Vol.35 No.2, May 1998, pp. 225-242.

⁶ Sjöberg, L., "Perceived Competence and Motivation in Industry and Government as Factors in Risk Perception" in Cvetkovitch, G. and Löfstedt, R., *Social Trust and the Management of Risk*, London, 1999, p.89.

⁷ The concept of trust can be defined as a situation where individuals are willing to relinquish some of the power and control they have over their actions, but without having the feeling that they have actually lost control or power. Cvetkovitch, G. and Löfstedt, R., *Social Trust and the Management of Risk*, p.4.

⁸ This idea was developed in the 1960s and achieved major importance when described as the theory of "symbolic interactionism". This theory is helpful to provide an understanding of the role of perceptions of crime because it helps to illustrate how people gather and interpret information regarding victimisation risks and then how they choose appropriate courses of action. Almost thirty years ago, Herbert Blumer argued that the individual "selects, checks, suspends, regroups, and transforms the meanings in light of the situation in which he is placed and the direction of his action". However, one of the first contemporary analyses of the perception of risk and its relation to crime was made in the mid-1970s, when Richard Henshel and Robert Silverman wrote about the "growing recognition of the importance of perception in the field of criminology". See Blumer, H., *Symbolic Interactionism: perspective and methods*, Englewoods Cliffs, New Jersey, 1969, p.5; Henshel, R.L. and Silverman, R.A. (eds.), *Perception in Criminology*, London, 1975, p.xvi. For the application of the theory to perception

Modelling Perceptions of Crime and Assessing Behavioural Patterns

It is important to recall that the real volume of crime often remains unknown. Many crimes go either undetected by the authorities or unreported by the victims. Individuals sometimes choose not to report crimes because they think the authorities will not be able to investigate and prosecute criminals. It is also possible that individuals are not willing to trust the authorities and hence prefer not to denounce a crime.

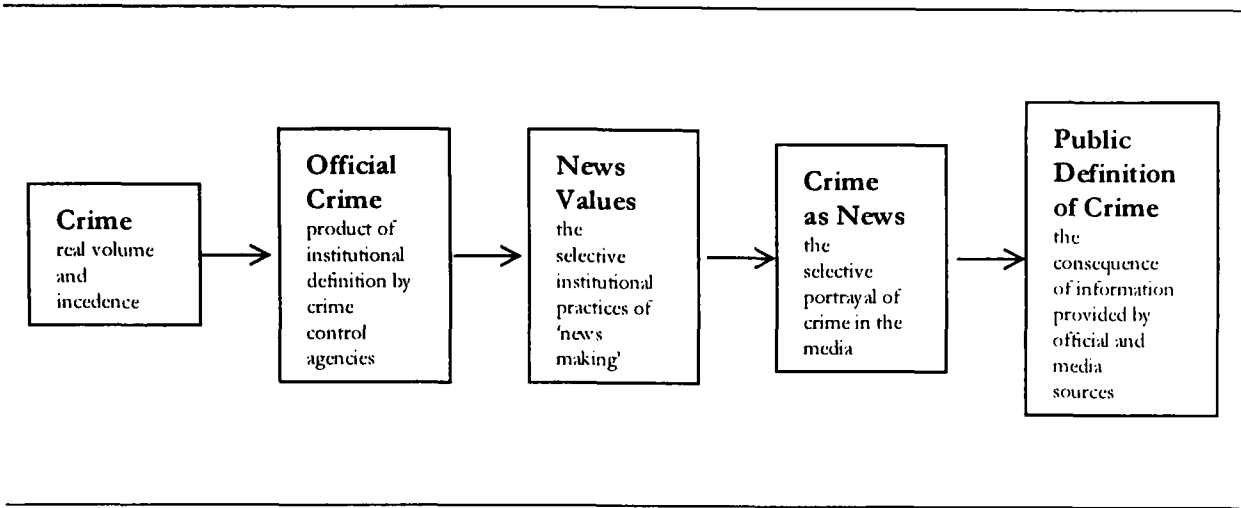
From the amount of crimes that are reported to the authorities, a certain number remain unclassified through lack of information and evidence. The crimes that can be classified and used generate what is known as the *official crime* database. This official database will depend on definitions used, political interests and levels of accountability of data-gathering agencies and on the efficiency to provide accurate figures. Criminologists have often warned the public about the ‘many pitfalls in interpreting the meaning of such statistics’ because of the manipulation of the data in order to represent the *real* world of crime.⁹

From the official number of crimes committed per year, only a limited number of cases reach the public, and this, generally through the manipulation of mass media representations. Mass media companies usually are those who decide which crimes are *newsworthy* and therefore of general interest to the public. It is important to note that markets for news companies vary greatly, and therefore, the use of data, phraseology, content and terminology can differ from one source to another (see **Figure 15**).

and risk of crime, see Ferraro, K.F., *Fear of Crime: interpreting victimization risk*, New York, 1995, p.8. See also Quinney, R., “Public Conceptions of Crime” in Henshel, R.L. and Silverman, R.A. (eds.), *Perception in Criminology*.

⁹ Maguire, M., “Crime Statistics, Patterns, and Trends: changing perceptions and their implications” in Maguire, M., Morgan, R. and Reiner, R. (eds.), *The Oxford Handbook of Criminology*, Oxford, 1994, pp. 135-188. See also Reiner, R., “The Case of the Missing Crimes” in Levitas, R. and Guy W. (eds.), *Interpreting Official Statistics*, London, 1996, pp. 185-205.

Figure 15. Relationship between mass media and crime perception



All these factors will have a significant effect on the creation and modification of public perceptions. These will depend on the manner in which the information is gathered and then presented to the public. Perceptions will therefore be modelled depending on what individuals read, hear, or watch.

Examples of crime as a topic for newsmaking abound in all different media. This fact does not signify that all media representations are similar. On the contrary, systemic variations between news stories exist due to the differences in political contents and professional journalistic strategies. Differences in the patterns of media ownership, for example between private and public companies, may also address audiences with different perspectives. It has also been argued that the interest of crime news stories ‘derives from a variety of features that have nothing to do with the overt issue of crime. Instead they provide convenient vehicles for exploring common moral dilemmas’.¹⁰ This has undoubtedly an effect on public perceptions and can sometimes create large opinion gaps. Mass media representations have consequently a great responsibility in the way they present images of crime and violence. As such, the access to information is one of the main components in the modelling of public perceptions.

¹⁰ Reiner, R., “Media Made Criminality” in Maguire, M. et al. (eds.), *The Oxford Handbook of Criminology*, p.191 and p.223. See also Katz, J., “What Makes Crime ‘News’?” in *Media, Culture and Society*, No. 9, Vol. 1, 1987, pp. 47-75; Dahlgren, P., “Crime News: the fascination of the mundane” in *European Journal of Communication*, No. 3, Vol. 1, 1988, pp. 189-206.

Robert Reiner asserts that crime coverage in newspapers, television and movies has a direct effect on the interpretations that everyone attaches to crime. The mass media have been described as the most popular for diffusing preconceived ideas on crime and criminals in today's societies.¹¹ Because the access to information is strongly correlated to age, education and wealth of individuals, images on crime presented by different media should not be taken as being the same in different communities belonging to different socio-economic levels.¹² Sometimes, the mass media can also be used as a psychological tool against delinquents as they can speculate on the advances of the investigations made by the authorities.¹³

The proportion of crime stories is a function of medium, market and time. Broadcast news is known to give more prominence to stories of violence than print.¹⁴ At the same time, *popular journalism* tends to describe more stories about violent crime than *quality journalism*.¹⁵ Reiner found out that 'Print journalism, especially 'quality'

¹¹ This conclusion had already been reached in the early 1960s by Klapper, J., *The Effects of Mass Communications*, New York, 1960. See also Reiner, R., "Media Made Criminality", pp. 195-198.

¹² Reiner, R., "Media Made Criminality", p.195.

¹³ A good example to illustrate this is given in the testimony of a former kidnapper who systematically refused to read newspapers, to watch television or to listen to radio because of the psychological impact that the news had on him and his colleagues. In his own words: "Sicológicamente los medios de comunicación pueden causar mucho daño entre las personas que están causando un secuestro. Lo primero que dicen es que ya tienen pistas de los secuestradores. Si uno oye eso, comienza a cuestionarse si será cierto o no. En cambio, si no oye nada, no sabe nada, no se hace daño." See Varios Autores, *Rostros del secuestro*, p.49. Although the above idea can be true, it is also important to note that the diffusion of news might be extremely dangerous for the victims of kidnapping. Without knowing, the media can divulge information about the victim that the kidnappers did not know when committing the crime. This is the case, for example, of members of the public force who are kidnapped when not wearing their uniforms. This could also be the case of people abducted during a mass kidnapping, and who are 'given away' by the mass media when they divulge precise informations about the victim that the kidnappers did not previously know. See Clutterbuck, R., *Kidnap and Ransom: the response*, London, 1978 and by the same author, *Kidnapping, Hijack and Extortion: the response*, Basingstoke, 1987. For an example of a former policeman put at risk of being discovered because of a news report, see Varios Autores, *Rostros del secuestro*, p.114 and pp. 276-277: "La noticia del supuesto operativo causó nerviosismo y gran resentimiento entre los secuestradores. Fue la única ocasión en que consideraron -o por lo menos así me lo dijeron- la posibilidad de matarme. Me decían que si llegada el ejercito me bajaban, que me iban a pelar. Esos días fueron terribles para mí."

¹⁴ Ericson, R., Baranek, P. and Chan, J, *Representing Order: crime, law, and justice in the news media*, Milton Keynes, 1991, pp. 244.

newspapers and editorial pages, will often have more analysis, with radio news having the least and television intermediate'.¹⁶

The transformation of crime news into sensationalist opinions has not been uncommon. As a result, the mass media have often been accused of exaggerating the risks of crime as they have often presented 'an image of the world which is *scary* and *mean*'.¹⁷ This is especially the case since media companies started facing increasing levels of competition when law and order topics became tradable goods.

Another problem has been the politicisation of law and order, a topic that has increasingly attracted the attention of the population.¹⁸ Ericson et al. concluded that 'the news media are as much an agency of *policing* as the law-enforcement agencies whose activities and classifications are reported on'.¹⁹ By stressing their views on what is *right* or *wrong*, crime topics are often amplified and modified before being transmitted to the population. The mass media tend thus to reproduce law and order instead of representing it.²⁰ To decide if the media should only represent the issues of crime and insecurity rather than judging and analysing whether the authorities are doing their job is a complicated matter. It is extremely difficult to draw the borderline

¹⁵ The concepts of 'popular journalism' and 'quality journalism' are used to define differences in the audience market. The terms were taken from Reiner, R., "Media Made Criminality", p.195. Empirical evidence about the use of violent crime in quality vs. popular journalism is found in Ericson, R. et al., *Representing Order*, pp. 244-247.

¹⁶ Reiner, R., "Media Made Criminality", p.202; Ericson R., et al., *Representing Order*; Cumberbatch, G., Woods, S. and Maguire, A., *Crime in the News: television, radio and newspapers. A report for BBC broadcasting research*, London, 1995, p.7.

¹⁷ Reiner summarises this by arguing that "when reel-world violence is compared to real-world crime as measured by official statistics it appears that the media images exaggerate the probability and severity of danger. This is said to 'cultivate' a misleading view of the world based on unnecessary anxiety about levels of risk from violent crime". The levels of influence that the media have on the population remain equivocal. Studies so far have generally accepted that the media have an important role in shaping perceptions and even in promoting fears but the extent to which this has affected societies has not been sustained with strong empirical evidence. Reiner, R., "Media Made Criminality", p.199 and particularly pp. 217-219. See also Gerbner, G. and Gross, L., "Living with Television: the violence profile" in *Journal of Communication*, No. 26, Vol. 1, 1976; Carlson, J.M., *Prime Time Law Enforcement: crime show viewing and attitudes to the criminal justice system*, New York, 1985.

¹⁸ Downes, D. and Morgan, R., "Dumping the 'Hostage of Fortune'? The Politics of Law and Order in Post-War Britain", Oxford, 1997, p.87.

¹⁹ Ericson, R. et al., *Representing Order*, p.74.

²⁰ Reiner, R., "Media Made Criminality", p.223.

between what comprises the liberty of press and what constitutes the limits of influence and judgements of public security issues. The mass media have an important role to play in the definition and analysis of law and order, but it remains confusing whether they should take an active role in the judgement of criminal issues.

Data on crime are usually shared between the government, the mass media and the population with high degrees of precaution. Crime is usually a sensitive topic and media companies often misuse statistics to attract the attention of the public. Alternatively, by keeping sensitive data away from the public, governments have often a possibility to improve, or at least to maintain stable the perceptions of crime among citizens.²¹ The aim of this strategy is indisputably to minimise the risks of misinterpretation and misuse of data by the population. Keeping information away from public opinion also generates misconceptions and deepens the gap between the authorities and the public.

In a recent chapter, Paul Slovic described what he calls ‘the asymmetric principle of human psychology’.²² This principle argues that trust is always more difficult to create than to destroy. When the levels of trust among the population have been damaged, for example after an increase in violent crime, it may take a long-time for the individuals to rebuild those levels of trust to their former state. In some cases, lost trust may never be regained. The idea behind this principle is that negative events have stronger impacts on the population than positive events.²³ Slovic’s conclusion is that in

²¹ It is often argued that one of the problems of mass media is that they *only* use the information that is of any interest for them in the business of newsmaking. An example of this happened when the Mayor of Bogotá published a 6 months report on crime in the city made by its Delinquency Observatory. The daily paper *El Tiempo* only took the data of the last 4 weeks, biasing the meaning of the whole study. It is clear that if a trend shows a decrease in crime in the long-term, but an increase in the short term, it can be tempting to show only short term results, giving thus a feeling of insecurity.

²² Slovic, P., “The Attribution of Social Trust” in Cvetkovitch, G. and Löfstedt, R. (eds.), *Social Trust and the Management of Risk*, p.46.

²³ An example of this was recently seen during the opening presentation of a recent United Nations world congress on crime, when researchers from the UN Centre of International Crime Prevention in Vienna presented a paper that summarised the current situation of world crime and delinquency. In the presentation, they showed some issues dealing with transnational crime, corruption and victimisation in the world, using statistics from 60 countries. One of their main conclusions was that crime and corruption were especially important in the Third World and notably in the Latin American countries. Colombia appeared as being the country with the highest levels of organised crime and the second most

communities where citizens are concerned about low-probability high-consequence events, problematic events will increase people's perceptions of risk to a much greater degree than favourable events will decrease them.²⁴ This is easily visible in mass media representations: negative news usually have stronger repercussions on the population's perceptions of insecurity than positive ones. A newspaper article relating to a kidnapping usually creates more impact than the subsequent liberation of the same victim. Public impressions of the crime are usually manifested through letters of discontent in the written media or public manifestations in the streets but the liberation of a victim or the arrest of the criminals does not usually cause such levels of public mobilisation. Examples to illustrate this argument abound. Massacres, homicides, kidnappings, and other crimes constantly fill the news. However, only "spectacular" arrests, hostage liberations and escapes from victims are reported. When it is the case, they rarely appear on the front page like the negative news.

Violent crimes also tend to figure disproportionately in the news.²⁵ This fact is rarely counterbalanced with positive news showing improvements of the judicial system or Police achievements in the fight against crime. People consequently are influenced by this imbalance and sometimes believe that insecurity has soared. Hraba et al. present a *victimology model* that correlates perceptions of crime and different social, political and economic variables.²⁶ The idea was to see if there was a relationship between individual parameters such as age, level of education, personal wealth, health and past

corrupt country in the world after Bolivia. Following the presentation, representatives of the Colombian delegation protested against this classification because it lacked a strong methodology. In their view, Colombia is a country with high levels of organised crime but it is not the most corrupt. UN officers admitted that Colombians had a right to protest and declared the document unofficial. The Colombian delegation continued to protest because the presentation had given a wrong perception of the country to all the participants of the congress. See UNDCP - Centre of International Crime Prevention, "The State of Crime and Criminal Justice Worldwide", paper presented during the 10th UN Congress on the Prevention of Crime, Vienna, 10-17 April 2000.

²⁴ Slovic, P., "The Attribution of Social Trust", p.49.

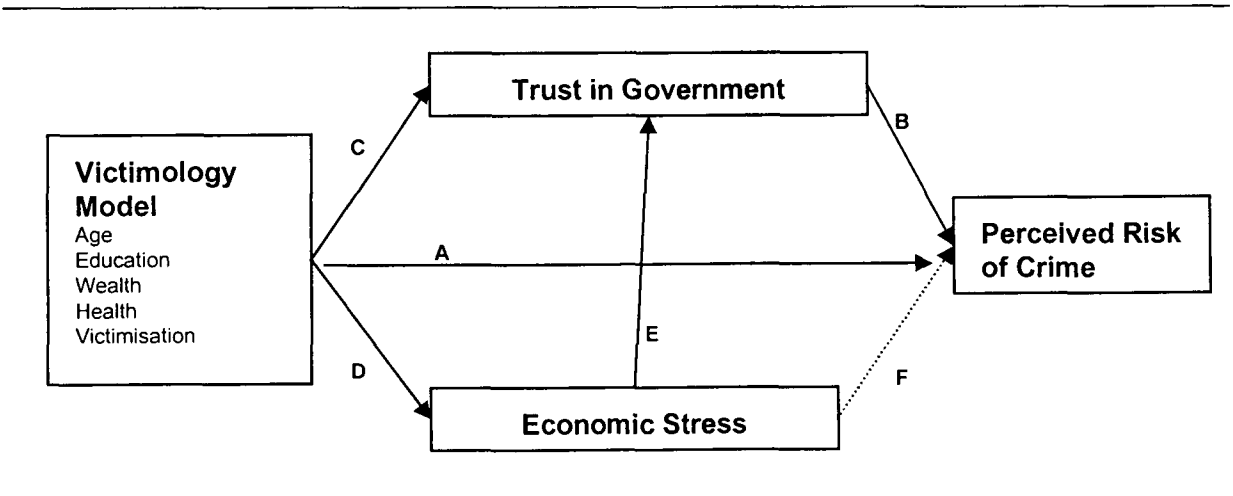
²⁵ This statement is based on studies of the British media. A recent study showed that over 40 per cent of crime news dealt with death and murder on BBC Radio stations. On television, these topics accounted for more than 50 per cent of all crime stories on Sky News, 42 per cent on ITN and 38 per cent on BBC1. See Cumberbatch, G. et al., *Crime in the News*, p.25. Although this study focuses on British media, similarities can certainly be found in other countries where mass media representations follow the same market strategies. See Reiner, R., "Media Made Criminality", p.199.

²⁶ Hraba, J., Bao, W., Lorenz, F.O. and Pechcová, Z., "Perceived Risk of Crime in the Czech Republic", p.232.

victimisation experiences and other exogenous conditions such as economic crises and levels of trust in the government (see **Figure 16** below). Hraba’s conclusion confirmed the importance of personal variables in defining local perceptions of crime. Path ‘A’ in the model, proved to be the most important link to define these perceptions. In overall terms, the conclusion argued that age, education and wealth and personal victimisation experiences were highly correlated to the creation and diffusion of crime perceptions among the population.

Trust in the government also proved to be highly correlated to individual perceptions of crime (path ‘CB’). Economic stress, however, was poorly related to perceived risk of crime (path ‘F’). The authors assessed that factors such as economic crises, increased unemployment levels and losses in income revenues did not affect the perceptions of crime. The economic stresses only affected levels of public perceptions when trust in governmental institutions decreased simultaneously (path ‘E’).

Figure 16. Victimology model of perceived risk of crime



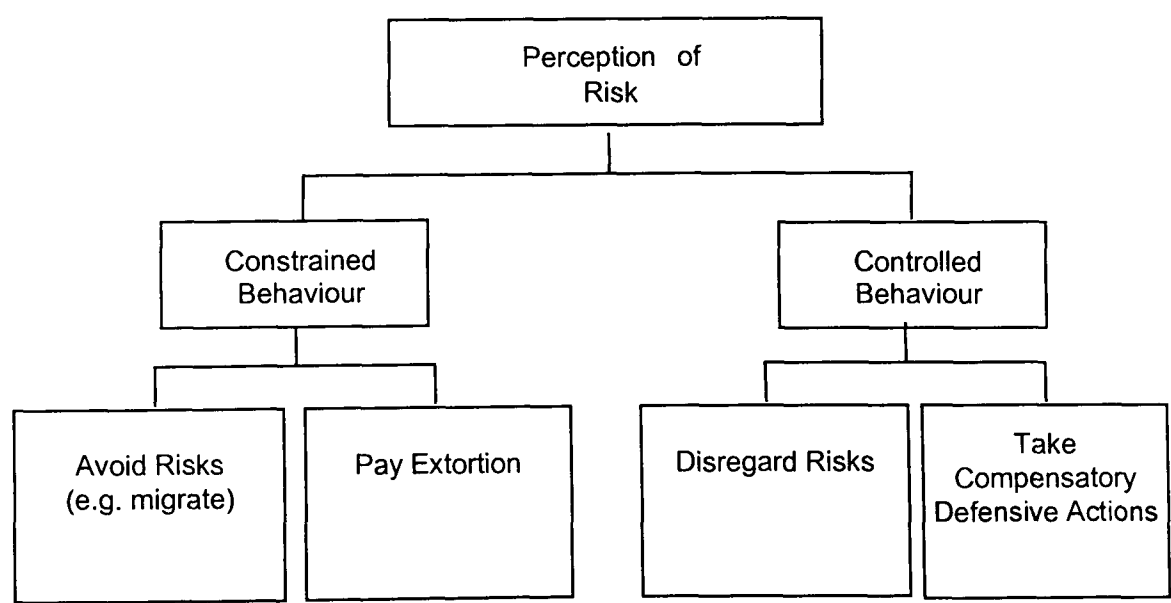
Source: Hraba J. et al., *Perceived Risk of Crime in the Czech Republic*, p.232

After the appearance of victimisation fears, an individual usually adopts a different behaviour. This new behaviour should be more appropriate to face the individual’s current perceptions of crime. Individuals may thus adopt either a risk-taking or a risk-averse behaviour. A risk-averse behaviour has deep consequences for the society as individuals start acting in ways that they would not consider otherwise. Such behaviours include decisions like avoiding concurrent public places or avoiding going

out after dark. There are also other more radical risk-avoiding behaviours, like migration and displacement. The opposite alternative would be an acceptance ‘passive’ victimisation such as the payment of ‘voluntary’ payment of extortion fees, or the payment of crime insurance policies. These factors have had strong consequences over the society as they had forced individuals to redefine all social, economic and political relationships within their communities. If individuals are aware that risks around them abound and that unexpected outcomes may happen at anytime, a risk-averse behaviour is supposed to remind them that *something can actually be done* before any further risks are taken. Perceptions of crime may therefore help to define and model possible alternatives to risk. In this sense, it is possible to say that the diffusion of public perceptions is a key tool to understand individual risk management strategies.

Because of the subjectivity of risk taking, the results of risk management cannot always be accurate and may sometimes lead to more unexpected outcomes. Risks can be minimised, but cannot be eliminated. This idea can be illustrated by mentioning the example of someone who, feeling at risk, takes what he or she believes to be the appropriate security measures. In spite of this, there is no guarantee that this person will not be victimised in the end.

Figure 17. Modelling behaviours when facing extortion risks



Individual behaviours usually depend on a set of possible alternatives that each individual faces when being confronted to victimisation risks. **Figure 17** above, shows possible alternatives that people face when facing extortion risks. In such situations, individuals have to choose two possible alternatives for their behaviour depending on their perception of the situation. One involves adopting a constrained behaviour that forces them to retire by migrating or by limiting their exposure to risks. The other possible alternative is to start paying an extortion tax, often referred to as ‘a vaccine’ against further victimisation risks.²⁷

Sometimes, choosing not to get involved is the best way to reduce victimisation risks. Myriam Jimeno and Ismael Roldán suggest that sometimes people choose not to intervene when being witnesses of crime. This non-interventionist behaviour, rather than depicting indifference towards the community, can be interpreted as a risk-avoiding strategy.²⁸

In a recent article, Alistair Smith and Federico Varese analysed different models of behaviours that people may adopt when facing extortion threats.²⁹ Usually, individuals will start paying extortion fees because of their fears of punishment if they disregard the threats. However, the authors argue that the appearance of opportunistic criminals who use the reputation of established criminal organisations might change the perceptions and behaviours among the victims. Although Smith and Varese analysed different Mafia organisations operating in Moscow, their study is comparable to the Colombian case: several armed organisations use violent tactics to obtain extortion fees from civilians.

²⁷ Extortion fees in Colombia are generally paid in cash or in goods such as agricultural crops, consumer products and livestock. In remote areas where armed groups are highly active and authorities do not have the power to enforce the law, are almost never reported.

²⁸ Jimeno, M. and Roldán, I., *Las sombras arbitrarias: violencia y autoridad en Colombia*, Bogotá, 1996. For more on the results of the research of Jimeno and Roldán in Bogotá, see **Chapter 1, footnote 47, p.55**.

²⁹ Smith, A. and Varese, F., “Payment, Protection and Punishment: the role of information and reputation in the Mafia”, Sociology working papers No.2000-03, Oxford, May 2000. In a similar situation, Bles and Low found empirical evidence that fakers would use the reputation of the Basque Separatist group ETA to collect ‘revolutionary taxes’ from the population. Bles, M. and Low, R., *The Kidnap Business*, London, 1987, p.201.

The main question that Smith and Varese try to answer is how citizens distinguish between *ruthless and unregulated racketeering* from *serious criminal structures*? To answer this question, the authors compared possible risks that people face when confronting extortion threats. Because *serious criminals* can often be confused with fakers, it is up to the victim to decide whether it is worth risking a punishment from the *serious* criminals for disregarding their threats, or alternatively, if the perception of risk is important enough to start paying fees. They argue that personal access to information is essential in decision-making processes when facing circumstances of threat: if the victim knows that the threat comes from a *serious criminal* but also knows that ‘the damage that criminals can inflict is not high enough’, the victim will not pay. This may sometimes lead to sporadic levels of violence.³⁰ Secondly, victims may sometimes perceive retaliation risks to be extremely probable and therefore immediately start paying extortion fees. In this case, physical violence will be limited to a minimum but the number of unreported crimes will possibly rise. At this point, perception of crime also becomes increasingly negative. In their own words:

‘When all is quiet, everything might be going wrong. A dynamic pattern emerges from this setting, where the Mafia is in charge and the entrepreneurs always pay [...In] this region, fakers have an incentive to enter the market. This causes the entrepreneurs’ beliefs to change. As more fakers enter the protection market [...] we expect an increase in violence [...] As fakers drop out and entrepreneurs start to believe that there are only real Mafiosi, they again start to pay’.³¹

At this point, everything goes back to the starting point where only serious criminals can increase the risks for violence. In Colombia, the guerrillas have established a reputation of being violent to those who do not co-operate and few people dare to challenge someone exercising guerrilla authority and demanding extortion taxes. This situation has permitted, mainly in or around the cities where guerrilla groups are not as powerful, an increase in the number of independent criminal groups who act as

³⁰ Smith, A. and Varese, F., “Payment, Protection and Punishment”, p.33.

³¹ Smith, A. and Varese, F., “Payment, Protection and Punishment”, p.34.

fakers.³² In this case, the perception of insecurity is so high that potential victims do not have any alternatives but to pay and be victimised.³³ In these cases, extortionists have the ability to sell “the right to security” against the violence that they themselves impose to the public. Kidnappings are an extreme version of this: victims and their families buy the right not to be injured or killed by the captors. This is especially visible in rural areas where large profits from mining and oil industries or from cattle ranching act as an incentive for companies and landowners to face victimisation risks.

The decisions taken by people who face security risks cannot be calculated in terms of gained or lost utilities, but rather in terms of gained or lost prospects. This idea emerged in the late 1970s when some researchers developed ‘the prospect theory’. This theory states that individuals are not always given the best choices when facing difficult situations. They often have to choose a second best alternative. With this idea, authors such as Kahneman and Tversky explained why similar people react differently when facing similar risks.³⁴ Individuals prospect the best alternatives when facing risks by analysing available information and by perceiving the consequences.³⁵

This idea coincided with the argument of a recent article by Jack Levy who confirms that the theory does not work when individuals face a security crisis and adopt a loss-averse behaviour. The article concludes that Prospect Theory is only valid a theory

³² See **Chapter 2** above, especially **Figures 9 and 10**. These figures show the importance of delinquent organisations that committing kidnapping crimes in the country. The chapter argues that delinquent organisations often commit kidnappings and then “sell” their victims to the main guerrilla groups, notably the FARC. This is due to the fact that guerrilla groups have developed better organisations, and logistics, to keep the victims of kidnappings during the period of time preceding the liberation. Because this period of time often extend to several months, most common delinquents cannot afford the risk of keeping the victim in their own hands. Victims, usually, are much easier to keep in guerrilla controlled zones where neither the Police nor the Army are able to arrest kidnappers. When the authorities report a kidnapping made by common delinquents who work for the guerrillas, the latter will have a strong interest to refute their relationship with common delinquents and unless the Police can gather enough proofs this relationship cannot be proven. See *Revista Semana*, No. 948, 11 July 2000; Silva, G., “McFARC” in *El Tiempo*, 13 June 2000.

³³ Rubio, M., “Los Criminales y la Paz” in *Revista Semana*, 11 July 2000.

³⁴ Kahneman, D. and Tversky, A., “Prospect Theory: an analysis of decisions under risk” in *Econometrica*, 47, pp. 262-290.

³⁵ See Levy, J.S., “Loss aversion, Framing, and Bargaining: the implications of prospect theory for international conflict” in Harvey, F.P. and Mor B.D. (eds), *Conflict in World Politics: advances in the study of crisis, war and peace*, London, 1998, pp. 96-115.

when individual decisions are not subject to collective decisions. The main problem that people face when prospecting actions is posed by the lack of reliable information. It is impossible for anyone to have a complete understanding and certainty about the events caused and about other decisions that people may take in a similar environment.

Sometimes individuals perceive themselves to be at risk when in fact there is no real danger. To illustrate this point, one must just think about the example of someone who is kidnapped. This person could not know how probable it was to be abducted before the crime happened, as kidnappers will generally never disclose their plans before committing the crime. When the authorities or the potential victims discover these plans, the crime is usually aborted. If the crime takes place, a great number of people will feel at risk, mainly because they tend to compare and identify with the victim. However, from this group of individuals only a limited number will really be at risk.

Another example is given by the number of international migrants: many Colombians left the country during the second half of the 1990s.³⁶ The number of asylum-seekers increased abroad, especially in the countries of the European Union. In many cases, those who demanded asylum were not considered at risk and were not granted residence. The situation became so evident that most European governments introduced visas to retain people from leaving Colombia and to select only those who are at 'imminent risk of being victimised' for the status of asylum-seeker.

As mentioned above, when security risks are considered to be manageable, individuals choose to adopt a different behaviour that confronts these risks. Individuals judge the actual circumstances to be safe enough and disregard possible risks. They can also take compensatory defensive measures such as increasing their own security or calling the authorities.

³⁶ Available data from the International Migration Office suggests that in 2000 there were about 3.3 million Colombians living abroad compared with 1.9 millions in 1992. In the last 8 years almost 1.5 million people have left Colombia. These figures coincide with data from the Departamento Administrativo de Seguridad, DAS. See Asociación Nacional de Instituciones Financieras - ANIF, *Informe Semanal*, No. 565, Bogotá, 22 January 2001, pp. 1-2.

Perception of Crime and the Colombian crisis

When violence is used in the commission of crimes such as homicides, kidnappings and racketeering, criminals can create deeper impacts among surviving victims, relatives, witnesses and the population witnessing this crime. By generating strong levels of violence when committing crimes, delinquents may create a movement of inertia that will later permit to victimise new individuals with reduced levels of coercion. This violence will later be reproduced and transmitted by individuals who recall their past experiences and transmit their fears to other people. This has been most visible in Colombia with the *kidnapping business* that has seen a tenfold increase in the last decade. Individuals have learnt to minimise their victimisation risks by migrating, increasing their own private security, paying extortion fees and by distrusting other citizens. Recent surveys show that every time a kidnapping appears in the news, most of the people respond that they feel that themselves or someone in their family could also become a victim of kidnapping.³⁷

Victimisation risks also differ between geographical locations. The risk of being kidnapped in the city is lower than in rural areas. Perceptions therefore seem to differ between different risk zones. If one takes the example of kidnappings in rural areas, one can see that the abductions take more time to be solved and involve longer negotiations periods with higher ransoms. In the city, on the other hand, kidnappers tend to use faster strategies such as the *paseos millonarios* or the *secuestros express*. These usually are shorter in time, involve lower ransom demands and do not need long periods of negotiations to liberate the victim. All these factors decrease the kidnapper's risks of being arrested. For this same reason it is possible to argue that kidnappings in countries like Mexico or Brazil tend to be shorter in time than in Colombia. Because the risk that kidnappers face is greater in those countries, they need to proceed faster in order to minimise their risks. Colombia, being the only country in Latin America

³⁷ Lemoine, C., *Nosotros los colombianos del milenio*, Bogotá, 2000, p.48.

where large extensions of territory are not under the control of the State, has average cases of kidnappings that last longer.³⁸

The main problem with perceptions of crime and insecurity is that they often tend to be worse than the actual possibilities of being victimised.³⁹ This idea becomes evident when considering figures with extortion crimes where the levels of violence are often invisible to the general public. As mentioned above, during the period 1990-2000 there have been around 20,000 recorded cases of kidnapping. However, these crimes have affected the entire population as they have had damaging consequences on the entire social and economic structures of the country. Entire networks of relatives and close people have been destabilised by the psychological, physical or financial consequences of these crimes.⁴⁰ Because of this, public perceptions tend to classify kidnappings as one of the major security risks affecting Colombians today.

Extortion crimes have long-term consequences in the population because they have destroyed all levels of trust among citizens. In Colombia, this has affected social, political and economic structures within the country.⁴¹ A recent group of researchers described the Colombian process of de-socialisation as a *modus vivendi* where the need for a sense of community has been replaced by a sense of individualism. This has

³⁸ For an international comparison of ransom demands and periods of abduction, see Briggs, R., *The Kidnappings Business*, pp. 15-25. Kidnapping businessmen is a higher-risk, higher-return activity; usually businessmen live in the cities, have irregular displacement patterns and often have unpredictable timetables. For these reasons, they are more difficult to kidnap and present high risks for kidnappers. A kidnapper once admitted that these kidnappings sometimes require a certain improvisation: "...hacerle la inteligencia a un ejecutivo es más complicado. No se sabe cuándo, cómo y hacia dónde va a salir. Ante esa movilidad, la organización debe improvisar". The real incentive for kidnappers is the higher ransom that can be obtained in case of successful abduction. See Varios Autores, *Rostros del secuestro*, pp. 31-33.

³⁹ Quinney, R., "Public Perceptions of Crime"; Sparks, R., *Television and the Drama of Crime*, Buckingham, 1992, especially Chapter 1. For the same analysis in the Colombian context, See Rubio, M., *Crimen e Impunidad*, pp. 11-17.

⁴⁰ See País Libre, *Cuando el secuestrado vuelve a casa*, n.d., Bogotá and other articles published in the foundation's internet site at <http://www.inter.net.co/Paíslibre/>. See also Meluk, E., *El secuestro: Una muerte suspendida*, Bogotá, 1998 and Britto Ruiz, F., "La estructura del delito de secuestro en Colombia", Bogotá, January 2000.

⁴¹ It is common to read that Colombians are too individualistic and do not trust or co-operate with each other. High levels of crime and violence have been said to be the main cause of this. See Gómez Buendía, H. (ed.), *¿Para dónde va Colombia?*, Bogotá, 1999.

caused, in their own words, a social mixture of individual rationality and collective irrationality:

‘Un modo de organización social: la forma especial como los colombianos convivimos o al menos vivimos juntos, nuestro código de interacción, las reglas del juego social que practicamos. Es un modo de aparcencia desmesurado y caótico, un modo de alta racionalidad individual pero de gran irracionalidad colectiva’.⁴²

It is precisely this disproportionate imbalance between collective irrationality and individual rationality that creates and amplifies social risks. Some hypotheses tend to argue that by minimising their own risks, individuals can often increase other people’s risks. Although this idea cannot be proven true, it has often been used by Government officials to complain about the lack of civility among citizens, who reproduce their individualism in public areas around them. Concretely, this can be observed by the multiplication of confined spaces such as private residential areas (*conjuntos*), closed streets and other zones of privileged access such as schools, clubs and even shopping centres. All of these confined spaces have grown at the detriment of public areas that should be accessible to all citizens.⁴³

This fact has also created a lack of community belonging that has allowed potential criminals to *work* in relative safety in areas where no one knows them, or at least no one wants to get involved. In these conditions, both criminals and delinquents have a full potential to act in impunity as the authorities lack popular support from the population to denounce them.⁴⁴ Thus, it is possible to argue that the perception of crime is greater where individuals have fewer social contacts and communicate less about local issues.

⁴² Gómez Buendía, H. (ed), *¿Para dónde va Colombia?*, p.53.

⁴³ This has been described as a “system of urban re-organisation” where public places are lost due to the progressive “closure” of the city and due to the implementation of private housing units, small urbanisations which often have their own shopping centres, social zones and even schools. See Tellez Ardila, A.M., *Las milicias populares: otra expresión de la violencia social en Colombia*, Bogotá, 1995, p.36.

⁴⁴ This is one of the main arguments used by the Police for the implementation of Community policing programmes. The main idea is that by creating a rapprochement between the authorities and the population, criminals have more difficulties to commit their crimes. See Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, p.30.

Extortion crimes are also considered as low-risk alternatives for criminals. This is because these crimes employ a division of labour that minimises the risks involved. In an average kidnapping, it is thought that at least 5 people participate. There is at least one *leader* who directs the operation, at least one but often more *investigators*, several *kidnappers* and then some *invigilators* and *negotiators*. In these crimes, the division of tasks is a necessity in order to guarantee the success of the criminals while reducing the levels of stress and risks of mistake. The *leaders* often are the intellectual authors and take the relevant decisions during the process. The *investigators*, although their task does not require high degrees of activity, must do all the relevant research about the victim. The *kidnappers* are those who take usually the greatest risks as they come into direct contact with the victim, the witnesses and sometimes, the authorities. Finally, there are *guards* who feed and are in charge of the victim while in captivity. These people are often, but not always, in charge of *negotiating* the price of the liberation.⁴⁵

Due to the large number of people involved in these crimes, the risks for criminals are brought to a minimum. Within the larger kidnapping organisations, like the FARC or the ELN, kidnappers sometimes do not know each other and do not know who else is on the case. Sometimes, they are relegated from their duties and replaced by other guerrilla members to minimise any possibilities of socialisation between the victim and the captors, or between the captors and citizens living in the same area. This complicates further the tasks of the authorities, as it becomes more difficult to investigate, capture and prosecute those who are responsible for the crime. This fact was recorded in an interview given by a former member of the M-19 guerrilla when he said:

⁴⁵ See Varios Autores, *Rostros del Secuestro*, p.21.

‘La cuestión [del secuestro] se va volviendo mecánica, rutinaria. Ya uno sabe cómo se hace y no falla. Planear y ejecutar un secuestro lleva su tiempo, no se hace a la ciega. (...) La labor de inteligencia no puede hacerse a la ligera. Con base en la información que se obtiene se plantea el operativo y se fija el número de personas que van a participar. Al finalizar esta fase se sabe, por ejemplo, que dentro de tres meses tal persona va a estar secuestrada (...) en el secuestro del ganadero tuve que llevar a los compañeros de las fuerzas especiales hasta la finca del tipo y ya no volví a saber nada más del caso sino hasta dos meses después de la captura, cuando intervine en la negociación’.⁴⁶

Usually those who get arrested are not those who have the greater responsibility in the crime. The authorities might capture those in charge of abducting or hiding the victim. Sometimes, they might also arrest those who are negotiating the liberation. However, the intellectual authors and those who search and investigate potential victims are rarely caught.⁴⁷

Factors such as the announcement of the FARC’s *Law 002* worsen the possibilities of improving the situation of crime and the perception of risk among the population.⁴⁸ Those who do not pay face a real possibility of being kidnapped or, in the worse scenario, to be killed.⁴⁹ When the FARC announced their *Law 002*, they wanted to create strong fears among the population and consolidate their levels of power. The FARC stated that, after a first notification of payment, those who refuse to pay *voluntarily* are at risk of being kidnapped or even murdered.⁵⁰

An argument like this not only legitimises the use of violent crime in the political discourse of the guerrillas, but also institutionalises the promotion of fear and distress

⁴⁶ See Varios Autores, *Rostros del Secuestro*, pp. 29-32.

⁴⁷ There is no data available on the effectiveness of the GAULAS and on the number of kidnappers captured, accused and sentenced. For more on this, see **Chapter 4** below.

⁴⁸ FARC’s *Law 002* requires profitable businesses and wealthy individuals to start contributing with the ‘revolutionary cause’. While Article 1 of the Law says that wealthy individuals are subject to pay a contribution to the FARC, Article 3 says explicitly that those who refuse to pay will be “retained” until payment of the fees. See FARC, “LEY 002, Sobre la tributación”, available at <http://www.farc-ep.org/Leyes/ley002.html>. For more on this see also **Chapter 2** above.

⁴⁹ *Revista Semana*, No.933, 13 March 2000.

⁵⁰ For deaths threat against those who do not pay the extortion, see “Entrevista con Romaña” in *Revista Semana*, No. 933; see also the interview with the FARC’s leader, Manuel Marulanda Velez, in *El Tiempo*, 1 March 2001.

among civilians. Although the taxation of individuals by armed groups is not new in Colombia, the formal announcement of an illegitimate *taxation law* through the mass media is a new phenomenon. By using the national media, guerrillas not only reached all the sectors of the population but they also managed to legitimise their discourse and multiply the levels of fear in a way that they would not have been able otherwise. This is an example of how mass media can actually reproduce the perceptions of risk of crime among the population.

When a kidnapping takes place and ends up with the liberation of the victim in exchange for a ransom, this victim is usually advised against seeing the authorities. With this attitude, criminals not only attempt to limit their risk of being arrested and prosecuted by the authorities but they also manage to perpetuate the levels of fear among those who are in close contact with the victim. After all, if someone has been the targeted victim of an extortion crime, it is possible that anyone else in close contact with this victim may also be at risk. The following statement made by a former kidnapper illustrates this well:

‘Una vez en el pueblo, el ganadero negó que hubiera estado secuestrado. Afirmó, tal y como se lo exigimos, que había estado de viaje. Le habíamos advertido que si decía la verdad y las autoridades intervenían, iba a ser una tortura más para él. Después de la liberación, la asimilación del secuestro depende de cada persona’.⁵¹

Another example was given by a former kidnapper who was caught by the authorities. The following is part of his testimonial account:

‘...los militares llevaron a un testigo, un médico, para que me reconociera como su secuestrador. El tipo no quiso identificarme (...) Aunque debió reconocerme, no me señaló’.⁵²

The use of direct violence against a victim, and the use of indirect violence against related people will facilitate the perpetuation of crimes where victims are unwilling to react or retaliate and authorities are not in a position to take effective solutions. Thus

⁵¹ Varios Autores, *Rostros del Secuestro*, Bogotá, 1994, p.35.

⁵² Varios Autores, *Rostros del Secuestro*, Bogotá, 1994, pp. 40-43.

the use of violence in the commission of crimes can foster the levels of impunity and can also de-legitimise the authorities.

A survey carried out in Colombia in 1992 when urban homicides were at their highest level showed that increased insecurity was closely related to trust in the government. That year, levels trust for the authorities had also significantly decreased.⁵³ In the cities where the perception of crime tended to be worse, the trust in the central government and for local administrations was lower than in other cities. For example, on a scale from 1 to 10 in the cities of Bogotá, Medellín and Cali the average qualification given to security was 3.7%, 4.5% and 6.2% respectively. At the same time, trust in the President and his Ministers was only between 40 and 49%. This is not a phenomenon unique to Colombia: academics elsewhere have argued that the trust in the government has declined on a global level causing a decomposition of traditional values and an increased feeling of insecurity.⁵⁴

The Colombian Government has often emphasised that risk avoidance and constrained behaviour are one of the major obstacles to promoting further social and economic levels of development in the country.⁵⁵ Understandably, if minimum standards of certainty among the people cannot be achieved there is no reason to believe that social trust will reappear. A recent survey concluded that more than 85 per cent of Colombian people in the cities never talk to strangers. Almost 72 per cent have decreased the frequency of going out at night, 70 per cent report that they do not go alone and almost 60 per cent of the people do not go out after dark because they have to stay home to *keep an eye on the house*.⁵⁶ Jimeno and Roldán also discovered that people will

⁵³ Lemoine, C., *Las fuerzas de la opinión*, Bogotá, 1992, Tables 14.1, p.229 and 16.3, p.262.

⁵⁴ Lipset, S.M. and Schneider, W., *The Confidence Gap: Business, Labor and Government in the Public Mind*, London, 1987; Weiss, L., *The Myth of the Powerless State: Governing the Economy in a Global Era*, Cambridge, 1998.

⁵⁵ Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, pp. 4-5. See also Organization of American States, Inter-American System of Legal Information, "Document Presented by the Minister of the Interior of Colombia, N. H. Martínez Neira", Washington D.C., 1999, p.4.

⁵⁶ *El Tiempo*, 6 March 2000 and 26 August 2000.

describe themselves as being distrustful to strangers, even sometimes without good reasons to do so:

‘Es interesante recordar que el estudio encontró una asociación positiva entre el maltrato sufrido en el hogar de origen y el estado de ánimo de frecuente tristeza y nerviosismo [en la calle]. La falta de confianza, sin embargo, es mucho más vasta. Las personas se autocalifican como desconfiadas y precavidas aunque sin tener experiencias anteriores que los lleven a ser así’.⁵⁷

In general, Colombians of the late 1990s have become increasingly distrustful vis-à-vis other citizens. At a local level, this fact would confirm Salcedo’s view that most of the citizens perceive that they will at some point be victimised. In his own words: ‘En Bogotá, todo extraño es potencialmente peligroso y la población parece estar no sólo atemorizada, sino preocupada al tener la ambigua certeza de que tarde o temprano va a ser una víctima más de la inseguridad’.⁵⁸

Colombian citizens are aware that victimisation risks exist. Most of the time, they will choose not to disregard those risks. Risk-averse behaviours caused by public fear will be adopted to minimise any chances of victimisation. This situation was summarised as follows:

‘La inseguridad y la frecuencia de los crímenes... hace que los ciudadanos que transitan por la calle compartan ciertos códigos de prevención, vigilancia y miedo, creando un comportamiento lleno de límites y restricciones. Se puede manejar el peligro o no se puede hacer nada, pero siempre está presente el miedo’.⁵⁹

Secondly, it is also possible to argue that negative changes in the perceptions of crime can create increased levels of mobilisation and community activism. An example of this can be seen in the appearance of popular crowds and demonstrations denouncing violence and crime, such as the campaign called ‘¡No más!’ or the ‘Mandato

⁵⁷ Jimeno, M. and Roldán, I., *Las sombras arbitrarias*, p.81.

⁵⁸ Salcedo, A., *Violencia y miedo en el centro de la ciudad de Santafé de Bogotá*, Bogotá, 1995, p.60; On the topic of fear in Bogotá, see also Niño Murcia, S. et al., *Territorios del miedo en Santafé de Bogotá*, Bogotá, 1998, especially Chapter 3, pp. 53-105.

⁵⁹ Salcedo, A., *Violencia y miedo en el centro de la ciudad de Santafé de Bogotá*, p.60.

ciudadano por la paz’, a national enquiry voted in the elections of 1997.⁶⁰ At a national level, more than 3 million people participated at a time to denounce the current situation of insecurity during the marches organised by the movement ‘¡NO MAS!’. Also important was the *Mandato Ciudadano por la Paz*, which was qualified as the first national popular initiative to protest against violence, crimes and human rights abuses in the country. Although this popular movement was organised in the form of a referendum in the sense that every citizen in the country had the opportunity to support or reject the initiative during the national elections of the 26 October 1997, it did not carry any legal content. More than 10 million voters, out of a total of 11 million, accepted the main ideas of the *Mandato* that required authorities to take further measures to take action to reduce the levels of violence. The *Mandato* was not only seen as a proof of legitimacy towards the democratic rule in the country but was also used as a expression of popular discontent against the main armed groups. However, it is only in recent times that popular mobilisations against violent crime have become common and so far, the results of these movements have had little impact on crime.⁶¹

Another consequence that negative perceptions have over communities is that they promote compensatory defensive actions aiming at reducing security risks. These are often made by public initiative and do not count with the government’s supervision. This factor sometimes induces individuals to promote a privatisation of security strategies. This may include a great variety of actions such as placing security devices in private areas, contracting security companies to receive advise and protection. It may also include the willingness to carry weapons for protection and self-defence, and even sometimes, contract personnel to conduct illegal acts of revenge. A typical example to illustrate this point would be to mention the creation of self-defence organisations in the cattle-raising regions of northern Colombia. These appeared in the late 1970s and early 1980s as a response to growing insecurity problems caused by the

⁶⁰ See the internet sites at <http://www.nomas.org/> and <http://www.mandatoporlapaz.org/>.

⁶¹ Cases of popular mobilisation following massacres and ragnicides had been important throughout the second half of the twentieth century. However, these marches were politically driven, often sectorial and regional. Recent mobilisations tend to be cross-party, inter-class and national phenomena.

guerrillas. By enforcing their legal right for security, landowners and cattle-ranchers sometimes allowed the creation of paramilitary groups charged of counter-insurgency activities. Many of these groups were later involved in human rights violations.⁶²

In these situations, individuals do not consider victimisation risks to be a direct threat against them: they adopt a behaviour that aims at controlling these threats. Individuals judge the actual circumstances to be safe enough to disregard any possible risks or to take compensatory defensive measures. Jimeno and Roldán found a similar behaviour when analysing responses to fear. They argue that the existence of fear could provoke responses of increased violence caused by a “counter-phobia behaviour” (*comportamiento de contrafobia*). This behaviour not only extended current violence but sometimes increased it. In their own words:

‘Ante la violencia y el maltrato, el miedo puede alentar una respuesta opuesta, de contrafobia, es decir, la huida hacia adelante, la búsqueda del peligro temido y el uso de la agresión que se evita sufrir. De allí que, en circunstancias diversas el miedo sea una fuente de agresión, tanto como puede ser un medio para frenarla, obstaculizarla o atenuarla. Otras veces, el miedo se expresa frente al más débil y pone de manifiesto la agresión del que no se atreve a enfrentar al más fuerte. Con el coraje de la desesperación, las agresiones se reprimen hasta que se descubre el objeto apropiado para descargarlas sin peligro’.⁶³

As mentioned above, preventive actions against crime and insecurity have also pushed for a privatisation of the security market. Individuals tend to rely increasingly on their own means of protection to the detriment of the authorities’ legitimacy. This has not only included a growing reliance on private security companies, but has also allowed

⁶² Other controversial examples of this are the *Convivir* units created in the early 1990s. Although these were primarily set up to guarantee the security of the people in rural areas, some of these were accused of supporting self-defence groups. Even if there is not enough evidence to support this, the case of the *Convivir* remains a sensitive one. Other examples include a significant number of private security companies that are currently doing business without a proper licence from the Ministry of Defence. According to official sources, there are several hundred illegal companies, both in urban and rural areas, who offer security services. Although not all of them commit human rights abuses, none of them are legal, as they are not legally registered in the books of the *Superintendencia de Vigilancia y Seguridad*, a watchdog office of the Ministry of Defence in charge of private security. Most of these companies were set up by retired members of the public force of low rank, lack proper permits to use and carry arms and ammunition and do not train their guards in accordance to the law. See Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, Chapter 7, p.74.

⁶³ Jimeno, M. and Roldán, I., *Las sombras arbitrarias*, p.81.

the population to legitimise other agents of force different than the National Police or the Army. This issue is important because it allows the private sector to compete against the authorities in terms of law and order. This creates an ambiguous relationship between the private and public sector and allows individuals to cross the borderline between the legal right of protection and the illegal use of force against other citizens.

The Colombian State is today extremely apprehensive about this kind of behaviour due to the long list of abuses which have led in the past to increased levels of insecurity, illegal use of force and human rights abuses. There is, in the view of government officials, much ignorance among the public regarding security matters. This ignorance distorts the public's opinions on how to solve the crime problem and allows for the existence of unlawful actions. As mentioned, the knowledge of crime and the perceptions that individuals have of it will have a definitive effect on public responses to crime.⁶⁴ Nestor Humberto Martínez, a former Colombian Minister of the Interior, expressed his concern on this matter when he said that:

‘...public alarm and *fear of crime* are linked above all to the conventionally received stereotype of crime widely sustained by the media. This stereotype influences the research conducted in urban crime, and particularly the methods used in statistical information gathering. Research into the image of crime and the consequent public alarm has found it to be at odds with the *actual observation of crime* by the individuals interviewed. Beyond the immediate and highly selective visibility of certain criminal phenomena, the effects of media attention and image dissemination *add an imaginary perception of traditional crime to what is actually perceived*’.⁶⁵

The integration of the mass media, the population and the authorities is a key aspect to improve security policy. Yet this aspect is often overlooked. In the Minister's own words:

‘The community as a whole must be involved in analyzing the problem [of crime] as a permanent phenomenon in order to gain a *real* perception... The community must undertake the social, institutional commitment to manage the problem. To the extent

⁶⁴ Quinney, R., “Public Conceptions of Crime”, p.176.

⁶⁵ Organization of American States, Inter-American System of Legal Information, “Document Presented by the Minister of the Interior of Colombia”, p.2 (*italics appear in the original text*).

that the community assumes responsibility for the problem, and abandons its perceptions of crime as something alien to the community - a matter reserved for the State as protector - civil society will begin to take an institutional role in determining the control and effectiveness of preventive measures'.⁶⁶

Colombian media firms often do not seem to take into consideration their influence on the topic of crime and violence. Their news and phraseology often inflate facts to attract the attention of the public and get larger audiences. Because of the political conflict and general levels of violence of the country, mass media have become increasingly sensationalist in order to keep the attention of the public. Even if homicides, massacres and kidnappings are common news, only the most striking news are presented to the public, sometimes to the detriment of the authorities.⁶⁷ It is very common to use in titles terms and phrases that are extremely sensationalist. Examples of this abound in the main newspapers: "Colombianos: criminales natos", "Miedo en la Calle", "se disparó el secuestro", "se disparó el paseo millonario", "delito en continuo aumento", "la paz secuestrada" or even "¡Corran! Que llegó el ejército". These titles are not limited to the Colombian media. Even international newspapers of large coverage and long-dating reputation often use sensationalist titles. Even a recent title of the *Financial Times* read "Colombians queueing up to flee maelstrom".⁶⁸

In the urban centres of Colombia the perception of insecurity is evident: mass media investigations, company reports and governmental warnings reflect what the Colombians live on a daily basis: articles on the 26,000 homicides and 3,700 kidnappings that Colombia registered in 2000 appear printed almost on a daily basis. Indeed, this has strong effects on the population's views on crime and insecurity.

⁶⁶ Organization of American States, Inter-American System of Legal Information, "Document Presented by the Minister of the Interior of Colombia", p.3.

⁶⁷ The regulation of Colombian media has not been studied yet. In theory, the liberty of the press should end where the interests of the State begin. This is often not the case: governmental strategies are published and criticised before being implemented and the media frequently use the topic of crime and insecurity to attract the attention of the public. With this, negative perceptions on crime are generalised and the authorities lose confidence and legitimacy from the public.

⁶⁸ *The Financial Times*, London, 21 June 2000. See also *El Espectador*, Bogotá, 8 March 2000, 29 November 2000; *El Tiempo*, 5 March 2000, 20 May 2000, 11 July 2000, 1 June 2001; *Revista Semana* No.935, Bogotá, 4 April 2001.

Perception can also be modified in a positive way. Titles such as “Caen delincuentes gracias a colaboración ciudadana”, or “Los bogotanos se matan menos” not only create confidence among readers developing a sense of community belonging, but also improve the levels of legitimacy of the authorities.⁶⁹ However, the publication of positive news is not so common and does not have such an influence on people’s opinions.

The armed conflict between guerrillas, paramilitaries and the armed forces often involves a mixture of different economic, social, political and even psychological strategies.⁷⁰ Affecting the perception of insecurity is indeed one of those strategies. Is it possible to ask oneself if perceptions are *only* based on subjective opinions, or is there such a thing as a *real perception of crime*, like the one mentioned by the Colombian minister?

Perceptions of Colombia abroad

At an international level, perceptions also tend to vary at a greater level. Travel warnings published by other governments, mass media coverage, reports written by international organisations and company analyses made by private firms can vary greatly and have immense effects on the population’s perceptions. Negative perceptions abroad can create internal instability. They can also act as a disincentive for the potential tourist industry as well as for financial investors. At the end of the twentieth century, Colombia is perceived as one of the most dangerous countries in the world.

However, tourism is still considered as one of Colombia’s main comparative advantages within the Andean and Caribbean regions. The following extract from a guide edited by the Colombian Tourism Office presents the country in such a positive way that not a single reference is made to current levels of insecurity:

⁶⁹ *El Colombiano*, Medellín, 4 April 2000; *El Tiempo*, 24 June 2001.

⁷⁰ Palacios, M., “Por una agenda de paz”, México D.F. and Bogotá, December 1997, p.3.

‘Son pocos los países que ostentan tanta variedad de recursos naturales y culturales como Colombia; playas de arena blanca, montañas, cumbres nevadas, llanuras interminables, selvas, vegetación exótica, zonas arqueológicas, ciudades modernas y pueblos apacibles de sabor colonial que parecen haberse quedado suspendidos en el tiempo. Y está, desde luego, su gente amable y acogedora... Lo invitamos a visitar el país, a recorrer sus más hermosos rincones, a conocer su folclor y sus gentes.’⁷¹

In 1998, the World Tourism Organization - WTO, calculated that Colombia's market share in tourism still compared well with its South American neighbours. While Argentina, Brazil and Chile have been consistently the largest recipients of international tourists, Colombia, Venezuela and Peru seem to share the same percentage of tourists and revenues for the past years. In these countries, however, both Colombia and Venezuela decreased their growth rates in this industry due to internal political instability.⁷² The WTO also states in its reports that the insecurity and image Colombia projects is the most important disincentive factor shaping tourism and foreign interest for the country and it will be the major obstacle to develop further this industry.⁷³ Even for countries like El Salvador, which ended their conflicts several years ago the WTO reports that one of the major problems in attracting foreign tourists is the negative perception of war and crime of the country abroad. Some other countries such as Brazil or Mexico also have been portrayed as increasingly insecure for tourism both at the urban and rural levels.⁷⁴

The US Department of State gives probably the most significant example of how foreigners can perceive the Colombian situation. In its *Travel Warnings*, government officials constantly warn American citizens against travelling to Colombia. If visitors have a *major reason* to visit Colombia, they ‘are urged to exercise a high degree of caution’. This is because violence ‘by narcotraffickers, guerrillas, paramilitary groups and other criminal elements continues to affect all parts of the country, both urban and

⁷¹ See Corporación Nacional de Turismo, *Guía del viajero*, Bogotá, 1997.

⁷² World Tourism Organization, “International Tourist Arrivals and Tourism Receipts by Country of Destination”, October 2000, internet version available at http://www.world-tourism.org/market_research/data/pdf/am.pdf.

⁷³ World Tourism Organization, *Tourism Market Trends - Americas*, Madrid, 1998, p.92.

⁷⁴ World Tourism Organization, *Tourism Market Trends - Americas*, statistical data for Brazil p.85, El Salvador p.108 and Mexico p.120.

rural... U.S. citizens of all age groups and occupations, both tourists and residents, have been victimized... There is a greater risk of being kidnapped in Colombia than in any other country in the world'. The security situation in Colombia is, in the view of the US government, extremely 'volatile' and therefore makes Colombia 'one of the most dangerous countries in the world'.⁷⁵

At an international level, the Colombian government prefers to take a less dramatic approach towards its potential visitors. Because the government has to keep a balance between its own interest in attracting foreigners and the evident risks that this poses, Colombian embassies and Consulates abroad have to sell a realistic, yet not too dramatic image of the country's political situation. The Colombian Embassy in Washington DC, through its *Travel and Visa Information* leaflet, states that 'Colombia's location has... good and relatively cheap air links with Europe and North America....' But the country warns visitors about a possibility of encountering 'dangerous' areas, where only 'truly intrepid' travellers should go. Although evident, direct references about crime risks seem of secondary importance. The most significant paragraph reads:

'The truly intrepid [visitor] can enter Colombia from Panama via the Darién Gap - the dense, dangerous and environmentally important jungle which interrupts the Pan-American highway. The trip takes a couple of weeks, requires guides, advanced planning, a high degree of self-reliance and some good fortune. Guerrillas are active in the area and kidnappings are not uncommon so this trip is not to be undertaken lightly'.⁷⁶

Few people with some knowledge of Colombian politics would dare attempting to visit and cross the Darién Gap.⁷⁷ This region, because of its strategic location and its

⁷⁵ US Department of State, "Colombia - Travel Warning", 17 May 2001, internet version available at http://travel.state.gov/colombia_warning.html and <http://travel.state.gov/colombia.html>.

⁷⁶ Colombian Embassy - Washington DC, "Travel and Visa Information", at <http://www.colombiaemb.org/English/Consulates/travisainfo.html>, 25 February 1999.

⁷⁷ It is extremely rare to encounter tourist references mentioning the possibility of crossing the Darién Gap. The Darién Gap is part of the Urabá region on the northern border of Colombia with Panama. This region has been one of the most violent areas of the country due to intense fighting between guerrillas, paramilitary groups and members of the public forces. Massacres are common and homicide rates tend to be among the highest in the country. See Cubides, F., "Urabá" in Cubides, F. et al., *La violencia y el municipio colombiano, 1980 -1997*, Bogotá, 1998, pp. 71-78.

inaccessibility, has been since a long time a hiding ground for guerrillas, drug-traffickers and smugglers. It seems strange, therefore that the Colombian Embassy precisely mentions the Darién as a tourist destination for “intrepid travellers”. Foreign visitors usually tend to stay around the larger cities where levels of insecurity are lower. However, most foreign references will simply advise travellers to avoid Colombia. This is regarded as the best solution to minimise victimisation risks.

Control Risks Group, a London-based company that helps ‘an international client base to access and manage risks around the world, particularly in difficult and complex business environments’, specialises in the assessment of social, political and economic risks and advises on risk prevention strategies to both government officials and private companies.⁷⁸ One of their important areas of research has been risk assessment and country classification. In these assessments, Colombia appears as being a ‘medium risk country’ in terms of politics and tourism. In terms of citizens’ security, however, the country is classified as ‘high risk’.⁷⁹ This classification is directed to advise the core of Control Risks’ client base, which is mainly composed by wealthy individuals, foreigners and by senior staff working for large companies.

Because Colombia presents high political and travel risks, the country has to be perceived, in their own words, as a place where: ‘Political and economic stability is secure in the short term but cannot be guaranteed in the longer-term because political and state institutions lack authority... Legal guarantees are weak. In some Medium risk countries there is a latent threat or military or other illegal intervention’. Travel, in the company’s view, is highly risky because there are ‘high crime rates in certain areas or significant political unrest which could disrupt business travel at short notice. Terrorists attacks occasionally disrupt travel’. In terms of security, Colombia is perceived to be a country where ‘there is a sustained campaign of terrorist or criminal violence specifically directed against companies’ personnel and property...’ Their

⁷⁸ Control Risks Group, “Definitions of Risk”, “Country Reports”, and “City Briefs”, internet issues: <http://www.crg.com/>.

⁷⁹ This classification is based on a 5 level-scale, ranging from *Insignificant*, *Low*, *Medium* to *High* and *Extreme* risk.

conclusion is clear: in Colombia, 'there is a probability, not a possibility, of encountering security problems'.⁸⁰

At the same time, Colombian cities in their view are also extremely risky in security terms: Bogotá is portrayed as 'one of the most violent cities in the world'. In Medellín, where crime levels are also among 'the highest in the world', they recommend that visitors take 'extreme caution' because the city has also 'one of the highest murder rates in the world'. This is interesting because they later state that 'most murders occur in low-income districts and it is extremely rare for foreigners to become victims'.⁸¹ Bogotá, Medellín and Cali are all 'high risk' cities and were rated 6 on a scale from 1 to 7 where 7 is the most risky. This supposes that criminality in the main Colombian cities 'is common at all hours of the day and night throughout the city. There are sporadic car hijacks. Crime is a significant threat at airports. There are few areas that locals or visitors feel safe to walk around during the day'.⁸²

Examples such as the travel warning of the US Department of State which clearly asks foreigners not to visit Colombia, or the travel analysis by the consulting company which recommends foreigners to take 'extreme measures' in a city where foreigners are seldom victimised are clear indications of the subjectivity of public perceptions. When analysing this, foreign readers must indeed perceive Colombia as a highly dangerous country where crime and violence are common. Yet, 38 per cent of Colombians think that they are 'happy in their city' and that 'they would not like to live abroad'. Very few *intrepid visitors* coming from abroad are victims of violent crime. Only a limited number of victims of homicides and kidnappings are foreign. Very few statistics show the number of foreigners killed per year in Colombia but it is very rare that other countries denounce the death of their citizens in this country. One of the few exceptions has been the murder of 3 US indigenous rights activists killed by

⁸⁰ Control Risks Group, "Definitions of Risk" and "Country Reports" available in the **Appendix** below.

⁸¹ Control Risks Group, "City Briefs: Bogotá and Medellín", internet version, London, June 2000.

⁸² Cities like Freetown, Mogadishu, Kabul and Belgrade are ranked 7/7. Control Risks classifies these cities as having extreme security risks because important levels of crime, terrorism and guerrilla violence demand 'extraordinary security precautions'. In those cities, the government is unable to

the FARC in March 1999. This case was highly publicised in Colombia and the United States. Another case includes the death of another US citizen, member of the Drugs Enforcement Agency - DEA in Bogotá, April 2000. This case did not receive a great deal of publicity due to the fact that the victim was a DEA member and was murdered during a fight in a late bar. Despite a few isolated cases, it is not common to hear about murders of foreigners in Colombia, fact that would be opposed to the high perception of risk that foreigners have about the country.⁸³

When doing international risk comparisons, the reports often have to simplify and generalise statements on local political and security issues. This allows undertaking international analyses and helps inexperienced readers to create broad perceptions of the topic. The terms used in classifications like the one above must be general enough to permit cross-country or inter-city comparisons.

Degrees of subjectivity in risk classifications are often significant because they have to represent particular interests from governments and private businesses. The fact that the US advises all its citizens against travelling to Colombia does not mean that citizens of other countries should follow this advice. The British Foreign Office does not advise UK citizens against travelling to Colombia. It only asks them to be “be vigilant and take sensible precautions” in Colombia. The only areas that the Foreign

maintain law and order. For more on this, see **Appendix 3** below. Control Risks Group, “City Briefs: Bogotá and Medellín”.

⁸³ The case of kidnappings is somewhat different because foreigners usually pay higher ransoms than Colombians and consequently are often targeted. A British citizen who once had been kidnapped by guerrillas asked them the following question: “Why do you do this to me, a foreigner? Why not kidnap your own people? They laughed and said it was because foreigners were worth more money”. Even then, the number of foreigners kidnapped last year accounted only between 5 and 10 per cent of the total number. The words of a kidnapping researcher are significant: “Although foreigners account for less than ten per cent of hostages in the majority of hot-spot countries, their heightened market value means they generate a disproportionate amount of revenue for kidnappers”. However, the risk of being caught is much higher because the abduction of a foreigner “may put more pressure on the host government to resolve the case, and would also bring the extra risk of having foreign intelligence and police forces in the case. For the quote, see Weaver, M. “Engineer tells of 233-day ordeals at hands of Colombian guerrillas” in *The Telegraph*, 18 September 1996. See also Briggs, R., *The Kidnapping Business*, London, 2001, pp. 19-20. For data on kidnappings, see Ministerio de Defensa - FONDELIBERTAD, *Evolución del Secuestro, 1996-2000*, Bogotá, 2001.

Office describes as being potentially dangerous due to the violence are the provinces of Caquetá, Meta and Chocó.⁸⁴

The case of Control Risks is similar: as they represent the interests of the business community and of wealthy individuals, they cover a large client-base that shares similar economic and political interests. While not all their clients around the world will have the same risks, the company annually classifies risks in more than 200 cities using the same risk scale.⁸⁵ London appears as having the same risks as Istanbul, yet it is probable that a large share of people may perceive Istanbul to be riskier than the British capital. The company though has access to first class information because it has close contacts with victims, government officials, security agencies and journalists. This fact gives the company a broad vision on how to advise customers about their possibilities of victimisation. Their views, however, remain biased because their average customer is not representative of the average victim in Colombia. As high profile security consultants, they represent only the interests of a wealthy minority. Thus, it is possible to recommend foreigners to ‘avoid Colombia’ and to ‘take extreme precaution’ to minimise chances of victimisation. Foreign tourists or businessmen who read the US government’s *Travel Warnings* are influenced by these reports before going to Colombia. For them, murders, kidnappings and other violent crimes are a risk they must avoid. The general perception of Colombia is that violence and insecurity are considered as ‘extreme’ and ‘permanent’. This is a sufficient reason to dissuade them of travelling or spending too much time there.

⁸⁴ See the Foreign Office warnings at <http://www.fco.gov.uk/travel/countryadvice.asp?CO/>.

⁸⁵ Despite calculating similar risks in more than 200 cities in 160 countries around the world, the classification sometimes seems very broad. As an example, the risk of foreigners being kidnapped in Colombia is far smaller than in Nigeria: in Colombia, it is known that less than 10 per cent of the victims are foreigners, while in Nigeria the figure reaches almost 70 per cent. However, in the risk classification made by Control Risks both countries appear as being “high risk countries” where foreigners should take extreme precautions. No reference is made on risky locations and hotbeds of violence. Are most of foreigners kidnapped in rural or in urban areas? Are Nigeria’s urban areas more dangerous for foreigners than Colombia’s? Are Colombia’s rural areas more dangerous than Nigeria’s? These questions often remain unanswered. The general perception, as given by Control Risks, is that both countries are highly dangerous and that extreme levels of caution are required in case of visit. Different levels of risk and further details on geographical locations of the nuclei of crime and violence would indeed give better perceptions of insecurity. To see a comparative table of kidnapping trends in the world, see Briggs, R., *The Kidnapping Business*, chart 2, p.20.

Such generalisations do not seem to apply for people living in Colombia. Local residents are usually more informed about local risks and may have better and more precise perceptions of the crime situation. Extreme levels of caution are not required constantly. As an example, citizens may take extreme precautions in *some* sectors of the city, or in *some* areas of the country. Although there is a risk of victimisation in areas considered as safe, the chances of avoiding crimes are maximised when knowledge of local crime is put in practice. For local people perceptions of crime tend to be more precise and diverse. Foreigners and outsiders, on the other hand, have to over-generalise victimisation risks in order to spread the chances to remain safe. If extreme measures are taken in every circumstance, probabilities of encountering problems are thus minimised.

At a local level, for example, Bogotá's Chamber of Commerce has been publishing periodic surveys on the topic of victimisation and perception of crime. In one of its last surveys, it showed how perceptions could vary during relatively short periods of time. One survey showed that from the total amount of respondents, 60 per cent thought insecurity had risen, while only 3 per cent answered that crime had decreased. Three months earlier, 49 per cent of the people felt that insecurity was on the rise and 12 per cent thought that it was diminishing. Among the crimes that the population perceived to be at risk were street robberies (57%), followed by homicides (13%) and residential burglaries (11%). From all the people interviewed, 65% answered that unemployment was the main cause for the rising insecurity. Those who replied lived either in the poorest or the richest sectors of the city. The respondents that thought unemployment to be the main cause of insecurity came either from the poorest class (Estrato 1) or from the upper-middle class (Estratos 5 y 6). No mention is made about kidnappings. This is because Bogotá was, until recently, relatively exempt from these crimes. Moreover, kidnappers tend to commit their crimes mainly in the municipalities outside Bogotá, where transport is easier and Police duties are more difficult. These reports have often been criticised by the Metropolitan Police because of the subjectivity of the Chamber's interests who represent the views of the business community. The business community has been particularly affected by the insecurity and has been demanding guarantees to save their investments. General Jorge Linares, chief of Bogotá's Police

argued that: “Es una medida subjetiva del problema... esa percepción que se mantiene de inseguridad en Bogotá nos hace daño porque se convierte en agente multiplicador”. In his view, these reports reflect the interest of the business community, and because it is often affected by crime, it feels it must have strong opinions on the subject.⁸⁶

Revista Dinero, a monthly magazine published in Bogotá, found similar yet somewhat different results: for the upper class, the most important problems to be solved are guerrilla warfare, insecurity, unemployment and corruption. For the lower class, the main issues to be solved are unemployment, guerrilla warfare, insecurity and corruption and poverty.⁸⁷ This survey showed that unemployment, rather than violence, remained the main problem for the poor. Wealthy people, felt more preoccupied by the high levels of guerrilla activity and the increase in crime and insecurity.

Although these problems have been going on for a while, the importance of these topics in terms of percentage has significantly increased. This is not difficult to understand as most of violent crimes with high social impacts like extortion and kidnappings have been targeted against them. Homicidal violence, nevertheless, has especially affected the poorest strata of the population. Jimeno and Roldán assert that in some popular sectors of Bogotá, and notably in Ciudad Bolívar, ‘violence’ is only associated with political violence, and usually carries a historical connotation associated with the belonging to any of the two main political parties. Most of the people referred to violence as a result of past confrontations caused by the political *Violencia* of the 1950s. Contemporary urban violence was associated only with street crime.⁸⁸

⁸⁶ See Cámara de Comercio de Bogotá, *Observatorio de la Seguridad*, No.12, Bogotá, 1999, p.21; “Los inversionistas piden más seguridad” in *El Tiempo*, 10 May 2000 and “Policía de Bogotá cuestiona informe sobre seguridad” in *El Tiempo*, 27 February 2001.

⁸⁷ *Revista Dinero*, Bogotá, 4 April 2000. See also Lemoine, C., *Nosotros los colombianos del milenio*, figure 22, p.45.

⁸⁸ Jimeno, M. and Roldán, I., *Las sombras arbitrarias*, p.102.

As mentioned, it is common for the mass media and the authorities to over-generalise the extent of violent crime. References about the ‘urbanisation of conflict’ and to the presence of urban militias in popular sectors are common. However, the extent of militia activity has not been sustained. The available information usually relies on testimonies and personal anecdotes rather than on sound factual evidence. The example of the Police is striking. While high-ranking officials often give the impression of possessing knowledge about armed militias and threats posed by them in popular sectors of the cities, low-ranking policemen who patrol the streets and interact with the population do not perceive militias as a direct threat to security.⁸⁹ This is an illustrative example of how knowledge of the real situation can affect people’s perceptions. In a country like Colombia where levels of insecurity are high, it is in the interest of high-ranking officers to exaggerate the presence of armed groups, especially those of the guerrillas and drug-trafficking organisations.

If the authorities say that a municipality or a sector of the city does not have a strong presence of armed groups or if they assume that crime levels are low, there is a certain risk of being criticised if violence erupts. Individuals may then perceive increased fears of victimisation and feel that the authorities are not being efficient. At the same time, the authorities risk losing the trust of citizens who will start to feel unprotected. On the other hand, if the presence of criminal groups is over-dimensioned by the authorities, the public will remain cautious and therefore minimise victimisation risks. This is also in the interest of the authorities, as they might negotiate higher levels of funding and resources for their activities. This point coincides with Rubio’s argument when he stated that:

‘En principio, cabe esperar que la información acerca de los grupos armados, sobre la cual es difícil tener algún tipo de verificación, esté sesgada hacia la sobreestimación. Para los organismos de seguridad, una opinión de “no presencia” es costosa puesto que puede ser rebatida por los hechos mientras que la opinión contraria no presenta mayores riesgos. Además para la fuerza pública, la presencia de grupos armados puede convertirse en un elemento importante de negociación de recursos’.⁹⁰

⁸⁹ I am grateful to Maria Victoria Llorente, from the Universidad de Los Andes, who pointed this out to me. Ms Llorente is currently doing research on this topic.

⁹⁰ Rubio, M., *Crimen e impunidad*, p.69.

By overestimating risks the authorities are paradoxically helping armed groups to consolidate their presence in areas where they have a weak presence. If the authorities mention the presence of armed groups, the public will generally accept this opinion as being trustworthy. Armed groups will not contradict this view either. This fact may then change the public's opinion concerning the security of the areas under question.

To correct these possible distortions, the government has to encourage further participation of local communities in local planning and urban management. The aim of this is to understand better about security risks and crime determinants inside communities where crime levels are high. The Colombian government has tried to address this issue by improving the levels of communication of local communities with the authorities, notably the Police. Fostering the implementation of community-based security plans is an example of this new communication strategy. The *Frentes de Seguridad* and *Escuelas de Seguridad*, where community leaders participate together with the Police in planning and organising preventive security strategies at a local level. The National Police has promoted the creation of basic courses on crime prevention for community leaders and has helped to implement neighbourhood watch schemes at a local level. Although the Police praise the positive results achieved by the *Frentes de Seguridad*, there is no evidence to confirm that the *Frentes* have brought insecurity down. At most, members of the Police have increased their legitimacy in the sectors where the *Frentes* have been established. Experiences are based on a case-to-case basis and generally only the cases with positive results are published. *A priori* it could be argued that the exchange of crime information between neighbours brings negative perceptions down because it rises levels of knowledge and trust among citizens.

General Serna, a former chief of Bogotá's Police, often stated that urban security could only improve when citizens would start adopting co-operative strategies to find solutions to urban problems, including crime and insecurity. Until then, communities would just continue with their passive approach of surviving crime by rewarding

individualism and caution.⁹¹ Insecurity, in his view, cannot be tackled by improving the chances of individuals to recognise danger but rather by improving the chances of capturing and sentencing criminals.

Individuals have often tried to solve the problem of insecurity on their own. This has been highly controversial because of the massive privatisation of the security market to the detriment of the authorities and the Police. General lack of trust in the authorities has been a major obstacle to improving Police services in the community and therefore has fostered negative perceptions of crime almost everywhere.⁹²

The government's general effort to improve the perception of insecurity has been slow and divided. In a country where guerrillas and drug-trafficking organisations take the lion's share of police resources, citizen security strategies often seem unimportant. Police forces have had to endure a long fight against guerrillas and drug-trafficking organisations. It is only recently that the government started to promote new strategies of security based on the integration of civil authorities, police forces and communities. Their idea is to improve security levels by integrating more effective security strategies based on the understanding of community needs. With this, governments are aiming to reduce current levels of crime and violence by improving the citizens' trust in local authorities as well as their *real* knowledge and perceptions of insecurity.

Final comments

If citizens face a certain risk of being victimised, criminals also face a different risk of being arrested. The importance that each one of them will give to these risks is subjective. Personal behaviours will have as their main incentive to seek or to avoid

⁹¹ See the interview with General Serna in *El Tiempo*, 2 April 2000. For the argument on risk-avoiding behaviour as a survival strategy, refer to Jimeno, M. and Roldán, I., *Las sombras arbitrarias*, p.62.

⁹² *El Tiempo*, 28 March 2000. One of the Government's projects is precisely to stimulate the participation and co-operation in matters of security and peaceful coexistence (*convivencia*) between the State and the private companies. See also Presidencia de la República, *Estrategia Nacional para la Convivencia y Seguridad Ciudadana*, p.14; and Ricardo, V.G., "El papel de los empresarios en la paz" published in *El Espectador*, Bogotá, 8 March 2000.

dangerous situations. The knowledge of other people's experiences may also change these behaviours.

In Colombia there has been a significant disproportion in the levels of risk facing criminals and victims. 26,000 homicides per year and 3,700 kidnappings are the proof of this. There is also a significant yet unaccounted number of other extortion crimes. These have had deep impacts not only on victims and their families, but also on a large number of other people who see, hear or read about these cases. This uncertainty has strengthened the feeling of insecurity, while decreasing the levels of trust and increasing the seeming necessity for individual solutions. This strategy has not only fostered a need to privatise security strategies but has also damaged the capacity of the authorities to respond and react effectively to community needs. All this issue has created a strong perception of risk and insecurity among the population.

For this reason, the topic of perception has to be considered as a key concept in crime analysis. This chapter has tried to build on this idea by developing an argument around the problems affecting the perception of insecurity in Colombia. The chapter firstly introduced the idea of perception of violent crime as seen in Colombia today. It also explored the concept of risk and the subjectivity of decision-making processes when facing security risks. Finally, it examined why some people react in different ways when perceiving risks such as extortion risks.

The concept of risk is perceived differently by every person in every society and in every period of time. Today's perceptions of risk are not the same as tomorrow's. Cognitive experiences and qualitative variables such as information, knowledge and personal experiences make people perceive risk in different ways. This means, in a few words, that individual reactions to security risks will depend not only on the personal qualities of the individual, but also on the outcomes of possible behaviours that this individual may take when facing victimisation risks. In this sense, individual analyses of security issues become essential factors that shape public perceptions. When people share views of crime and insecurity, this helps to strengthen the levels of trust and

improves the co-operation in the community. In the end, this also helps to improve the levels of communication between citizens and authorities.

So far, violent crime has increased the perception of insecurity among Colombians and foreigners alike; it has established strong levels of fear among them, has de-legitimised the roles of the authorities and fostered impunity among criminals due to the lack of support and co-operation between citizens and law enforcement agencies. While the risks of being victimised have increased for citizens, the risks of being arrested and prosecuted by criminals have remained relatively limited.

The appearance of a *security risk mentality* has been a detrimental aspect that has affected the cohesion of the Colombian society. The people living in or travelling to Colombia have also tended to overestimate the risks of victimisation. This is considered as the most rational response to avoid the costs of damaging events like violent crimes. For common citizens, a pessimistic view of the crime situation and a risk-avoiding behaviour will minimise the possibilities of victimisation. If the security strategies of the government have had little impact in the last decade, it has been partly because of its poor levels of co-operation and communication with most citizens. This has certainly helped to increase victimisation risks among people and to generalise negative perceptions of crime, both at national and international levels. Indeed, if the authorities want to improve the security of its citizens they will have to improve the levels of participation in order to get better results and therefore improve public perceptions of crime.

CHAPTER 4: CITIZEN SECURITY STRATEGIES FROM THE GAVIRIA TO THE PASTRANA ADMINISTRATIONS

Two decades ago, very few people used the term ‘citizen security’. Criminologists and policy-makers spoke about ‘national’ or ‘regional’ security and with this, they referred mainly to the threats against the State and its institutions. At stake was generally the established status quo of the nation’s institutions but references to the security and welfare of common citizens was taken for granted. This topic, it was thought, was included within the parameters of national security.¹

Local security strategies were mainly left to the armed forces and among these, the Police were generally perceived to be the main guarantors of the rule of law. Security strategies were generally drafted in the central headquarters of the Police and the Army and then applied throughout the country with little concern or particular knowledge about local security issues. This has led to poor results in the fight against violent crime and has widened the gap between the needs of the population and the responses to crime provided by the State.

With the increase in the number of violent crimes during the second half of the 1980s, the subject of citizen security started to become a major priority for the Colombian government. However, this phenomenon was not unique to Colombia: it was common to many other Latin American countries. Surveys often depicted insecurity as being the main concern for citizens after unemployment. Violence, especially within the cities, had become ‘a cause, not only of more violence, but also of poverty, unemployment and the destruction of social, political, human, economic and social resources.’² This

¹ On the evolution of security strategies in Latin America since the end of the Cold War until today, and the impact of security strategies in Colombia, see for example, Pardo Rueda, R., *Nueva seguridad para América Latina*, Bogotá, 1999.

² Solimano, A. (ed.), *Colombia: essays on conflict, peace, and development*, Washington D.C., 2001; Call, C.T., “Sustainable Development in Central America: the challenges of violence, injustice and insecurity”, Hamburg, 2000, p.1. See also González Ruiz, S., López Portillo, E. and Yáñez, J.A., *Seguridad Pública en México*, Mexico D.F., 1994, p.16.

problem was affecting social, political and economic aspects of development in the region.

In Colombia, this phenomenon was put in evidence when the Barco administration, 1986-1990, commissioned a group of leading academics and experts to write a report on the new determinants of violence in the country. The result of the investigation confirmed what most citizens already perceived: in the country, the violence was not only a product of the rural conflict between guerrilla groups, self-defence groups and the armed forces of the State. The largest share of the violence came directly from the streets. Because of the variety of variables affecting crime and violence, the problem had to be analysed anew. The problem was so complex that government officials spoke about the need to understand the ‘Colombian violences’.

The investigation was later published as a book containing two main parts.³ The first one dealt with different categories of violence in the country. It comprised six chapters covering the problems of political violence, urban violence, organised and criminal violence, violence against minority groups, violence against the mass media and intra-familiar violence. The second part of the book drew an analysis of the effects of violence on local governance. It comprised five chapters dealing with criminal justice policy at the national level, the crisis of the judicial system and the role of the international community.

Although the chapters gave general recommendations on the topic, few of these could be put in place. The general tone of the *Comisión* was to recommend ideas promoting social development, reducing inequality and guaranteeing the rule of law. The position of the commission towards violent crime was that criminals and delinquents had to be punished and then released in society after completion of their prison sentences: “*Toda política contra el crimen organizado debe buscar la rehabilitación y la reinserción de los delincuentes en la vida legal, una vez purgada su pena*” (p.99). Among the most significant recommendations that the *Comisión* suggested were:

³ See Comisión de estudios sobre la violencia, *Colombia, Violencia y Democracia*, Bogotá, 1987, pp.17-30 and particularly p.18. For more on this see **Chapter 1** above.

- the creation a national peace commission to discuss peace alternatives with insurgent armed groups;
- the fight against illegal drugs from the production to the distribution, and the implementation of co-operation treaties with other countries involved in the commerce and consumption of illegal drugs;
- the reduction of weapons in the streets, including those which had been granted special status by the authorities (*armas amparadas*);
- the adoption of strong laws to reduce the indiscriminate consumption of alcohol in public areas;
- the creation of “tribunals to investigate and take the appropriate measures” to fight crime and impunity while maintaining a clear separation of “the functions of the police from those of the army”;
- it also stipulated that the government should continue decentralising institutions, pursue an agrarian reform and take the initiative to ameliorate the quality of life of citizens, aiming to reduce poverty and to increase the potential of communities to participate in local politics;
- the creation of an *institute of criminal investigation* attached to the Supreme Court of Justice. The main goal of this institute was to promote the “scientific follow-up of crime trends in the country” and to produce sound “criteria and recommendations” to alleviate the problem of crime, and the backlog of the judiciary.

The Commission’s recommendations were useful to understand the structural problems that led to the emergence of crime and violence in modern Colombia. Because all the above measures explained crime and aimed to improve security levels throughout the country, very few people opposed them. However, the exact implementation of projects remained theoretical. While most of these recommendations explained *what* were the problems of crime and violence, little attention focused on *how* could the authorities implement these recommendations.

The Gaviria Administration, 1990-1994

When President Gaviria was elected in 1990, the levels of violence in Colombia were reaching proportions never seen before. Homicides were approaching 30,000 cases per year and cases of kidnappings were increasing rapidly. The main guerrilla groups, which until then had fought separate wars against the state, were trying to unite their efforts under a single strategy.⁴ At the same time, the Medellín drug-cartel was fighting its own war of terror against the authorities, who were discussing the possibilities of extraditing criminals to the United States.

The monetary power and the corruption capacity of both guerrillas and drug-traffickers led to the proliferation of large numbers of armed groups that allowed the levels of crime to soar. The inability of the authorities to maintain the rule of law and secure some levels of security was the cause of fear and unprecedented levels of victimisation among the population. In 1993, the Colombian president argued that:

‘Lo cierto es que el escenario de la violencia en Colombia ha cambiado dramáticamente en los últimos años. Tal vez el aspecto más relevante de lo que está sucediendo es que los límites entre el narcotráfico, la guerrilla, la delincuencia común y los grupos de justicia privada, son cada vez más tenues. De igual forma sucede en los centros urbanos donde se vienen concentrando las nuevas formas de criminalidad’.⁵

Although the main guerrilla groups and drug-cartels played an important role in the increase of violence, government officials and academics pointed to other factors that permitted the erosion of the rule of law. These factors were also added to the low levels of credibility of the authorities and the often inappropriate use and diffusion of crime news by the mass media. The growing presence of armed groups and youth bands in deprived urban sectors as well as the uncontrolled consumption of alcoholic

⁴ This refers to the Coordinadora Guerrillera Simón Bolívar, in which the FARC, the ELN, the M-19 and the EPL tried to follow a common strategy to fight the State using all available means. During this period, it was also decided that the conflict should be expanded to urban areas.

⁵ President Gaviria’s speech pronounced during the opening session of the Congress, Bogotá, 20 July 1993. Transcribed in Presidencia de la República, *Una política de seguridad para la convivencia*, Bogotá, 1994, p.360.

beverages and the easy access to weapons was also now recognised as among the main security problems.⁶

During its years in office, the Gaviria administration started one of the major institutional reforms made in recent times. Reforms included the creation of a new constitution, the modernisation and transformation of public institutions, the privatisation of public services and the decentralisation of power to local authorities. Within this large political agenda, there were several elements that affected and targeted the way citizen security was approached.

A national strategy against violence

In his inaugural speech, President Gaviria made clear that this political agenda included a long-term programme based on a 'radical transformation' of the society. He argued that:

'La victoria de nuestras ideas... nos confiere el mandato de liderar un proceso de profunda modernización de nuestras instituciones.... El Presidente de la República liderará un proceso de pedagogía sobre la reforma a emprenderse. No se trata de la exclusiva modificación de un esqueleto de normas, sino de una radical transformación de la actitud ciudadana'.⁷

⁶ Departamento Nacional de Planeación - DNP, *La Paz: el desafío para el desarrollo*, Bogotá, 1998, p.146; For the argument of the change in cultural values, see Melo, J.O., "Ciudadanía y violencia: algunas notas sobre la experiencia en Medellín", Cali, 1995. For the access of firearms and ammunition see Comisión de estudios sobre la violencia, "Violencia y medios de comunicación" in *Colombia: Violencia y Democracia*, pp. 62-63. For alcohol in cases of violence and crime, see Londoño, J.L., "Violencia, Psychis y Capital Social", Bogotá, 1996. See also Jimeno, M. and Roldán, I., *Las sombras arbitrarias: Violencia y autoridad en Colombia*, Bogotá, 1996. For an analysis of violence and the role of the mass media see Comisión de estudios sobre la violencia, "Violencia y medios de comunicación" in *Colombia: Violencia y Democracia*, pp. 64-66. On the topic of impunity, see "Gasto Público y Desempeño de la Justicia" in Corporación Excelencia en la Justicia, *Justicia y Desarrollo: debates*, No.1, Bogotá, 1997; Partido Conservador Colombiano, *Inseguridad e impunidad en Colombia*, Bogotá, 1997; Rubio, M. *Crimen e impunidad: Precisiones sobre la violencia*, Bogotá, 1999, p.114; Comisión de estudios sobre la violencia, "Violencia y medios de comunicación" in *Colombia: Violencia y Democracia*, pp. 211-234. The analysis of the corruption of the Police and the lack of credibility can be read in Colciencias - Policía Nacional - Universidad de los Andes, "Informe final: programa de lucha contra la corrupción en la Policía Nacional de Colombia", Bogotá, December 1998. See also Urueña Cortés, N., "La corrupción en la Policía: modalidades, causas y control", Santiago de Chile, 1999.

⁷ President Gaviria's inaugural speech, Bogotá, 7 August 1990, transcribed in Presidencia de la República, *Una política de seguridad para la convivencia*, Vol. 1, p.23.

In terms of security, these reforms were aimed at strengthening the rule of law through the modernisation of the Police and the judicial systems. To achieve this, the President established a new office to advise different state entities that were responsible for drafting and executing policies against violence.⁸ In practical terms, this involved the co-ordination of all entities in charge of the prevention, investigation and prosecution of crimes.

With the adoption of the new Constitution in 1991, security strategies had to be decentralised and were now a matter of municipal planning. The role of the central government and its national institutions was to direct local authorities in different municipalities to put in place common strategies against crime. National authorities would provide laws, guidelines and funding and local authorities would apply them following their own priorities. Security strategies could be discussed in the Congress or in departmental and municipal councils before being put in place by the authorities.⁹

The *Consejería para la Seguridad y Defensa* had to secure the adoption of guidelines and the application of local strategies among all departmental governors and municipal town mayors. As the following fragment states, official documents requested local administrations to take an active role in the application and diffusion of new security strategies:

‘Ellos [gobernadores y alcaldes] deben tener iniciativa en la seguridad pública de sus regiones, pues son quienes tienen competencia para asegurar la paz en las zonas bajo su jurisdicción. Este enfoque posibilita la aplicación de prioridades regionales a objetivos de carácter nacional en cuanto a la disposición de la Fuerza Pública y al cubrimiento institucional del Estado’.¹⁰

⁸ This office refers to the *Consejería Presidencial para la Seguridad y Defensa Nacional*.

⁹ Article 303 of the 1991 Constitution mentions that the departmental governors should act as “direct representatives of the President as guarantors of the Public Order”. Article 315 is more explicit towards the role of the town mayors, defining them as “first authorities of the Police”. The article reads: “...El alcalde es la primera autoridad de policía del municipio. La Policía Nacional cumplirá con prontitud y diligencia las órdenes que le imparta el alcalde por conducto del respectivo comandante”.

¹⁰ Presidencia de la República, *Una política de seguridad para la convivencia*, Vol. 1, p.33.

This reform was also reflected by the nomination of a civilian at the head of the Ministry of Defence. It was the first time, for almost half a century, that Colombia had a civilian minister of defence. This change not only provided better levels of transparency and accounting within the armed forces but also led to the implementation of changes within the National Police. As a consequence of the politicisation of the National Police and the reform of the armed forces during the period that followed the political conflicts of the 1940s and 1950s, the administration of General Rojas Pinilla, 1953-1957, decided to subordinate the Police to the Armed Forces. Since then, the entity has been attached to the Ministry of Defence. Because the ministers were always Army generals, the National Police was considered as subordinate to the Army. For the Army, the National Police has always been perceived as less prestigious and less influential. Civilians described the National Police as being inefficient, unreliable and corrupt.¹¹ The designation of Rafael Pardo as Minister of Defence in 1991 was therefore a key factor for the renewal and modernisation of the Police. To put a civilian at the head of the Ministry has served as a strategic factor to break the hierarchical dependence of the Police on the Army.¹²

Because the central government wanted to promote the participation of civilians in this topic, it had to implement radical changes in the way that security was handled in the country. In spite of the fact that the 1991 Constitution promoted the decentralisation of security strategies, and that *a priori* the local governors and town mayors were responsible to direct local police forces, the reality has been, *a fortiori*, very different. Since the 1950s, there has been a clear effort to de-politicise the Armed Forces, notably the Police. That the *alcaldes* are constitutionally empowered to direct the actions of the Police should not mean that they should advise the police officers about their jobs; it means that *alcaldes* have a right to demand effective and accountable policing methods within their communities. The *alcaldes* can suggest strategies and

¹¹ For a historical review of the National Police, see Llorente, M.V., "Perfil de la policía colombiana" in Deas, M. and Llorente, M.V., *Reconocer la guerra para construir la paz*, Bogotá, 1999.

¹² In his memoirs, Pardo explains the relationships between the Army, the Police and his arrival as a Defence Minister. The book also gives an authoritative account of the strategies of peace-making and national security during the Barco and Gaviria administrations. See Pardo Rueda, R., *De primera mano. Colombia 1986-1990: Entre conflictos y esperanzas*, Bogotá 1996.

can participate with the Police in detecting risk-zones and pointing out problems in their communities.

Another major change in the theme of security brought with the Constitution of 1991 was the creation of the *Fiscalía General de la Nación*, the general prosecutor's office. The creation of this office redefined the role of the judiciary by introducing a partial accusatory component to the system. The *Fiscalía General* is an autonomous judicial entity with its own administration and budget. Its main function is to enforce the rule of law and guarantee access to justice. The tasks of the entity are extensive and controversial: it has to investigate, prosecute and penalise crimes. Because of its legal autonomy, it can act on the demand of other authorities, of the public and on its own decisions. This fact has been the cause of many arguments in the country. While the *Fiscalía* has been accused of abusing its powers by many of its opponents, many of its defendants argue that the entity has filled a long-dating vacuum in the country's judicial system. The *Fiscalía*, however, is generally perceived to be among the least corrupt and most efficient public institutions.¹³ The Constitution also reformed the superior Courts and created the *Consejo Nacional de Judicatura* in charge of administering the courts, rationalising the work and payloads of judges and legal staff, combating corruption and nominating judges at a local level.

In May 1991, the government launched the *Estrategia nacional contra la violencia*, the first national strategy against violence. At the time, Rafael Pardo argued that this was the first time that the government would promote the participation of civilians in matters of security. In his view, citizens not only had to give their opinions, but also had a right to participate in the implantation of State-led projects. Pardo himself, as a civilian, could therefore serve to promote citizen participation and understanding in the topic. On this issue, Pardo once commented that:

‘La Estrategia [es innovadora porque] tiene carácter integral. La superación de la violencia solamente es posible si se vinculan todos los organismos del Estado y se le da una participación amplia y definitiva a organizaciones de la comunidad....[El orden

¹³ For definitions and functions of the entity, see the internet site at <http://www.fiscalia.gov.co/>.

público] no es una responsabilidad exclusiva ni de las Fuerzas Armadas ni del Gobierno. Es una tarea de todos los colombianos'.¹⁴

This statement was repeated frequently in speeches and articles published during the Gaviria Administration. Because the integration of the community in security strategies against crime and violence was fundamental, summaries of projects were published and distributed in leading daily papers for public knowledge. The main ideals of this *Estrategia* were to guarantee the monopoly of the use of force by State institutions as stated in the Constitution. It also aimed at recovering the capacity to dictate justice for all citizens and to combat the important levels of impunity. It also planned to extend and secure the presence of the State all over the territory, especially in remote rural areas.¹⁵

The strategy had five main goals: first, it focused on the strengthening of local authorities by improving the levels of communication and co-operation among all security institutions. This also meant an elaboration of security plans by civilian authorities at local levels to tackle the main priorities of each location. The Presidency took an active role in promoting the new responsibilities established by the 1991 Constitution for the town mayors and departmental governors. Some of these assumed the new task and applied security programmes, but in general terms, the whole concept worked better in the largest cities like Bogotá, Medellín and Cali. In most of the smaller towns, and especially in regions with an important presence of illegal armed groups, the co-operation between civilian authorities, the armed forces and the population did not produce effective results. Usually, security strategies in these areas remained under the responsibility of the Army.

Secondly, the strategy aimed at decreasing the levels of impunity characterising the judicial system. This involved the reorganisation of the judiciary to prioritise and alleviate the workload of the courts. The third goal was to separate the strategies dealing with the political conflict with guerrilla and paramilitary groups from the

¹⁴ See the interview made to Rafael Pardo in *Revista Cromos*, No.3827, 3 June 1991.

¹⁵ "*Estrategia nacional contra la violencia*" in Presidencia de la República, *Una Política de Seguridad para la Convivencia*, Vol. 1, p.29.

strategies dealing with urban crime. This step was in connection with the fourth goal that called for the strengthening of security institutions. Issues like counter-insurgency, anti-narcotics, terrorism, kidnapping, extortion and other violent crimes had to be dealt with by stronger and more effective institutions. This meant an improvement of equipment and resources and an increase in budget allocation. The fifth step dealt with human rights. This was especially important since concerned non-governmental organisations were growing stronger in local and international politics. The Army and the Police also had to become improve the accountability of their actions if they wanted to be more credible with local and international communities.

The *Estrategia* had extremely high expectations and tried to tackle the problem of violence from a new institutional and social perspective.¹⁶ The strategy put into perspective the inherent problems that faced the majority of Colombians living in the cities during the early 1990s and was generally well accepted by the population. It is only with the *Estrategia nacional* that the authorities recognised the multiplicity of variables affecting not one, but several types of violence.¹⁷ The main problem of the Strategy was that it focused mainly on the rationalisation of crime prevention strategies and on the co-operation between security institutions but it overlooked the protection of citizens. These were left on a secondary plan. This fact was reflected by the numbers of violent crimes that were still affecting most of the population. In 1993, the levels of homicides were still the same as in 1991 -around 28,000 per year- and recorded cases of kidnappings were hovering around 1,200 cases a year.¹⁸ The main problem was the underestimation of the amount of institutional reform and investments required to make this strategy effective. However, this first strategy was useful because it changed the rhetoric of security institutions. It popularised the security discourse and

¹⁶ The early 1990s during the Gaviria administration were considered as positive in all social, economic and political areas. Following the adoption of the 1991 Constitution that offered new democratic instruments to the population, the country also enjoyed a period of rapid economic growth that followed the market liberalisation. It was thought that the peace process with the guerrillas of the M-19 could be renewed with the other guerrilla groups. All these aspects reflected a general sense of optimism among the population.

¹⁷ This is the first strategy that put into practice what the Comisión de Estudios de la Violencia had published in 1987 in the book *Colombia, violencia y democracia*. With respect to the Comisión and their first study, see above **Chapter 1**.

¹⁸ For more details on homicides and kidnappings, read **Chapter 1 and 2** above.

democratised the need for a ‘citizen security’ covering all sectors of the population. Because of that, it also promoted change among judiciary and policing institutions and it fostered the accountability and transparency of the strategies used in the fight against crime.

Second phase of the strategy: more security for the people

In November 1993, the Gaviria Administration tried to fill this vacuum by publishing what was then described as a ‘second phase’ of the strategy against violence.¹⁹ When the second phase of the strategy was launched, President Gaviria said that:

‘¿Por qué hablamos de una segunda fase de la Estrategia Nacional contra la violencia? Porque a lo largo de estos tres años la situación ha cambiado; la violencia y la criminalidad en Colombia son fenómenos dinámicos que obligan a ajustes permanentes para enfrentarlos de manera adecuada. Al comienzo de esta década las amenazas se cernían sobre las instituciones. Hoy, y en vista de que las organizaciones narcoterroristas, subversivas y de justicia privada están fraccionadas en cuanto a sus propósitos y acciones, la amenaza cierta recae sobre todos los ciudadanos’.²⁰

With the addition of this ‘second phase’, the strategy aimed to promote a national citizen security strategy to be implemented in conjunction with the first phase of institutional modernisation. The content of the second phase centred on the reform of the National Police and the strengthening of the judicial system. The accent was put on the preventive side rather than the reactive aspect of combating crime. The writers of the *Estrategia* noted that:

‘Colombia debe empezar a diseñar y poner en marcha estrategias con propósitos concretos de prevención como elemento fundamental para garantizar, en el largo plazo, la seguridad ciudadana’.²¹

¹⁹ Presidencia de la República, *Seguridad para la gente. Segunda fase de la Estrategia nacional contra la violencia*, Bogotá, October 1993.

²⁰ Speech of President Gaviria read for the launching of the second phase of his national security strategy. See Presidencia de la República, *Seguridad para la gente. Segunda fase de la Estrategia nacional contra la violencia*.

²¹ Presidencia de la República, “Seguridad para la gente” in *Una Política de seguridad para la convivencia*, November 1993, p.389.

This second phase was characterised by two factors: by publishing a second phase of the national security strategy, the government confirmed its willingness to maintain crime and insecurity as a top priority in its agenda. Secondly, the government recognised that the problems of violence could not be solved by fighting and persecuting all the illegal armed groups. Law-enforcement strategies needed to be complemented with crime-prevention programmes.

The second phase of the strategy was not a revision of the policy but an addition to the measures started in 1991 to curb the levels of crime and violence throughout the country. While all the key ideas of the *Estrategia nacional contra la violencia* were kept, it also recommended the improvement of information and investigation-gathering agencies, prosecution offices and police-community relations. Following a series of corruption scandals in 1993, this last point was given a top priority after the Congress approved a law that required a substantial reform of the National Police.²² This reform was considered as ‘one of the most significant policies aiming at improving the citizen security during the decade’.²³

The changes introduced in 1993 had as a goal the specialisation of law-enforcement functions among different units of the Police and the promotion of Police affairs in local communities to foster transparency and accountability within the force. This was

²² This refers to Law 62 of 1993. This law was passed following a scandal within the Police caused by the murder of a teenage girl. Following this incident, the Minister of Defence ordered an investigation that led to a radical reform of the Police in which almost a third of all police members were dismissed. For an account of the political conditions during this time, see the ex-minister’s memoirs in Pardo Rueda, R., *De primera mano. Colombia 1986-1990*, p.342. For an analysis of recent problems of corruption and citizen distrust towards the Police, see Goldsmiths, A. “Informe al Consejero Presidencial para la Defensa y Seguridad Nacional sobre la reforma en la Policía Nacional colombiana”, mimeo, Bogotá, marzo 1995; see also Colciencias - Policía Nacional - Universidad de los Andes, “Informe final: programa de lucha contra la corrupción en la Policía Nacional de Colombia”. See also Urueña Cortés, N., “La corrupción en la Policía”.

²³ The relevant point to improve citizen security was passed with the Law 62 of 1993, when it directed the authorities to focus on the creation of a National System of Citizen Participation, the regulation of the relation between local and regional authorities and the creation of a Police Commissioner. It is important to note that the establishment of a Police Commissioner was later withdrawn as it was considered as an expensive and redundant position by the following government that took office in 1994. The National System of Citizen Participation has also remained purely theoretical as it has never been organised and has never existed. See Camacho Guizado, A. and Camargo Bernal, E., “La Seguridad Ciudadana: una aproximación a la situación de Bogotá” in Campos, Y. and Ortiz, I., *La Ciudad observada: violencia, cultura y política*, Bogotá, 1998, p.343.

especially necessary in areas of intense violence. The Constitution of 1991 allowed the National Police to decentralise and to invest more resources in judicial and criminal investigations. Thus, increased efforts have also been made to stress the importance of special investigation units to prosecute crimes and prevent terrorist activities at a local level.

A preventive strategy to reduce crime was established in the early 1990s when the National Police started to decentralise its personnel and created the *Centros de Atención Inmediata, CAI*. These units, however, did not offer the expected results as police forces ended up doing activities that were not necessarily related to their institutional duties. This caused significant difficulties in improving the levels of efficiency to combat and prevent further crimes. Other measures to increase crime prevention have generally been left on the side by high officials of the force who tend to concentrate on the implementation of strategies aimed to enforce the law. On this topic, Maria Victoria Llorente points out that:

‘Las modificaciones de fondo han estado asociadas por una parte al desarrollo de una organización independiente y distinta a la de las Fuerzas Militares. Por otra parte, a la complejización de los campos operativo, funcional, y de servicios, producto de la expansión de su presencia territorial, así como de su especialización relacionada con los problemas del narcotráfico, el terrorismo y la agudización del conflicto interno. También han pesado en las decisiones de reforma organizativa, la necesidad de adecuar los esquemas administrativos, de manejo de personal, de sanidad y de bienestar social, al crecimiento del cuerpo de Policía. Finalmente, algunos cambios impulsados en los últimos años se han enmarcado en el propósito de establecer un nuevo tipo de organización, con mayor contacto con las necesidades de la población y con una mejor imagen institucional’.²⁴

However, Llorente also stresses that the results of the institution to provide and implement long-term effective measures of crime prevention have been disappointing:

“Aunque durante la última década la institución ha adoptado como propia la retórica de la primacía de lo preventivo sobre lo reactivo y de la cercanía a la población, los avances concretos en este sentido siguen siendo marginales”.²⁵

²⁴ Llorente, M.V., “Perfil de la policía colombiana”, pp. 407-408.

²⁵ Llorente, M.V., “Perfil de la policía colombiana”, p.405.

Yet, the actual results of the second phase concentrated on the modernisation of policing and judicial institutions more than on the protection of citizens in the streets. The tradition of implementing strategies to guarantee the 'national security' prevailed on the new idea of 'citizen security'. In a recent article, Alvaro Camacho points out this fact when he writes that:

'un examen de sus enunciados y políticas muestra cómo la preocupación central sigue siendo la defensa del Estado, y la protección ciudadana continúa en el mismo plano subordinado'.²⁶

Continuation and reforms during the Samper administration

During the following years the Samper administration, 1994-1998, did not add any new elements to the existing policies of citizen security. Although the government published in 1995 another security strategy, it contained the same concepts that the previous administration had been trying to establish.²⁷

The security strategy of the Samper administration had four main objectives: first, the continuation of the modernisation process of all security institutions and the creation of the National Police and Citizen Security Council. This council included high profile figures, such as the President and the Ministers of the Interior and Defence, the Director of the Police, the Police Commissioner as well as town mayors and departmental governors.²⁸ In 1995, the central government put in place, with the financial support of the Inter-American Development Bank, a US\$15.7 million project aiming to modernise the equipment the *Fiscalía General* and to improve its administrative capacity to implement criminal justice policies at the national level. The programme also included the training of staff and the use of new data processing tools

²⁶ Camacho Guizado, A., "Seguridad, ¿para la gente o para el Estado?" in *Análisis Político*, No. 21, Bogotá, 1994. See also Camacho Guizado, A. and Camargo Bernal, E., "La Seguridad Ciudadana", p.343.

²⁷ See the *Programa presidencial para la Convivencia y Seguridad Ciudadana* published by the presidential council for national security in September 1995

²⁸ This council has as its main objective the setting up of a security agenda for every locality, taking into account the necessities of the community and the requirements of local police forces. It also included a taskforce in charge of improving the use of statistics, the co-ordination of state entities and the improvement of mechanisms available to citizens to evaluate and denounce Police irregularities.

to classify crimes. The main objectives of this project were to provide the *Fiscalía General* with “an adequate institutional basis” aiming to: (a) improve its administrative, investigative, and technical efficiency by strengthening its staff’s management capacity; (b) provide the entity with computers and other modern equipment; (c) formulate medium- and long-term policies to ensure the *Fiscalía*’s participation in shaping a national criminal policy; and (d) establishing methods to allocate resources. The Inter-American Development Bank gave its approval to finance two thirds of the project, equivalent to US\$9.3 millions, while the country provided US\$6.3 millions. The results and performance of these investments have unfortunately not been published.²⁹

President Samper’s security strategy promoted further decentralisation of security institutions, including the launching of a new rural security plan. This plan also included the creation of private security co-operatives, called *Convivir*. These co-operatives were supposed to create a new mechanism in which the population could organise itself to protect people and properties, especially in rural areas. Although these committees were not supposed to participate in law-enforcement activities and had to call the authorities in case of need, the *Convivir* were strongly criticised and accused of favouring paramilitary activities and committing human rights abuses. This was the cause of a controversial public debate that ended with the dissolution of all these co-operatives.³⁰

The Samper strategy also made several proposals to modify laws and legislative tools aimed at improving citizen security. The administration had proposed the modification of the Code of Police, the Penal Code, the Family Code, the Code for minors and the

²⁹ A description of the project and costs is available at <http://www.iadb.org/exr/doc98/apr/co909e.htm>.

³⁰ Although many people have written articles about the *Convivir*, very few academic papers have analysed them from an objective, academic point of view. Most of the studies made so far, either in favour or against these institutions, have been based on individual examples rather than on methodical analyses. Most publications on the topic have been made by human right groups like Amnesty International and Human Rights Watch. These groups have published several studies on the abuses of *Convivir* based on interviews and individual case studies to show the abuses committed by *Convivir* groups, notably in remote rural areas. Independent publications by the academia, however, have been scarce. See <http://www.amnesty.org/ailib/aireport/ar99/amr23.htm> and http://www.hrw.org/reports98/colombia/Colom989-03.htm#P965_215088

Anti-corruption law. This was the only topic that received proper attention from the government. Most of the others received limited attention and have been modified gradually by other security-related topics like drug trafficking, kidnapping and money laundering.

During the Samper administration, most governmental programmes were based on the idea that public spending would promote social development. This was also applied in security strategies. The government thought that public spending could alleviate the problem of crime and violence. Horacio Serpa, who was at the time the Minister of the Interior, qualified the guerrillas as a 'cost to pay for the social injustice' of the country. Homicides, kidnappings, extortion and other crimes could also be solved by promoting social welfare and by investing in employment, housing, education and other such programmes.³¹ The main changes that the central government made in terms of security were the creation of the figure of High Peace Commissioner, the creation of the anti-kidnapping advisory office and the promise of a national code of practice for the Police.³² In 1995 the Minister of Justice presented to the Congress a new law aiming at penalising and processing of small crimes and infractions. Although the subject has not been thoroughly studied, it has been argued that this measure caused further levels of congestion within the judicial system, as it significantly increased the number of cases in courts, the number of inmates in jails purging small sentences and created huge bureaucratic workloads.

The main problem facing a better implementation of security strategies has been the deep-rooted tradition of centralism within the judicial and policing institutions. This has caused a certain antagonism between the will to decentralise the strategies aiming

³¹ The general overview of the Samper administration cannot be covered here. It is important to mention that the perception of insecurity worsened significantly. While homicides were reduced by almost 10% in the larger cities, they increased in smaller provincial cities. Other violent crimes like kidnappings and extortion saw significant increases during this period.

³² Probably due to the vicissitudes of the impeachment process during the Samper Administration, the law presenting the projects for the establishment of a Code of Practice for the Police was never voted in Congress. This project remained theoretical, as it never reached the Commission in charge of security matters within the Congress. The anti-kidnapping co-ordination office was created by President Samper under the name of *Consejería para la Libertad Personal*. This office remained attached to the Presidency until the year 2000 when it was transferred to FONDELIBERTAD, a dependence of the Ministry of Defence. Like the minister, the head of FONDELIBERTAD is a civilian.

at improving local crime prevention and the fact that the local police and justice lack the necessary autonomy to be able to take their own decisions. The judges depend on the *Consejo Superior de Judicatura*. This *Consejo* distributes judges in geographical circumscriptions that rarely match the amount of work to be done at the local level. It is common for a judge in a town to preside over a geographical area much larger than the town itself. This clogs the judicial proceedings and diversifies the judges' priorities outside their local areas of control.

Recently the World Bank approved a new project that will be directed by the *Consejo Nacional de Judicatura* to “bring change in court operations which ensure people swifter, fairer, and more transparent conflict resolution services”.³³ This project, valued at US\$6.67 millions, also searches to modernise 37 civil courts in the main urban centres of the country by financing personnel training, the improvement of facilities and the acquisition of tools and materials necessary to improve the relations between judicial staff and local communities.

This is not an easy task to undertake. Local support from civil authorities has been limited and the authorities have been inefficient in drawing strategies and applying policies aiming at improving citizen security. Local mayors and governors are supposed to elaborate medium and long-term strategies for combating crime.³⁴ To achieve this, civil authorities should co-operate with and even direct local police forces. This idea was confirmed in 1993 when the Congress voted in favour of a law that gave civil authorities the power to control local police forces.³⁵ In theory, this supposes that the town mayors and departmental governors guide and direct the local Police to control and prevent further levels of insecurity in their jurisdiction. The *Estrategia contra la violencia* stated clearly that:

“Los alcaldes, como primera autoridad y jefes de Policía a nivel local, tienen un papel primordial en la ejecución de los planes regionales de seguridad. No solamente son los

³³ More details and information on this project are available at the World Bank's project database for Colombia, <http://www4.worldbank.org/sprojects/Results.asp?st=DetSrc&Coun=CO/>.

³⁴ This faculty was given by Law 23 of 1991 and then ratified by the Decree 228 of 1995.

³⁵ This refers to Law 62 of 1993.

receptores inmediatos de las inquietudes y demandas ciudadanas frente al Estado sino que son ellos los llamados a concertar con sus comunidades las posibles soluciones para superar dentro del marco legal los problemas de inseguridad más sensibles”.³⁶

In practice, this is often not the case. Camacho summarises this situation by arguing that in Colombia: ‘los alcaldes son jefes de policía, pero no jefes de la policía’.³⁷ The problem, in Camacho’s view, is that the law supposes that civil authorities at a local level can have the control over the Police, but does not specify how this control should be attributed or exercised. There is no mention in the law of the faculties given to the civil authorities to control the local police. Usually local police respond to the *de facto* hierarchy of institutional control which stems from superior officers in command in regional or national offices. To illustrate this point, Camacho refers to the case of Bogotá, which has a main city mayor or *alcalde mayor*, but also has more than 20 local councils or *alcaldías menores* which do not seem to have any control over local Police forces. The same problem seems to happen in every other major city. The main explanation for this, as given by Camacho in his analysis of the Colombian Police, is the inherently military character of the Police hierarchy. Due to its historical composition, the institution seems to reproduce a military scheme of hierarchy and subordination. For this very same reason, it is very unlikely that local forces will start obeying civil authorities to the detriment of their subordination to regional or national forces.³⁸

Pastrana’s national citizen security strategy

The current administration of President Pastrana, 1998-2002, has continued with several of the security strategies started earlier in the 1990s. This has included a willingness to continue decentralising security strategies at the urban level and a modernisation of security forces to combat drug-production and insurgency in rural

³⁶ Presidencia de la República, *Una política de seguridad para la convivencia*, pp. 35-36.

³⁷ Camacho Guizado, A. and Camargo Bernal, E., “La Seguridad Ciudadana”, p.345.

³⁸ See Camacho Guizado, A. and Camargo Bernal, E., “La Seguridad Ciudadana”, p.345. See also the analysis of the Colombian Police in Llorente, M.V., “Perfil de la policía colombiana”.

areas. This has been implemented through *Plan Colombia*, a US\$7.5 billion help initiative fostered by the United States.³⁹

Yet two main factors have changed since the 1990s. First, the levels of insecurity have increased. Even if the statistics show that the number of homicides have decreased by 10 per cent compared with the early 1990s other violent crimes such as kidnappings and extortion have tripled in the last years. This has had a deep impact on the entire population of the country. Secondly, there are now more people interested in the analysis of security strategies than before. The authorities often work with the support of academics, members of international organisations, non-governmental organisations, private companies and others.

In 1998 the government contracted a new loan with the Inter-American Development Bank that aimed at providing funds to back up the government's strategies for peace and security. The project's general objective was to reduce levels of violence and insecurity in the largest Colombian cities by helping the government's investments in law-enforcement, crime prevention and alternative conflict resolution mechanisms. The total cost of this project was calculated at US\$95.6 millions and under the terms of the contract, the IADB would give two thirds of the capital, equivalent to US\$57.0 millions, while Colombia would put the remaining US\$38.6 millions. Resources for this project would be spread over a 5-year period between 1998 and 2003. This was seen as an innovation for the Bank, since the financing of citizen security programmes had never been attempted.⁴⁰

³⁹ While the United States has agreed to be a major donor of capital and has already given almost US\$2 billion, it is still unsure where Colombia will find the necessary resources to fund its share of the project. The European Union is interested in the social aspect of the project but refuses to fund the armed forces. The extent and results of the Plan Colombia cannot be assessed yet. Although the largest share of the resources will be destined to the strengthening of the armed forces in its fight against the production of illegal drugs, there will also be a large component of help and resources invested into the police as well as into the judiciary. Further information on the Plan Colombia can be found at <http://www.presidencia.gov.co/> and at <http://www.plancolombia.org>.

⁴⁰ See "Support for Peaceful Coexistence and Citizen Security". The project details are available at the IADB database at <http://www.iadb.org/exr/doc98/apr/co909e.htm>.

The results of this project have been mixed. Until 2001, three years after the contact with the IADB had been signed, only a small share of the resources had been disbursed. Local institutions, including the Ministry of Finance and the National Planning Department - DNP, the entity in charge of monitoring the allocation of funds from the Nation, were slow to respond. There was a poor capacity to understand the Bank's regulations and contract obligations. One of DNP's employees once said:

‘El año 2000 fue una especie de año muerto en términos de ejecución, ya que el Programa [de Convivencia y Seguridad Ciudadana] no tenía plan indicativo, ni líneas claras de proyecto; enfin, no había nada. Además, no se había hecho un trabajo serio de diagnóstico previo a la firma de los créditos, así que no había mucha claridad acerca de a qué apuntarle estratégicamente’.⁴¹

Only a small share of the approved budget has been invested at the national and local levels. Due to a financial crisis, Medellín and Cali have had serious difficulties in complying with the Bank's loan agreements providing their share of capital. Bogotá, being the richest city, has invested some of the funds but has done little to promote the monitoring of its projects. Most of invested resources have involved projects aimed at developing information systems about levels of crime and violence, funding alternative justice mechanisms, educating youth in risk-zones and modernising police forces.

One of the strategies of the government to put in place this new citizen security programme was to separate the peace process strategies with guerrilla groups from the strategies aimed at reducing the levels of crime and violence at the urban level. The political conflict with guerrillas and paramilitary groups had to be dealt directly by the High Commissioner for Peace and urban crime had to be dealt by the newly created *Programa Presidencial para la Convivencia y Seguridad Ciudadana*. This office has only been active in the diffusion and supervision of security strategies in the main

⁴¹ Mariana Escobar, advisor, Programa de Convivencia y Seguridad Ciudadana at DNP, February 2002.

cities of the country and has not dealt with security in rural areas where guerrillas and paramilitary groups are active.⁴²

In 1999 the Presidency launched a new national strategy to guide municipal authorities on the topic of crime. A major argument behind the strategy is to show that the general pessimism and negative perceptions of the population towards the security institutions, the Police and the judiciary can be a cause of increased fear among the population, facilitating thus the use of crime and violence. The *Estrategia* in its introduction explains the links existing between citizen security and the topic of coexistence by defining general fear and negative perceptions of the population and the establishment of dispositions leading to further insecurity. When the population lives with fear, intolerance between citizens becomes more apparent.⁴³

To decrease fear and raise levels of confidence in the authorities, these need to improve their information strategies and to start involving the population further. This was the goal of the first *Estrategia Nacional* of the Gaviria administration, aiming to strengthen the role of the civil authorities and the Police. Arguably, in a country where the levels of violence remain significantly high it is extremely difficult to change the relationships between the authorities and the community. While the community suffers the consequences of crime and violence on a daily basis and therefore criticises the authorities for not obtaining positive results, the authorities cannot improve their relations with the community as long as they are the targets of violence from guerrillas, drug-cartels and other armed groups.

Most of the projects established in the security strategy have not produced results yet. The strategy of the Pastrana administration, like the others in previous governments, is perceived as being too broad in its scope to give precise advice at the local level. Besides, it offers general ideas on how municipalities should tackle crime and violence

⁴² Gonzalo de Francisco has been the director of the *Programa* since 1998. His responsibilities have also included participating in the reform committee of the Armed Forces and, more recently, directing and advising the President on the application of the US military aid through the Plan Colombia.

⁴³ Presidencia de la República, *Estrategia Presidencial para la Convivencia y Seguridad Ciudadana*, p.5.

but does not offer solutions on how to get the necessary resources to undertake the projects mentioned. Rather than having a ‘national strategy’ for every successive government trying to produce immediate results, the central government should try to establish a national development plan, irrespective of which government is in place. Results could be therefore measured in the long-term with more consistency.

In spite of this, the biggest cities of the country and notably Bogotá, Cali and Medellín have obtained relatively positive results in their violence and crime-reduction programmes. Crime-prevention strategies have been relatively successful when counting the number of homicides per year, though other violent crimes have remained high.⁴⁴

When Antanas Mockus was elected mayor of Bogotá for the first time in 1995, his administration based its strategies on civic education and the general improvement of public services and community planning. The security plan, called *Plan integral para la seguridad de Santa Fé*, involved a series of projects aiming at modernising local institutions, notably the *Secretaría de Gobierno* at the mayor’s office and the improvement of the Police. The municipality also put efforts on the improvement of the major municipal jail, the *Cárcel Distrital*, and created several centres for the retention of small offenders, called *Unidades de retención transitoria*.⁴⁵ At the same time, Mockus put in place several ‘alternative conflict resolution mechanisms’ such as the *Centros de Conciliación* and the *Comisariías de Familia*. These were mainly aimed at improving relations within risk communities especially in key areas such as inter-family violence, and on providing legal assistance for conflict resolution.⁴⁶

⁴⁴ Homicides seem to have diminished in other cities and countries in Latin America and in the United States. The exact causes of this trend remain unknown and observers have been unable to determine if this is caused by improved methods of governance or by new criminal attitudes leading to different community responses. For more on this, see the **Introductory Chapter**.

⁴⁵ See Acero, H., “Seguridad y convivencia en Santafé de Bogotá” in Corporación Excelencia en la Justicia, *Políticas de seguridad y convivencia para el nuevo siglo*, Bogotá, 1998, pp. 38-40.

⁴⁶ Alcaldía Mayor de Santafé de Bogotá, *Políticas saludables para la seguridad y la convivencia*, Imprenta Distrital, Santafé de Bogotá, n.d.

Other measures included the identification of risk factors that were associated with the commission of crimes, and more generally, the diffusion of programmes aiming at establishing new civic relations between people. The entire discourse of the administration turned around the idea of the new *cultura ciudadana*, in which both the authorities and citizens were asked to improve public spaces and co-operate in security strategies aiming at diminishing risks of victimisation and aggression. Some of these factors included the carrying of firearms in public places and the indiscriminate consumption of alcohol.⁴⁷ The authorities put in place disarmament programmes and imposed strict rules on the consumption of alcohol during late hours. These measures were adopted after discovering that almost 75 per cent of homicides in Bogotá involved the use of firearms, and usually were committed in public places such as bars, betting houses, brothels and *tiendas*, the local grocery stores that sell alcohol.⁴⁸

The following administration, led by Enrique Peñalosa during the period 1998-2000, continued with these security strategies but reoriented them towards a more architectural perspective based on social urbanism and the reorganisation of the public space.⁴⁹ The administration organised an office called *Misión Bogotá*, in which the authorities collaborated with the population to recover the security and confidence of

⁴⁷ Another risk factor was the payment of wages. Mockus also suggested that the payment of wages should be done on Mondays rather than on Fridays as traditionally had been the case. It was believed that this decision would reduce the incentives for people to go out and drink on pay-days, especially because the number of homicides were always higher on weekend nights. The Mockus administration also promoted the epidemiological analysis of violence that had been practised in Cali since the early 1990s. For a framework of the epidemiological analysis of violence, see Londoño, J.L. and Guerrero, R., "Violencia en América Latina: Epidemiología y Costos", Washington, 1999.

⁴⁸ For more on this, see **Chapter 1** above.

⁴⁹ This concept was inspired on the theory of 'Broken windows' developed in the US in the early 1990s. This theory states that poorly maintained urban areas, led to a physical and visual decomposition of the urban life. The existence of 'neighbourhood incivilities' such as abandoned storefronts, unkept lots, litter, bench sleepers or public drunks create fear among the population and may lead to the appearance of crime. In a recent article, Llorente argued that the US has been the only country that has done some evaluations on the impact of these policies on the topic of crime and civility. Despite the lack of knowledge on the results of the theory, most of the security policies in Latin America have adapted, with great enthusiasm, ideas stemming from this theory. See Llorente, M.V. (coord.), "Caracterización de la Violencia Homicida en Bogotá", Bogotá, 1999, pp. 1-2. For references on perceived risk and appearance of crime, see LaGrange, R., Ferraro, K.F. and Supancic, M., "Perceived Risk and Fear of Crime: role of social and physical incivilities" in *Journal of Research in Crime and Delinquency*, Vol. 29, No.3, 1992, pp. 311-334. There is an extensive literature on the Broken Windows theory. Some of the most quoted references include: Wilson, J. and Kelling, G., "Broken Windows: The Police and Neighborhood Safety" in *The Atlantic Monthly*, Vol. 249, No. 3, March 1992; Kelling, G. and Coles, C., *Fixing Broken Windows. Restoring Order and Reducing Crime in our Communities*, New York, 1996.

citizens especially in the most deprived and insecure areas of the city such as San Victorino and the marginal area known as El Cartucho.⁵⁰

When elected for a second time as Mayor of Bogotá, Mockus said on the topic of violence:

‘Mi impresión es que hay una reducción de la agresividad, hay una relación más conciente y reflexiva en las reacciones de los ciudadanos. De igual manera, hay una mayor aceptación de la norma, aunque todavía falta mucho por recorrer. [...] Creo que de la serie de medidas que se tomaron en relación con el alcohol, en relación con el porte de armas y la pólvora, se ha dado una continuidad que ha favorecido la convivencia. [...] Creo que Bogotá se ha ido del mundo de la pequeña delincuencia para pasar a grupos de delincuencia más organizados. Todavía en el intermedio está el atraco y es importante reducirlo porque las muertes y lesiones que se derivan de éste son una prioridad para la ciudadanía’.⁵¹

When asked to define his answers to solve the insecurity problem in Bogotá, Mockus answered:

‘Yo diría que una aproximación pedagógica, que consiste en un proceso educativo general sobre las normas: el porqué y el para qué de las normas, al igual que el desarrollo de una conciencia social de la importancia de destacar los hechos positivos de acuerdo con ellas. [...] Yo diría que los mecanismos de control en materia de seguridad y derechos humanos son todavía sub-utilizados. En las inspecciones de policía y comisarías de distrito que tienen una injerencia directa sobre la ciudadanía se han hecho mejoras’.⁵²

The Presidency stated in 1999 that local authorities should work to define a citizen culture based on tolerance.⁵³ Mockus’s concept fits well within the general framework

⁵⁰ For a description of the Cartucho and the social programmes to recover it, see Cámara de Comercio de Bogotá, *Habitantes de la calle: un estudio de El Cartucho*, Bogotá, 1999.

⁵¹ Mockus, A., “Quiero rescatar la honestidad de las personas” in Inter-American Development Bank - *El Colombiano* - *Revista Semana* - Alcaldía de Medellín - Empresas Públicas de Medellín, *Hacia una nueva cultura ciudadana: un debate abierto*, Medellín, n.d., p.30.

⁵² Mockus, A. “Quiero rescatar la honestidad de las personas” in Inter-American Development Bank et al., *Hacia una nueva cultura ciudadana*, p.30.

⁵³ The national security strategy in 1999 stated that: ‘Se busca... un ciudadano tolerante, que concibe su bienestar a partir del bienestar de los demás, que resuelve sus conflictos sin hacer uso de la violencia, y que tiene como misión construir una sociedad segura y en paz... es fundamental que el ciudadano pueda recapacitar sobre los valores y elementos de convivencia que no le fueron enseñados o que olvidó como producto del ritmo de vida en que se encuentra y del conflicto que ha caracterizado a la sociedad

of the central government and the re-education of citizens towards the establishment of a citizen culture based on less aggressive relationships. Mockus's civic education programmes had a big impact and were highly popular. Surveys made among the population indicated higher levels of trust towards local authorities, and towards their potential to improve the quality of life:

“Resultado de la gran ejecución pública y del desarrollo de la misma, Bogotá se blindó contra los politiqueros y la politiquería que tuvo en el pasado. Los andenes, vías, ciclo rutas, Transmilenio, parques y colegios que hoy se disfrutan y benefician a millones de personas, han dado al ciudadano sentido de pertenencia, independencia y valores. En términos políticos, la cosa pública bien hecha incrementó el voto de opinión en Bogotá: aquel que castiga al corrupto o al ineficiente y premia la meritocracia y las cosas buenas.”⁵⁴

In Cali the administration of local mayor Rodrigo Guerrero had developed in 1992 a programme called DESEPAZ which was based on the application of the epidemiological analysis of crime and violence in the city. With a better knowledge of the variables having significant impacts on violence, the authorities hoped to be more prepared to understand the phenomena and to apply policies aiming at decreasing violent crimes in the city. The programme, which saw crime and violence in general as a public health issue treated crime and violence by studying risks zones and within them, groups at risk. The evaluation of data could serve as a diagnosis for the implementation of well-focused law enforcement programmes and crime-prevention strategies. DESEPAZ also stated the importance to invest resources in the local police force and to modernise the justice system. This idea was implemented with the establishment of *Casas de Justicia* and *Comisariías de Reconciliación*. DESEPAZ also stressed the importance to establish regular monitoring programmes by law enforcement agencies like the Police, the Administrative Security Department - DAS, the prosecutor's office, the *Personería* and the forensic institute. These assessments

colombiana en las últimas décadas'. See Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, pp. 8 and 11.

⁵⁴ Colombia Analítica, available at <http://colombia.analitica.com/editorial/3357633.asp/>.

where meant to keep track of the impact of these policies in the most violent zones of the city.⁵⁵

The current mayor of Cali, John Rodríguez, has continued with some of the inherited policies from the DESEPAZ programme. He has also tried to integrate a participatory component for the community to grasp a better understanding of local crime. His argument was summarised in the following statement:

‘Es preciso articular las políticas de seguridad con la ciudadanía. [...] Quiero concertar y propiciar la conformación de unas asambleas populares para poder establecer en cada uno de los barrios, comunas y corregimientos de Cali cuáles son los problemas fundamentales que están afectando a sus habitantes, decantarlos e ir formando un banco de información de la seguridad que nos permitirá tomar medidas puntuales y eficaces frente a ellos’.⁵⁶

Due to the significant levels of violence in the early 1990s, the central government took a different approach to the problem of crime and violence in the city of Medellín. President Gaviria appointed in 1993 a special presidential advisor in charge of solving the insecurity problems in the region.⁵⁷ This advisor put in place different policies that tried to redirect the efforts and resources of local authorities to replace the ‘culture of violence’ imposed by the illegal drug cartels. This also involved the promotion of

⁵⁵ The main objectives of this programme were: 1) the analysis of local violence following an epidemiological system; 2) The strengthening of local institutions; 3) Education programmes aimed at preventing violence in risk communities; 4) The promotion of community involvement and participation in local affairs; and 5) Special investment in development programmes for risk communities. This programme proved so successful in the analysis of violence that it was copied in many other Latin American cities. Guerrero went to the Inter-American Development Bank to continue his research on the topic of urban violence. Once a week, the city mayor would organise a two-hour meeting in one of the 20 local municipal councils called *Consejos municipales de Seguridad* and discuss with local authorities and community leaders the specific variables affecting crime and violence. The analysis of all these meetings led the city mayor to draw effective policies which were in accordance with the demands of the population. For the goals and results of the DESEPAZ programme, see Valencia de la Roche, R., “Políticas de convivencia y seguridad ciudadana” in Corporación Excelencia en la Justicia, *Políticas de seguridad y convivencia para el nuevo siglo*, p.49; Waller, I., “Prevención del delito: la nueva esperanza” in Programa Sistema Penal Derechos Humanos de ILANUD y Comisión Europea, *Delito y Seguridad de los Habitantes*, Mexico D.F., 1997. See also Ayres, R.L., *Crime and Violence as Development Issues in Latin America and the Caribbean*, Washington D.C., 1998, Box 7, page 20.

⁵⁶ Rodríguez, J.M., “Es necesario volver a la unidad familiar” in Inter-American Development Bank et al., *Hacia una nueva cultura ciudadana*, p.31.

⁵⁷ This refers to the *Consejería de asuntos para Medellín*. This office was led by Maria Emma Mejía in charge of directing financial resources and institutional assistance to solve the problems of violence in the poorest sectors of the city.

grassroots programmes aimed at rehabilitating youth bands and improving the access to employment, educational and recreational facilities.⁵⁸

During the last decade, local security plans at the urban level have centred on the analysis of local crime issues. This has, to a certain extent, filled the vacuum created by the lack of a consistent national strategy able to guide the cities in the search of homogeneous approaches at the local level. The results have varied depending on the resources available in each municipality and the priorities posed by local administrations. The main issues tackled by security policies have been the improvement of crime databases and knowledge of risk areas, the modernisation of the Police and the improvement of the judiciary and the diffusion of civic programmes to re-educate citizens in areas that have been particularly affected by violence.

The process of collecting and classifying data by public institutions has been disorganised and often duplicated. It is common that different offices collect the same statistics from different sources and classify them by using different methodologies.⁵⁹ However, in recent years there has been a consistent effort to direct data-gathering institutions in homogenising their methodologies and defining specific roles for each institution. This has also involved the introduction of better, more rational definitions for each crime to be used by all entities in order to avoid discrepancies. In this respect the Presidency has often repeated that the lack of co-ordination in the use of crime databases is one of the main obstacles to defining effective strategies for improving

⁵⁸ For a thorough analysis of these policies aimed at improving relations between the community and the authorities, notably the police, see Salazar, M. and Castro, M.F., "Respuesta a la criminalidad violenta en Colombia: una visión desde lo público", Bogotá, 1998.

⁵⁹ The example of homicides is striking: the Police usually consider that a homicide takes place when a person is found dead. If the person is taken to hospital alive, the Police are informed of an 'aggravated assault'. If the victim dies from internal wounds or from a heart attack, the cause of death may be classified as being something else than a homicide. It is only during the post-mortem analysis that the forensic office of the *Instituto de Medicina Legal* may classify the main cause of death as being a homicide. Because of this, the statistics of the *Instituto* often are higher than the ones published by the Police. These differences are even more evident when dealing with other violent and non-lethal crimes, such as kidnapping and extortion. These are actually being classified by several entities that often present important differences in their databases. The authorities who investigate these crimes may not have the same information as non governmental organisations that provide assistance to the victims. These differences are found in most crime databases, and especially in less important and non physical crimes, such as property crimes and burglaries. See Rubi, M., "Crimen con Misterio: Lo que revelan las estadísticas de violencia y criminalidad en Colombia", Bogotá, April 1998.

security, both at the national level and in the larger urban centres. The first *Estrategia* recognised this problem when it stated that:

‘La falta de coordinación en el manejo de datos sobre el delito sin duda dificulta a escala nacional la identificación temprana de tendencias que permitan, por ejemplo, trabajar en la elaboración de un programa o de un proyecto de ley.... Si bien la Policía Nacional a partir de la Dirección de Policía Judicial - DIJIN - está en capacidad de informar con prontitud la evolución de un determinado número de delitos, es necesario avanzar en dos caminos. Por un lado, hay que complementar este listado de delitos y de manifestaciones violentas con otros producidos por entidades como Medicina Legal y el Observatorio de Violencia de la propia Presidencia de la República. Por otro lado, es fundamental reunir toda esta información y presentarla con una misma metodología y claridad con el fin de hacer ágil su análisis y la consecuente toma de decisiones’.⁶⁰

Despite having established specialised *observatorios de la violencia*, or violence observatories, in the larger urban agglomerations, the results have been disappointing.⁶¹ So far, these observatories have remained precarious in their levels of analysis and the use of technology has been consistently low and labour intensive. The central government has tried since the mid-1990s to establish database centres with accurate information on crimes. The idea, as described by the Presidency was to create a space in which the civil authority (*alcaldes* and *secretarios de gobierno*) could work together with the Police, the Security Administrative Department (DAS), the Prosecutor general and others. They could see accurate computers-aided databases on crimes within their location in order to facilitate policy making. In most of the cities the use of wallpaper maps with coloured pins are still used to follow the trends in crime. This precarious method has proven to be less than accurate and because the time-lapse between the time of the crime and the time of the classification does not permit the implementation of preventive strategies. The national observatory for crime and violence based at the Presidency has not been finished yet, despite having been announced several years ago by the President himself.⁶² In spite of this, there is a

⁶⁰ Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, p.17.

⁶¹ The cities include Bogotá, Cali, Medellín, Armenia, Barranquilla, Bucaramanga, Buenaventura, Cúcuta, Ibagué, Manizales, Neiva, Pasto, Pereira, Valledupar and Villavicencio.

⁶² See Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, pp. 20-24.

general consensus on the need to promote better crime mapping techniques to understand variables of crime and define high-risk zones and populations.

One of the first measures attempted by local authorities to reduce the number of homicides has been the control of weapons in the streets. Because the majority of homicides are committed with firearms, it was decided to restrict the right to own and carry weapons in public areas.⁶³ In theory, the Army has the monopoly of the production and commerce of weapons. In practice, there is also an important black market, and official calculations have estimated that for every registered weapon there might be at least three illegal ones. Although these figures cannot be verified, the government has admitted that:

‘el contrabando ilegal de armas y municiones supera la capacidad de control del Estado. Según la Oficina de Control y Comercio de Armas del Comando General del Ejército, en Colombia existen aproximadamente 600.000 armas legales frente a dos millones de armas ilegales, lo cual quiere decir que por cada arma legal en el país, hay tres armas sin salvoconducto y, por ende, sin control del Estado’.⁶⁴

Only recently the authorities, led by the Ministry of Justice and by the *Instituto de Medicina Legal*, have put in place an initiative to create a ballistic database. But so far, there is still no ballistic register and the authorities cannot identify which weapons have been used in crimes. Although there is a project to install ballistic machines in the largest cities of the country, the project does not consider the options to reduce the use of illegal and non-registered weapons in the commission of crimes.

The arms trade is closely linked to both drug trafficking and to the existence of illegal armed groups, guerrillas and paramilitary organisations. Current legislation on personal armament has remained ambiguous and easy to evade.⁶⁵ With views to

⁶³ In recent years, most than 80 per cent of the total number of homicides were committed with firearms and in some urban centres this percentage is even higher.

⁶⁴ Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, p.51. See also Ministerio de Justicia y del Derecho, *Documento de la República de Colombia para el décimo Congreso de las Naciones Unidas sobre prevención del delito y tratamiento de delincuentes*, Bogotá, 2000, p.15 and especially pp. 25-27.

⁶⁵ Decree 2535 of 1993 defines the rules of private weapon use and the different gun permits that may be given to carry or to own a gun. The decree has a main flaw: Article 18 lets the chance for people who

provide a better control of the illegal arms commerce, the Colombian government has promoted and signed several agreements with neighbouring states and international organisations. So far, these agreements have had few positive results. Colombian officials were among the architects and promoters of the *Convención Interamericana contra la fabricación y el tráfico de armas de fuego, municiones, explosivos y otros materiales relacionados*. The government has also participated in several regional meetings, such as the *Seminario Regional de las Américas sobre el Control de armas de fuego* held in Sao Paulo, 8-12 December 1997, at the UN Convention against Transnational Organised Crime; and several meetings on Arms and Security held at the Organisation of American States. Recent scandals in Peru and Venezuela have demonstrated that diplomacy is often ineffective: both the Fujimori and the Chávez administrations were accused of illegally exporting and selling weapons to Colombia's insurgent organisations.⁶⁶

The most effective measure to reduce the number of illegal weapons in the streets has been to prohibit all weapons, including the legal ones. While most people owning guns were allowed to have the weapon at home, permits allowing citizens to carry their guns in public places were reduced. This measure was enforced on weekends and public holidays when most homicides take place. The issuing of new gun permits was also controlled and there were several local programmes, notably in Bogotá, aiming at exchanging weapons and ammunition for money or food-bonuses.

Results of the disarmament programmes and the control on the consumption of alcohol have generally been overrated. In a recent study by Llorente et al., the authors argue that these policies had a limited effect in reducing the number of homicides and that the decrease of the annual number of these crimes cannot be attributed to these

only have a permit to own a gun at home, to transport it in public places if the gun is unloaded. As a result, the measures taken by municipalities to reduce the number of guns in the streets are not always effective, as many people carry their guns unloaded. This example shows how easy it is to defy the law. Even if the weapon is unloaded, the owner can always load it and use it in a matter of seconds.

⁶⁶ Other countries like Panamá, Ecuador and Nicaragua have also been involved in illegal cases of arms trafficking with the Colombian armed groups. A recent summary of recent scandals appeared in *El Tiempo*, 25 April 2002.

measures.⁶⁷ The authors also argue that because most of the homicides are concentrated in well-defined zones in the cities, the reduction of the number of weapons on a global level and the control of alcohol consumption in public places have had little or no impact on the number of homicides.

The question on how to reduce the number of homicides in the major cities of the country has been tackled from different angles. Although the topics are different and should not be confused, the number of homicides will perhaps only be reduced significantly when the State reaches a solution to the conflict with the guerrillas and to the problem of drug-trafficking. Any progress in these areas can be a decisive factor in helping pursuing better policies to eliminate violent crime. A consistent policy of modernisation and strengthening of the Army and the Police can also permit the consolidation of effective strategies based on the co-operation between the institutions charged with investigating, prosecuting and penalising crimes. While these are necessarily problems for the higher level of government, other specific questions have to be dealt by local institutions. A strategy based on the combination of national strategies and local projects is needed. Unfortunately, national and local authorities still ignore most of the details of the locations and conditions in which violent crimes are committed. It is still not possible to assess what would be the effects of peace with the main insurgent groups and no studies have evaluated the consequences of the fight against drug-cartels during the last decade.⁶⁸

There are no studies that have identified the main risk-areas of every major city where violent crimes are committed. Specific and localised studies have found that homicides

⁶⁷ Llorente, M.V. (coord.), "Caracterización de la Violencia Homicida en Bogotá", pp. 49-52. See also Llorente, M.V., Núñez, J. and Rubio, M., "Efecto de los controles al consumo de alcohol y al porte de armas de fuego sobre los homicidios en Bogotá", Bogotá, 2000.

⁶⁸ It is impossible to say if peace in Colombia would have similar effects on crime and violence as it happened in Central America. Colombian citizens are not divided as people were in Central America. So far, the conflict cannot be categorised as a civil war; added together, guerrillas and paramilitaries total less than 0,1 per cent of the country's population. Secondly, the dismemberment of the largest drug cartels in Medellín and Cali has probably had a significant impact on the number of homicides committed in these two cities. However, in recent years a number of smaller and less visible cartels have appeared in smaller cities such as Pereira, Cúcuta or Tulúa. In those cities, the number of homicides has increased significantly. It is not possible to argue that the end of the large cartels has had a positive impact on the number of homicides as they just displaced violence to other cities.

are geographically localised in risk sectors, but no study has tried to analyse comparative trends across cities. The motives and circumstances behind homicides are still unknown and the policies aiming at reducing the number of weapons in the streets have not been strictly monitored in most of the places where they have been implemented.⁶⁹

Kidnappings and extortion crimes

During the 1980s, the government created specialised groups in charge of the investigation of kidnappings. These were rapid-deployment units especially trained for heavy combat and were attached to the Administrative Security Department - DAS, the intelligence services of the Police. During the early 1990s, these groups were re-structured and given more power by the Gaviria administration.⁷⁰

The government decided that a multi-institutional force, able to investigate and prevent further crimes had to be put in place. In 1993, President Gaviria announced the creation of special investigation and law enforcement units:

‘[Se requiere el] fortalecimiento y profesionalización de los servicios de inteligencia tanto de las Fuerzas Militares, como de la Policía y el DAS; aumento del pie de fuerza en contraguerrilla en el Ejército bajo la modalidad de brigadas móviles y soldados profesionales; aumento de efectivos en la Policía para ejercer mejor control de los puntos claves de la infraestructura del país; desarrollo de una política anti-extorsión y secuestro conjunta de Fuerzas Militares, Policía, DAS y Fiscalía General de la Nación mediante la creación de los grupos UNASE’.⁷¹

⁶⁹ Villaveces, A., Cummings, P., Espitia, V.E., Koepsell, T.D., McKnight, B. Arthur L. and Kellermann, A.L., “Effect of a Ban on Carrying Firearms on Homicide Rates in 2 Colombian Cities” in *Journal of the American Medical Association*, Vol. 283, No. 9, March 1, 2000. See also Llorente, M.V. (coord.), “Caracterización de la Violencia Homicida en Bogotá”. The study by Villaveces et al. is positive and finds that the measures taken in Bogotá and Cali had a significant impact on the number of homicides. This view is different from that of Llorente et al., who state that more research is needed before conclusions can be reached about the real effect of these measures. They argue that further research is needed to compare the areas of violence with the results of weapons-control programmes.

⁷⁰ Varios Autores, *Rostros del Secuestro*, Bogotá, 1996, p.23.

⁷¹ Gaviria Trujillo C., “Estamos contruyendo un nuevo consenso nacional en contra de la violencia”, speech said the 18 November 1992. See transcript in Presidencia de la República *Una Política de seguridad para la convivencia*, Vol. 1, pp. 139-140. See also “Coordinación de información sobre inteligencia contra secuestro y extorsión”, Article 27, Law 40 - 19 January 1993.

These anti-kidnapping units, called *Unidades Anti-secuestro* or UNASE, were often criticised for their radical methods and poor results that often ended with the death of the victim. Their main role was to act as deterrents for future kidnappers. In 1993 the Minister of the Interior declared that he was pleased with the results of these units since more than 120 victims has been released from their captors.⁷² That same year, the National Police indicated that the number of kidnappings had surpassed 1,200 and that the number of rescues had reached 10 per cent of the total number of reported cases. The authorities were criticised because of this poor result and their methods were questioned again because victims were constantly put at risk when the anti-kidnapping units attempted rescue operations. Demands from the public to change the strategies for rescuing victims intensified after Diana Turbay, a journalist and daughter of a former President, was killed in a rescue operation after she had been kidnapped by the Medellín Cartel. During several weeks, relatives of the victim asked the authorities not to attempt a rescue. Turbay's mother also sent letters to President Gaviria urging him not to intervene, but her plea was ignored and Diana Turbay was murdered when the authorities attempted to liberate her.⁷³

The anti-kidnapping strategy was based on the creation of special units that were active mainly in the rural areas and were under the command of the Army.⁷⁴ In the first year, the state established nine UNASE units in the most affected areas of the country.⁷⁵ In

⁷² His words were: 'Los logros de la UNASE que actualmente están operando han sido destacados pues hasta finales de 1992, 124 personas recuperaron su libertad sanas y salvas, y más de 500 delincuentes dedicados al secuestro fueron capturados y entregados a la justicia'. Speech by Fabio Villegas Ramirez, Minister of the Interior, 1993, in Presidencia de la República, *Una Política de seguridad para la convivencia*, p.223.

⁷³ For a copy of the correspondence between Turbay's mother and the President, see Varios Autores, *Rostros del Secuestro*, pp. 139-185.

⁷⁴ In 1992, there were 9 rural UNASE under the direction of the Army in the following regions: Sogamoso, Barranquilla, Valledupar, Popayán, Bucaramanga, Villavicencio, Pereira, Neiva y Montería. The National Police were only in charge of the urban UNASE in the cities of Medellín, Cali and Bogotá. This fact still shows the reactive approach of the authorities towards the problem of kidnappings. By 1993 the number of anti-kidnapping units had grown to 22, mainly to fix this imbalance between Police and Army units. See Presidencia de la República, *Una política de seguridad para la convivencia*, p.282.

⁷⁵ "Contra el secuestro y la extorsión, se han montado, y en la actualidad se encuentran operando, nueve grupos Unase rurales y tres urbanos"; Presidential Advisor for National Security, Ricardo Santamaría in "Nuevo enfoque para el manejo de la seguridad interna", Escuela Superior de Guerra, Bogotá, 7 July 1992. For a transcript, see Presidencia de la República *Una Política de seguridad para la convivencia*, Vol. 1, p.130.

spite of these reforms, the efforts of the authorities to bring down the number of kidnapped people were not sufficient. While the number of kidnappings increased on a yearly basis, rescue operations never exceeded 23 per cent of the total number of victims. In 1996 the government created a national anti-kidnapping council incorporating all the main figures involved in security affairs.⁷⁶ This council was supposed to unite the highest authorities responsible for drafting national and citizen security strategies, as well as for investigating and prosecuting crimes. President Samper also created an advisory office in charge of leading the national strategies against kidnapping and established several multi-institutional units from the Police and the Army with the support of the General Prosecutor's office. The new units that replaced the UNASE were called *Grupos de Acción Unificada*, or GAULAS.⁷⁷

Following public demand through a referendum made in 1993, the *Mandato ciudadano* asked the Congress to revise the legislation and try to increment the authorities' efforts to punish kidnappers and prevent the commission of new crimes. When the Congress finally passed a new anti-kidnapping legislation, it presented a series of new anti-kidnapping laws that were copied and adapted from the laws against organised crime that had been voted in Italy a few years earlier. These decree-laws were meant to be highly punitive and deterrent against kidnappers and were based on a 'zero tolerance' approach in which the State, through its investigative and law-enforcement authorities, could also seize and control the assets of victims to avoid the payment of ransoms. This also meant that the authorities could take control of the assets of individuals and corporations that were suspected of helping the victims to find the capital to pay their ransoms. The purpose of this preventive seizure of goods was to act as a disincentive

⁷⁶ This refers to the *Consejo Nacional de Lucha contra el Secuestro y demás atentados contra la Libertad Personal* - CONASE. In this council participated the Ministry of Defence and members of the following offices: the office of the General Prosecutor, the Commander of the *Fuerzas Militares*, the Director of the National Police, the director of the intelligence service (DAS) and, until 2000, the director of the Anti-kidnapping office of the Presidency. Directors, Commanders of GAULAS and other important civil servants working on related topics can also attend by invitation of the Council. See Law 282 - 6 January 1996, Decree 1465 of 1995 and Decree 1512 of 2000.

⁷⁷ In December 2000 there were 26 working GAULAS. 16 belonged to the Army, 9 to the National Police and 2 to the Navy. While the GAULAS of the Police are institutionally independent, the Gaulas of the Army and the Navy need to have personnel from the Public Prosecutor's Office and from the intelligence service (DAS) to undertake investigative and judicial actions. See *Presidencia de la República, Programa presidencial para la defensa de la libertad Personal*, Bogotá, 1998, pp. 6-7.

for kidnappers by limiting all the access to financial resources for families of the victims. The laws also punished with prison sentences and imposed heavy fines to all those who participated in the payment of ransoms or who contracted insurance policies and negotiators to mediate directly with kidnappers.⁷⁸

While the philosophical argument of these laws was correct because it required all victims to report the crimes to the authorities and wait for them to investigate and capture the kidnappers, it also caused much controversy because it was felt that the authorities were not able or prepared to assume this task without putting the victim's life at risk. In the eyes of many people, these laws caused 'further victimisation to the victims' since they made even more difficult the liberation of kidnap victims in a country where the authorities were already having problems to win their war against drug-cartels, insurgent groups and other illegal armed groups. Several articles and paragraphs were declared unconstitutional by the Constitutional Court because they affected individual liberties.⁷⁹

This legislation has generally been highly punitive in character but its deterrent tone has not produced results: President Gaviria, in one of his speeches said: 'Fueron los propios ciudadanos para sólo citar un ejemplo, los que pidieron castigo ejemplar para los secuestradores, para que este delito no pudiera ser objeto de indulto y para que la

⁷⁸ See Andrade Sánchez, E., *Instrumentos jurídicos contra el crimen organizado*, particularly Chapter 5, "La Criminalidad Organizada en Italia", UNAM, México, 1997, pp. 113-115. See also Santino U., "Law Enforcement in Italy and Europe against mafia and organized crime" in McDonald, W.F. (ed.), *Crime and Law Enforcement in the Global Village*, Cincinnati, 1997, pp. 151-166, also available at the Centro Siciliano di Documentazione Giuseppe Impastato's website at <http://www.centroimpastato.it/publ/online/mcdonald.htm/>.

⁷⁹ Chapter 1, Article 7, Sentence N° 213 of the Constitutional Court, 28 April 1994.

Other articles that were considered as inapplicable by the Constitutional court include:

- the payment of anti-kidnapping insurance (Chapter 1, Article 12 and Chapter 4, Article 26, Sentence N° 542 of the Constitutional Court, 24 November 1993)
- the freezing of all assets belonging to the victims and their families (Chapter 2, Article 13 & Chapter 3, Article 18, Sentence N° 542 of the Constitutional Court, 24 November 1993)
- the participation of civil servants and public employees in the transactions leading to the liberation of victims (Chapter 2, Article 15, Sentence N° 542, 24 November 1993)
- the participation of financial institutions in any transaction related to the liberation of a victim (Chapter 3, Articles 20 & 21 and Chapter 4, Article 24, Sentence N° 542 of the Constitutional Court, 24 November 1993)
- the participation of foreigners in the liberation of victims (Chapter 4, Article 25, Sentence N° 542 of the Constitutional Court, 24 November 1993).

pena fuera aumentada a 60 años de cárcel’.⁸⁰ The law stated that sentences against ransom kidnappers might go up to 40 years, with the possibility of adding another 20 years when victims included children, mentally or physically ill people or pregnant women. It was stated that if any kidnapping lasted more than 15 days, that could also add 20 years to the sentence.⁸¹

Recently the National Police was re-structured and another sub-direction in charge of combating kidnapping and extortion was created.⁸² This change in the institution puts the issue of kidnapping and extortion on the same level of importance as the strategies against counter-insurgency or anti-narcotics. It is probable that the GAULAS will receive more resources and attention. The government proclaimed in 1999 that:

‘El Gobierno Nacional está invirtiendo grandes esfuerzos en el fortalecimiento de los GAULAS tanto urbanos como rurales en materia de capacitación, prevención y

⁸⁰ President Gaviria’s speech pronounced on the 24 April 1993. See Presidencia de la República, *Una política de seguridad para la convivencia*, p.319.

⁸¹ Chapter 1, Article 1, Law 40 - 19 January 1993. In addition to the prison sentence, this article also states that kidnappers can be fined between 100 and 500 minimum monthly wages. This article was changed with the adoption of a new penal code in 2001. Article 169 of the New Code states that kidnappers face prison sentences between 18 and 28 years in jail and a fine between 2000 and 4000 minimum monthly wages. These sentences can be increased by up to 50 per cent when kidnappers act in groups or take the victim for more than 15 days. In January 2002, the law increased the minimum sentence to 20 to 28 years in jail and a maximum fine of 1,000 minimum monthly wages. This sentence can be increased to a jail sentence between 28 to 40 years in jail and a fine between 5,000 and 50,000 minimum monthly wages when there are aggravation circumstances, such as kidnapping a person for more than 15 days, kidnapping a minor or a disabled person, among others. So far, there have been no records of anyone sentenced to 40 years in jail and a fine of 50,000 minimum monthly wages. This fine is today equivalent to approximately US\$6 millions. While the sentences continue to increase with the adoption of new laws, there are no visible signs of any crime deterrence caused by these figures and there is no record available about kidnappers convicted and sentenced. Paradoxically, President Pastrana recently reopened the debate to see whether the authorities should be given the right to freeze the assets of victims to avoid the payment of ransoms. Despite the fact that the measure has not been popular as it “victimises further the victims” and was considered unconstitutional in 1994, projects to re-include it in the legislation are often discussed in Congress. President Pastrana exposed this in a televised allocution on 30 June 2000. The allocution can be obtained at <http://www.presidencia.gov.co/>. See also “Cuestión de Honor” in *Revista Semana*, No. 948, 11 July 2000. See also Congreso de Colombia, *Código de Procedimiento Penal*, Bogotá, July 2001, Articles 169 and 170. See also Law 733 of 29 January 2002. For further details on the prohibition of ransom negotiation and anti-kidnapping policies, see **Chapter 2 above**, especially footnote 2.

⁸² For an analysis of the institutional reforms of the National Police, see Llorente, M.V., “Perfil de la policía colombiana”, pp. 389-474, and especially the organisational structure of the institution in p. 415. Today, the existing sub-directions cover the following areas: Operational, Judicial Police, Special Services, Intelligence, Anti-narcotics, Anti-kidnapping and Extortion, Administrative and Financial Services, Human Resources, Academic, Social Welfare and Health. See also Decree 1512 - 11 August 2000.

reacción. Parte de esta capacitación tiene el objetivo de recuperar la confianza de los familiares de las víctimas para que denuncien el delito. La experiencia es irrefutable en el sentido de que la intervención por parte de los GAULAS es un factor fundamental para que el caso sea resuelto de forma exitosa. La meta es acabar con la impunidad frente al secuestro, imponiendo castigos ejemplares que desestimulen la conformación de organizaciones dedicadas a privar de la libertad a sus conciudadanos. De esta forma se espera crear cárceles especiales para secuestradores'.⁸³

The reforms respond to daily necessities that have appeared in recent years. This strategy has not only been visible in the policing aspect but also on the judiciary and penal sectors. While the government has passed strong legislative measures to punish criminals it has also began to build and refurbish penitentiaries. However, the legislation to punish kidnappers has generally been confusing, radical in its approach against innocent citizens, and extremely difficult to put into practice. Laws are often modified or replaced. For example, law 40 of 1993 was adopted to impose severe sentences to kidnappers but, so far, no one in the government appears to know exactly how many people have been sentenced for committing this type of crime. There also seems to be the same general ignorance about the payment of fines imposed to kidnappers. The legislation has therefore been useless in deterring criminals. Rather than actually penalising those who commit these crimes, it has just sought immediate and superficial public approval.

Francisco Santos, a journalist and founding member of País Libre, has a critical view of the state in its fight against this crime.⁸⁴ In a recent article, he expressed his opinion as follows:

‘La verdad, el Estado le ha dado largas al asunto durante los pasados diez años. El gobierno Gaviria creó los Gaulas, entonces llamados Unases, con poca dotación o estrategia para combatir el secuestro. La administración Samper montó la oficina del Zar [...] y le botó -esa es la palabra perfecta por la forma como se hizo y el resultado que obtuvo- más presupuesto a la lucha contra este delito. Y el gobierno Pastrana, por más de dos años no tuvo política al respecto, no hizo absolutamente nada contra el

⁸³ Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, p.63.

⁸⁴ For more on País Libre and its role in Colombian politics, see the **Introductory chapter**, footnote 61, p.30.

secuestro y ahora se rasga las vestiduras con la dimensión del problema y plantea soluciones jurídicas que no van a cambiar para nada la situación'.⁸⁵

Because of the growing number of kidnappings, the popularisation and sensationalism of the topic through the different media, the Director of the Anti-Kidnapping Office rapidly became attracted public attention.⁸⁶ Few of the strategies have included public participation through information or education. Public ignorance on the subject remains high, and poor co-operation with the authorities is a consequence.

Prison policy

The country was already living a crisis of its penitentiary system when the Gaviria administration announced that it was to become a 'major priority'. In one of his speeches, the president mentioned that his government would invest in rehabilitation and crime deterrence programmes. He also announced the establishment of a National Prison Code and a specialised body in charge of the surveillance inside jails:

'Uno de los retos existentes para poder mejorar la seguridad ciudadana es ofrecer verdaderas condiciones de rehabilitación a los transgresores de la ley. El desarrollo de una moderna política carcelaria tiene la mayor prioridad... La creación del Instituto Nacional Penitenciario y Carcelario, así como la reciente expedición de un nuevo Código Carcelario y Penitenciario permitirán avanzar en esta política'.⁸⁷

Almost a decade after the above sentence was pronounced, the problem remains the same, and the National Penitentiary Institute - INPEC, is still in deep crisis. Colombia lacks a coherent penal policy, and this, in spite of a long tradition in establishing new law schools and producing lawyers. In a recent article, Malcolm Deas argued that the 'lack of consistency in criminal legislation is notorious. It oscillates between severity and indulgence. Increasing mandatory sentences is a common reaction to demands that 'something be done', but in Colombia the laws of evidence have commonly favoured

⁸⁵ Santos, F., "Secuestro y voluntad política" in *El Tiempo*, 10 December 2000.

⁸⁶ The director of the Anti-Kidnapping office was often referred to by the media as the *Tsar Anti-secuestro* or anti-kidnapping tsar.

⁸⁷ Presidencia de la República, *Una política de seguridad para la convivencia*, pp. 393-394.

the defence. Sentences are also cumulatively scaled down by plea bargaining, undertakings by prisoners 'to study' and other allowances'.⁸⁸

In 2000, the prison population was of 46,930 inmates while the country's jails only had a capacity to maintain 34,000 inmates.⁸⁹ This overcrowding is not new: it has since long been a major problem. Recent statistics from the Ministry of Justice reveal an overcrowding of more than 38 per cent at the national level. The major prisons such as *La Picota* or *Cárcel Modelo* are overcrowded by more than 73 per cent and 45 per cent respectively. The main prison of Medellín, which was conceived to have 1,800 inmates, has at present almost 5,500 inmates. Even the high-security prison of *Itagüi* has an overcrowding of 85 per cent, with twice as many convicts it was designed to have.⁹⁰ The general condition of prisons is poor, the equipment outdated and the guards are underpaid. The conditions for inmates vary significantly depending on their background. Privileged inmates, including former guerrilla leaders, drug-traffickers and disgraced politicians often live in larger cells with better facilities, have free access to the media and possess mobile phones, computers and faxes.

⁸⁸ Deas, M., "Violence Reduction in Colombia. Lessons from government policies over the last decade", mimeo, n.d., p.12.

⁸⁹ The media announced the inauguration of a high security jail for kidnappers and extortionists on 30 August 2001. When inaugurating the jail, President Pastrana said that: 'Con este nuevo penal, que hemos construido bajo las más modernas especificaciones, estamos solucionando en un 7% el déficit de cupos en el ámbito nacional y en un 23% el déficit regional. Nos servirá, particularmente, para reubicar a los condenados de otras prisiones, procurando así deshacinar la Cárcel Modelo y la Penitenciaría La Picota de Bogotá'. This discrepancy, besides proving once again that there is a great miscommunication between the media and the government in the theme of security, could also be interpreted as an article destined to manipulate a public which is currently criticising the government for lack of results in the fight against kidnappings. It draws more public attention to announce the inauguration of a security jail for kidnappers than to announce the inauguration a new jail to relocate convicts that have already been sentenced. There have also been some improvements in the major penitentiary centres of the country, notably in Bogotá, Palmira, Cúcuta, Girardot, Apartadó, Manizales, Cali, Ipiales, Cartagena, Loricá, la Colonia Penal de Acacías, Montería and Tunja. New jails have been or are being built in several other cities. See "Lista cárcel para secuestradores" in *El Tiempo*, 30 August de 2001 and the speech pronounced by President Pastrana "Palabras del Presidente de la República, con ocasión de la inauguración del nuevo centro penitenciario del Oriente", Acacías (Meta), 30 August 2001.

⁹⁰ For data on the Prison population, see the files of the INPEC in the Ministry of Justice's internet site at <http://www.minjusticia.gov.co:9090/>. These figures seem to coincide with the analysis published in 1997 by the Corporación Excelencia en la Justicia. In one of their studies, the Corporación concluded that in the mid-1990s the over-crowding was already reaching close to 40 per cent in jails that were generally old and poorly maintained. See Corporación Excelencia en la Justicia, *Repensar la justicia colombiana*, Serie Criterios de Justicia, No.1, June 1997, p. 9.

In spite of this, it is generally agreed that Colombia's prison population is low by international standards, especially when taking into account that many inmates are awaiting trial or have been sentenced for trivial offences. Many of those who have been sentenced for serious crimes have only been the material authors of these crimes. The intellectual authors have never been brought to justice. This is especially the case for the larger organisations, like drug-cartels, paramilitary groups and guerrillas.

Usually in Colombia trials are slow and expensive for most of the population. One of the State's planned solutions to the penal crisis and the backlog of the judiciary was the introduction of rapid, less expensive and hopefully more effective mechanisms of justice. To undertake this, the Gaviria administration announced in 1994 the creation of the first *Casas de justicia*, or local 'houses of justice'. When launching the programme, President Gaviria said that: 'Con el propósito de seguir ampliando el cubrimiento de la justicia y de acercarla más al ciudadano, el Gobierno impulsará el programa de "Casas de Justicia" a nivel regional, donde los ciudadanos dispondrán de los servicios de la Fiscalía, jueces, inspectores de policía, conciliadores, Procuraduría y Defensoría del Pueblo'. The first two Houses of Justice were established in Ciudad Bolívar in Bogotá and in the Aguablanca district of Cali. These *Casas de Justicia* were planned in such a way that low-income sectors of the population could have access to the judicial system without travelling far and without having to wait for too long. The main objective of these *Casas* was to restore the trust of the population in the legal system while reducing the backlogs of the system and offering citizens at the same time an accessible and non-violent way to solve their legal problems.⁹¹ The *Casas* were supposed to decrease the costs of the judiciary, especially in deprived and marginal areas by integrating, under one roof, members of several public offices. Among these institutions were included at least someone from the town council, the police, the prosecutor's office, the *Instituto Nacional de Medicina Legal*, the *Defensoría del Pueblo*, the *Instituto Colombiano de Bienestar Familiar*, the *Personería Municipal* as well as several independent lawyers. Because of this

⁹¹ Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, pp. 8-9. See also Ministerio de Justicia y del Derecho, *Documento de la República de Colombia para el décimo congreso de las Naciones Unidas sobre prevención del delito y tratamiento de delincuentes*, Bogotá, 2000, p.42.

congregation of legal and official institutions, the government perceived that the houses of justice would also improve the levels of information of the population towards legal matters and judicial processes.

Despite having a limited success, the establishment of other houses of justice throughout the country has been slow and difficult, despite the fact that the programme has attracted the interest of larger foundations like the United States Agency for International Development - USAID, the World Bank and the Colombian *Fundación para la Educación Superior*. Despite that the central government has confirmed its commitment to continue promoting this programme, there has been no study of the efficiency and long-term impact of the *Casas de Justicia* in crime-ridden areas of the country.⁹² There is still very little information on the final outcomes of cases dealt, on their impact in local populations and on the effectiveness of inter-agency co-ordination inside the *Casa*. Today, there are 15 *Casas de Justicia* operating in Bogotá (2), Cali (2), Bucaramanga, Ibagué, Neiva, Pereira, Valledupar, Cartagena, Barranquilla, Mocoa, Pasto, Popayán and one in the Urabá zone. Although the *Casa* located in Ciudad Bolívar, is often quoted as an example of success, there has been, so far, no monitoring of the results of this office. Critics of this programme often argue that the *Casas* cannot solve the backlogs existing in the main courts, and that only minor crimes will be targeted. Currently, there is a debate between proponents and opponents of the *Casas de Justicia* about the long-term sustainability of this project.⁹³

The experiences of the past decade have shown that the government has also attempted to strengthen the relationship between the authorities and the community by improving its presence inside risk communities. This has included attempts to bring the National Police closer to the needs of the population. The results in this last area have been more promising. Since the major reforms undertaken in 1993 and the measures to

⁹² So far less than 15 of these offices have opened to the public, with limited results. It would be interesting to analyse in a few years how effective it has been to include so many different public offices under one roof. See Presidencia de la República, *Estrategia nacional para la convivencia y seguridad ciudadana*, pp. 72.

⁹³ See Presidencia de la República, *Una política de seguridad para la convivencia*, p.394 and *Estrategia nacional para la convivencia y seguridad ciudadana*, pp. 47 and following. See also the US-AID project database at http://www.usaid.gov/press/releases/2001/fs010402_2.html/.

combat corruption in the force, and especially in the lower ranks, the population has increased its confidence in the institution. That the insecurity in the country has increasingly affected the middle classes has also affected police-community relations. Today there is more sympathy in the population towards the police, in part because the institution has been a constant target of the guerrillas.⁹⁴

Problems of the citizen security strategies

At present, citizen security is not included among the government's top priorities. Peace negotiations with guerrilla groups and the illegal-drug trade occupy most of the attention of the central government. Consequently, the application of citizen security strategies has not been effective and most of the projects have remained theoretical.

Several reasons explain this failure. First, there has not been a constant and regular criminal justice strategy during the decade. Governments, both local and national, prefer to adopt new security programmes than to continue the implementation of those established by former administrations. Secondly, the authorities have not managed to incorporate a more consistent and democratic strategy into their security programmes. Mainly because of the political conflict with guerrillas and paramilitary groups, citizen security strategies have been overshadowed by stronger counter-insurgency and counter-narcotics strategies. The central government and its agencies, notably the Police, have constantly implemented strong security programmes that do not allow for citizen participation.⁹⁵

Citizen security strategies have sometimes been confusing and difficult to interpret. Deas argues that 'there is a great deal of understandable confusion about the structure, workings and results of the system, and despite the very large sums spent over the last

⁹⁴ See "Estamos Ganando" in *Revista Semana*, 27 August - 2 September 2001.

⁹⁵ This is understandable: the National Police have consistently been the main target for guerrillas and drug-traffickers during the last decade. Today, almost 10 per cent of the municipalities do not have a Police station and many others are frequently attacked and bombed by guerrillas. At an urban level, Police forces have been targeted by drug-cartels or by armed groups who consider them as a 'rival' band.

decade, not enough was directed at making it comprehensible to the general public'.⁹⁶ The result of this has been the lack of consistent long-term strategies to curb crime. Citizen security has been considered a secondary matter, only approached so far with short-term projects aiming to bring rapid solutions to security problems momentarily to increase the levels of public approval. Decisions are usually taken hurriedly, without proper planning and financing. This has often been described as the 'immediatism' of Colombian politics.⁹⁷ Camacho recently summarised this in the following words:

'Dos grandes factores contribuyen a explicar esta situación: de una parte, ausencia de políticas permanentes, democráticas y eficaces por parte del Estado central; de otra, la situación de virtual impotencia en que se debaten nuestras ciudades respecto de su autonomía en este campo. El resultado ha sido una colección de políticas y acciones relativamente inconexas y coyunturales que no han logrado plasmarse en una verdadera política de Estado'.⁹⁸

Impunity levels have also remained extremely high.⁹⁹ This is an important matter, because the figures for impunity are often exaggerated and misused by the media and the population. The common perception is that impunity levels reach around 95 per cent for most crimes and are close to 99 per cent, in the case of homicides or kidnappings.¹⁰⁰ Having done research on this issue, Rubio sustains that impunity levels are high, but not so high as many people believe.¹⁰¹

The main problem lies on the lack of data and information about criminals that have been captured, judged and sentenced. On this subject, Deas mentioned that: 'Ignorance

⁹⁶ Deas, M., "Violence Reduction in Colombia. Lessons from government policies over the last decade", p.12.

⁹⁷ In a recent article, Francisco Santos also criticised the high degree of politicisation of criminal justice: 'Lo que el gobierno anterior haya hecho no vale. Hay que cambiarlo para que no se lleve el crédito o porque nosotros lo podemos hacer mejor. Esfuerzos importantes se pierden en los cambios de gobierno y el camino recorrido se olvida'. See Santos, F., "Secuestro y voluntad política" in *El Tiempo*, 10 December 2000.

⁹⁸ Camacho Guizado, A. and Camargo Bernal, E., "La Seguridad Ciudadana", pp. 341-342.

⁹⁹ A study made by the VII Commission of the Colombian Senate calculated that in 2000 there were 150,000 orders of capture in the country, some of them dating from the early 1990s. "Vigentes, 150 mil órdenes de captura en el país" in *El Tiempo*, 16 June 2000.

¹⁰⁰ See "Gasto Público y Desempeño de la Justicia" in Corporación Excelencia en la Justicia, *Justicia y Desarrollo: debates*, No.1; see also Partido Conservador Colombiano, *Inseguridad e impunidad en Colombia*.

¹⁰¹ Rubio, M., *Crimen e impunidad*, p.114.

about results so far obtained can be found in the most surprising quarters. In a seminar in April 1998 in Bogotá arranged by the President's office on kidnapping, a senior official of that office confessed to the author that he had been unable to discover reliable figures on the number of kidnappers captured, tried and sentenced in Colombia, and that he had no idea what the figures were. It is not surprising that public confidence in the government's anti-kidnapping strategies is low, and that there is no indication that they have much of a deterrent effect'. Deas continues by concluding that 'In general, the Colombian central government is often ignorant of the result of provincial experiments, even of municipal experiments in Bogotá itself. It is slow to learn about them, not good at evaluating them and slow to generalise successful practices. This is but one aspect of a lack of interest in preventive measures'.¹⁰²

Another problem that can be added is the complete lack of transparency in the finances of security organisations. It is extremely difficult to define the exact budget allocated to the Armed Forces since the national budget attributed to the Army and to the National Police is often increased by foreign governments who donate resources to investigate, combat and prosecute transnational organised crime. The most significant example has been the help received from the United States by the Colombian Armed Forces in their fight against illegal drugs. Although it is known that the Colombian Army and especially the Police periodically receive weapons and financial support to improve their fight against drug-cartels, the exact figures of this help are rarely disclosed to the public.

Another example is Industria Militar de Colombia, INDUMIL, the military-owned company in charge of producing and providing weapons, ammunitions and industrial goods for the Armed Forces. INDUMIL is also the only company that has the legal right to sell weapons and ammunition to civilians in the country. Although it is thought that INDUMIL is a very lucrative business for the Armed Forces, no figures related to the balance sheet of the company are released to the public. This lack of transparency is a major source of concern for civilian authorities, who often encounter difficulties

¹⁰² Deas, M., "Violence Reduction in Colombia. Lessons from government policies over the last decade", pp. 11-13.

from INDUMIL officials when trying to increase the accountability of the Armed Forces. INDUMIL has also been a source of (passive) resistance against civilian-led projects aiming to reduce the number of weapons in the streets.¹⁰³

Government officials continue to argue that better levels of efficiency and transparency in security-related topics could be achieved by continuing the decentralisation process and by giving more power to regional authorities. These should receive national guidelines, promoting preventive rather than reactive policies.¹⁰⁴ Issues like the financing of national security institutions and their accountability towards civilians have not been targeted yet.

In general, citizen security strategies have nonetheless not received a great deal of attention from local authorities. These have traditionally given preference to other topics that bring more public attention and receive larger resources from the nation, such as anti-insurgency and anti-narcotics strategies.

The judicial system lacks popular credibility and support because it is generally slow, corrupt and inefficient.¹⁰⁵ On this issue, Francisco Santos writes: ‘Colombia no tiene un proyecto como nación en el que el desarrollo, la seguridad, la educación, la salud y la equidad económica tengan, cada uno, su propia prioridad. Seguimos siendo un país desagregado en lo geográfico, en lo político, en lo económico y en lo social, sin una dirección común como nación’.¹⁰⁶

¹⁰³ For more on INDUMIL’s services, check <http://www.indumil.gov.co/>

¹⁰⁴ Departamento Nacional de Planeación, *La Paz: el desafío para el desarrollo*, p.145.

¹⁰⁵ See Corporación Excelencia en la Justicia, *Repensar la justicia colombiana*, p.11.

¹⁰⁶ Santos F., “Secuestro y voluntad política” in *El Tiempo*, 10 December 2000. Alvaro Camacho also concluded that: ‘Ante una situación de generalización de la violencia urbana, sería de esperar un esfuerzo decidido y sistemático por parte del Estado para la elaboración y puesta en práctica de políticas y programas de seguridad ciudadana. Sin embargo, un examen de éstas en los últimos años lleva al necesario reconocimiento de que han sido erráticas, coyunturales y con niveles muy bajos de ejecución’. See Camacho Guizado, A. and Camargo Bernal, E., “La Seguridad Ciudadana”, p. 342; see also the interview with Jaime Bernal Cuellar, the general procurer of the country, quoted in “A la Calle” in *Revista Semana*, 27 August - 2 September 2001.

However, since the mid-1990s, this topic has attracted the attention of multilateral agencies and governments abroad. Different agents of the international community have started to play an important role in promoting and financing programmes of violence reduction, development of alternative methods of justice and modernisation of law-enforcement and crime prevention agencies. This interest has been reflected by the promotion and financing of projects in extremely diverse areas of research and policy-making. As mentioned above, multilateral agencies like the Inter-American Development Bank and the World Bank and individual governments through specialised agencies like the US Agency for International Development - USAID, and the Council for External Relations of the European Union have taken an increasing role in the development of citizen security programmes aiming at improving security and providing peace among citizens. The European Union has been particularly concerned with issues related to the strengthening of democratic institutions, the protection of the rule of law and the respect of human rights. The EU's Foreign Affairs Commissioner, Chris Patten, in a recent visit to Colombia repeated that the European government was ready to increase its efforts to "tackle a number of structural problems in the country, and in particular to introduce the political, social and economic reforms". Despite this commitment to participate in the resolution of the Colombian conflict and the improvement of the rule of law, the long-term strategy of the European Union towards Colombia is still unclear. There is no published strategy, the knowledge of Colombian affairs is still limited and the projects are still chosen on a case-to-case basis.¹⁰⁷

USAID recently established together with Georgetown University in Washington, a programme on the study of crime and violence in Colombia. Its main aims are to provide further analysis and assistance to local authorities, including the *alcaldías*, in designing sound policies to curb violence and prevent the escalation of crime.¹⁰⁸ In 2000, the above organisations formed the *Inter-American Coalition for the Prevention*

¹⁰⁷ See the European Union's Council for External Relations website on Colombia, available at http://europa.eu.int/comm/external_relations/colombia/intro/index.htm/.

¹⁰⁸ See the programme's website and main objectives available at http://www.georgetown.edu/sfs/programs/clas/Colombia/colombia_program_aboutus.htm/.

of Violence, with the aim of supporting local efforts to curb problems of violence and security.¹⁰⁹ The areas that have been given more attention by members of the international community include projects aiming at:

- Promoting the understanding of crime and victimisation in different risk-zones, specially among local leaders, academics and journalists
- Supporting peace initiative in conflict-ridden zones and helping to implement violence-reduction and crime prevention programmes
- Strengthening the rule of law and the judicial system, including alternative methods of conflict resolution
- Modernising State institutions, training personnel and financing specialised units
- Helping with the economic apparatus, distributing resources among the poorest sectors and giving new incentives to promote employment

The country has undisputedly benefited from this attention. Joint efforts between specialists in Colombia and abroad have permitted to progress further in this area than in other Latin American countries, at least in recognition of the problem, the analysis and re-definition of security concepts and strategies and in the publication of data, books and reports. But most of the projects, both national and international, have lacked a proper system of monitoring and control. Projects like the 1995 IADB loan to modernise the *Fiscalía*, or the 1998 IADB loan to support citizen security strategies, or the 2001 World Bank's project to support the *Consejo Nacional de Judicatura*, or the USAID investment in the *Casas de Justicia*, have not been properly supervised. The completion of objectives is not properly monitored and reports are written without independent monitoring and verification. Most of the time reports on international

¹⁰⁹ The Inter-American Coalition for the Prevention of Violence was formed in 2000 and counts with the participation of the following organisations: the Inter-American Development Bank, the World Bank, the United Nations Educational, Scientific and Cultural Organization -UNESCO, the Pan-American Health Organization - PAHO, the Organization of American States -OAS, and the Centres for Disease Control. Its mission, as described in the Coalition's charter, is to stimulate the analysis and dialogue across the region, promote the integration of sound policies linking the public and private sectors, rebuilding social capital within local communities, and establishing community participation programmes to incorporate the views and necessities of the sectors of the population, notably the poor, who have been the most vulnerable to crime and violence. More information is available at <http://www.iacpv.org/>.

projects are not available to the public. The levels of accountability are limited and so far there are very few channels to measure the true impact that these projects have had on the levels of crime.

The above suggests that efforts made by local and national government to improve citizen security have been numerous, but have not achieved the necessary goals. There is in every topic still, a lack of knowledge that hinders policy makers formulating sound policies and a long-term consistent citizen security strategy.

CONCLUSIONS

In February 2002 the government decided to end the peace negotiations with the guerrillas of the FARC after this group hijacked a plane, landed it in an uninhabited area and then kidnapped one of its passengers, a Senator. During the same week, a presidential candidate was also abducted and another Senator was shot dead.¹ Following the government's decision, the FARC has undertaken a terrorist campaign aimed at creating fear among the population and damaging the country's infrastructure. For most Colombians, their security has now become a major priority. If new strategies are needed to improve the situation and prevent the escalation of violent crime, lessons learnt during the last decade can help to provide them in next few years.

This thesis has summarised recent findings in the research on violent crime, notably homicides and kidnappings in Colombia. It has described how the problem is affecting the majority of Colombians who live in or around the larger cities and how their negative perceptions of the situation affect the stability of their communities. Negative perceptions have also affected the legitimacy of the authorities at the local, national and international levels.

The administration of President Andrés Pastrana, 1998-2002, is soon to finish its term. New security strategies are being designed by some of those who will participate in the elections of June 2002. But this topic, so far, has usually been highly politicised in campaigns to attract the attention of voters. Once in office, security strategies have not received the same levels of attention from the elected. Because budgets are limited, many projects are abandoned. One of the main consequences is that, in the last decade, citizen security strategies have suffered from a lack of continuity. In most of the cases, the approach of governments has been reactive rather than preventive, and there have been no long-term policies aiming at decreasing the levels of homicide, kidnappings

¹ This refers to the hijacking on 20 February 2002 of the Aires Flight HK-3951 by guerrillas of the FARC and the subsequent kidnapping of Senator Gerlem Turbay. Three days later, on 23 February 2002, presidential candidate Ingrid Betancourt was also kidnapped by the FARC. On the next day, Senator Catalina Daniels was found dead in an area that is also under the control of this guerrilla group.

and other violent crimes. At present, the State lacks a long-term criminal justice policy that defines clear roles and objectives for law-enforcement and crime-prevention institutions. Police forces, courts, prisons, and local authorities in general, are poorly adapted to face the changing needs of the urban population, notably the poor.

During the 1990s, every government has put forward its own strategies by modifying, adding and deleting previous security programmes. In the end, most of the results have tended to be similar. While most of the changes have been done at the level of legislation, some institutions - the National Police, the Army, the *Fiscalía* - have benefited from increased resources from the national government and from other governments and financial organisations abroad. While the result of this increased investment has been visible through the creation of new and specialised crime-prevention and crime-reaction units throughout the country, their results have often been less than what was hoped for. Most of the Colombian security institutions, notably the Army and the National Police, still have a poor capacity to evaluate themselves. Anti-kidnapping units, for example, do not have a common strategy, do not promote crime prevention and often prefer not to intervene to avoid risking the victim's life by engaging an open confrontation with armed groups. In a country where State institutions are a constant target for illegal armed groups, low levels of accountability and trust towards non-members of the force are understandable. This nevertheless should not be an obstacle for these institutions to be more self-critical and to improve their own capacity to assess their efficiency and to provide results. The authorities, directed by the central government, should increase their efforts to verify and monitor the achievement of short-term objectives, targeting goals that are within their reach. By doing this, Colombian institutions should be able to provide in the long-term a more coherent and solid platform for the implementation of citizen security strategies.

Although the central government and local entities throughout the country have approached the problem by implementing different projects aimed at modernising State institutions and providing better methods of justice, the outcomes of these projects have not always been visible. Projects like the modernisation of the general

prosecutor's office in 1994, the investment in *Casas de Justicia* since the mid-1990s, and the adoption of a 5 year plan in 1998 to finance projects related to citizen security and peaceful coexistence have not achieved the expected results. These programmes have up until now not received much attention from the public: their levels of accountability have remained low, and project follow-ups have been scarce. In many cases, there is a total lack of knowledge about the social impact of these projects.

International efforts to promote the understanding of violent crime have also increased during the last decade. The results of international conferences held in Europe and the United States during the late 1980s and the publications by multilateral agencies like the United Nations and the Organisation of American States, have begun to raise general awareness of the topic throughout the region. Colombia's citizen security strategies have been directly influenced by international programmes like *Safer Cities*. This, added to the funding possibilities offered by institutions like the Inter-American Development Bank - IADB, the World Bank or by individual foreign governments, have shown a growing interest to provide solutions to improve the security situation. Because crime is frequently seen as a primarily consequence of inequality, long-term structural unemployment and general lack of opportunities for most of the people in the poorest sectors of the population, much of the international community has focused on social development and poverty-reduction programmes. There has also been a clear and constant effort to improve and modernise institutions in charge of investigating, prosecuting and penalising crime. Excluding all the help that Colombia has received from the United States in its fight against illegal drugs, the country has underwritten loan applications for security and justice projects that have added more than US\$120 millions since 1994. The 1998-2003 IADB 'Project for peaceful coexistence and citizen security' is a striking example: project value had been estimated at more than US\$95 millions. Yet only a small share of that sum has actually been invested and no independent monitoring has been put in place to measure the impact of these investments.

In 1987 the *Comisión de estudios sobre la violencia* produced its pioneer analysis of the problem violence in the country. This example, which led a group of academics to

participate actively in the drafting and implementation of security strategies during the early 1990s, has not been repeated, despite the importance that the study had in discovering new lines for research for the understanding of Colombian crime, violence and the application of justice. The national government has failed to repeat the promotion of study groups like the *Comisión de Estudios contra la Violencia* of 1987. Commissions that promote further understanding of crime problems at the local level have also been rare. Only the largest cities have undertaken such exercises, and even then government involvement has been scarce. Comparative studies at the national level have been almost non-existent, and this in spite of repetitive statements of commitment by the government to invest resources in this area. To this day, there is little sound knowledge of the crime situation in the intermediary and smaller urban centres of the country. Only the largest cities, where are also localised the major universities and research centres, have made significant progresses in the study of crime during the last decade, but their capacity to fund projects in this area is still weak.

In spite of this, during the last ten years there have been clear efforts to understand, implement and improve citizen security strategies in the country. The most visible results in citizen security strategies have been the reforms of the National Police, the creation of several new law enforcement agencies and the introduction of a partial accusatory system led by the General Prosecutor's office and its dependencies. While the police and the prosecutor's office have probably been the most advantaged in terms of resource allocation and popular support, many less visible changes have taken place in other institutions, like the *alcaldías* which have played an essential role in drafting local security strategies. Local councils, notably through their *secretarías de gobierno*, have been promoting improved public areas, educating local communities in the respect for civic rules and establishing methods of citizen participation and conflict resolution as a method of crime prevention.

The majority of the population, although being more informed and involved in citizen security issues than a decade ago, has nonetheless remained distant from the authorities in their fight against violent crime. Although the image of the Police has improved,

many citizens are still distrustful towards the institution. Alternative methods of conflict resolution like the *Casas de Justicia*, have not been particularly successful, partly because of the lack of understanding among the population. In all too many cases, crimes remain unreported, uninvestigated and immune from prosecution. This increases the fear of crime among the population and poses a serious threat to the stability of local communities. Because citizens are so distrustful towards each other, social and economic relations within communities are affected. Economic incentives are lost and levels of investment shrink. This increases unemployment, migration, inequality creating thus serious obstacles for a long-term economic development and improvement of the quality of life of the population.

In most of the smaller towns and intermediate cities, the *alcaldías* have to apply short-term strategies, without consistent support from national institutions like the central government and the National Police. The implementation of co-ordinated medium or long-term strategies between the police and the local *alcaldes* has proven difficult. The *alcaldes* are not supposed to direct the Police: they are supposed to demand from the Police a proper investigation and prosecution of crimes. They are also supposed to share the knowledge to implement crime-prevention strategies by detecting communities at risk, implementing educational programmes and improving public areas where citizens feel unsafe and where the relations between the Police and the community have been damaged by violence and crime. This has especially been the case in sectors where the authorities have been the targets of homicide and kidnapping by illegal armed groups.

Colombia's largest share of violent crimes, notably homicides and kidnappings, take place in or near the cities where the majority of the population lives. The ten largest cities in the country account for some 40 per cent of the total number of registered cases. In 1999, this meant almost 10,000 homicides. The three largest cities, Bogotá, Cali and Medellín, are responsible for a large share of this violence, with more than 30 per cent of the total number of homicides committed annually in the country.

While the major drug-cartels of the early 1990s have been disbanded, the drug-business is still flourishing. This is certainly one of the root causes for violence and competition between illegal armed groups, both in rural and urban areas. It is also a major cause of corruption in central and local government, among the judiciary and among law-enforcement authorities. Many major corruption scandals, including the construction of luxury jails for drug-dealers and the financing of elections with money from the drugs business, have beset Colombia during the last decade. The implementation of citizen security strategies has been directly affected.

Well-organised groups are responsible for an important share of violent crime. These criminal groups are often associated with larger criminal organisations, drug-cartels and paramilitary and guerrilla groups. A possible explanation for the intense degree of violence seen in some localities of the cities may be due to the fact that bands often compete for their share of urban territory and for the economic gains that can be obtained in their zone. In each city there are specific and well defined sectors of violence.

The main problem is still that such a large proportion of violent crimes are never reported, investigated and prosecuted. Only a small share of the cases ends with the prosecution and sentencing of criminals. Statistical records of crime have somewhat improved in recent years; yet while homicide data, especially at the urban level, seem to be fairly accurate, databases covering other violent crimes are much less reliable. This is especially the case for kidnappings and extortion, and these crimes remain 'invisible' if the victims do not report them. Families of victims and private businesses are often reluctant to disclose details regarding abductions and the negotiation process with the kidnappers, or with extortionists.

Kidnappings and extortion are today the major problem affecting the security of the population, after homicides. These crimes have significant impacts on all citizens since they not only victimise the abducted and threatened persons but also their friends and families who have to deal with the pressure of the negotiation with kidnappers and the payment of ransoms. These crimes have become an all-class problem in Colombia,

since many victims now come today from modest strata of the population. Ransoms and extortion fees can vary as from US\$50 dollars to several millions. In rural areas, farmers are often obliged to pay their extortion fees in goods and livestock.

A great number of Colombians and foreigners prefer to reach special agreements with criminals. The payment of ransoms, followed by regular extortion fees, is common. This, in the eyes of many citizens, remains the best strategy to avoid further victimisation. In recent years the authorities recorded between 3,500 and 4,000 cases of kidnapping per year. Real figures must be higher. Most of the cases of kidnapping have been attributed to guerrilla groups who, since the early 1990s, have justified in their political discourse the use of this crime to finance the increasing costs of their military operations throughout the country. After the production of narcotic drugs and the taxation of drug-related activities, the *business of kidnapping* has become the major source of income for illegal armed groups and notably for guerrillas. However, to commit these crimes, guerrillas - and paramilitary groups - often subcontract common delinquents. This perverse strategy has created a general climate of insecurity in the country that has led to a loss of legitimacy and credibility in the authorities that often cannot prosecute these crimes. From 1998 up until February 2002, this was all the more the case, since the government was intending on negotiating peace with the guerrillas.

The current levels of insecurity have an obvious negative influence on the country's governability. The lack of results in the fight against kidnappings and the limited results of homicide-reduction programmes have been reflected in the feelings of the majority of the population. It has decreased the levels of trust among individuals and towards the authorities. People constantly see, hear and read about crime. This has serious consequences on the levels of social trust in the society and has led to the appearance of a *security risk mentality* that has been detrimental to the entire society. This strategy has also promoted the privatisation of security by recourse to methods both legal and illegal, and has simultaneously distanced the authorities from the needs of the local population.

Violent crime has increased the perception of insecurity among Colombians and foreigners; it has established strong levels of fear among them, de-legitimising the role of the government and fostering impunity among criminals, due to the lack of support and co-operation between citizens and the authorities. The security strategies of the government have had little impact in the last decade partly because of poor levels of participation and communication with citizens. The effectiveness of citizen security strategies is closely linked to public opinion, and can be influenced by mass media reports. Media coverage of crime can serve to diffuse governmental strategies, but it can also destroy the efforts of the authorities by sensationalising crime. These factors have certainly helped to increase victimisation fears among citizens and to generalise negative perceptions of the levels of crime, both at the national and the international levels. An improvement in citizen security strategies can be achieved by facilitating communication channels between government and citizens.

The mass media has thus a major role to play in this topic. The government has the obligation to guarantee the independence and freedom of the media, and the media has the right to remain critical. Yet, it has to learn to analyse and publicise violent crime in a more professional and socially constructive manner. The government should be more aware of the role and influence that the media has on the population. The authorities, at the local and national levels, should put programmes in place to work in conjunction with the mass media. The aims should include improving the quality of crime data and providing a better coverage of strategies and results in the fight against violent crime.

Today, there are still important gaps in the citizen security strategies that have not been addressed properly and that have not attracted interest from the authorities. There is still a notorious judicial backlog, the levels of impunity remain high, and most of the prisons are outdated, overcrowded and face personnel crises. This last problem, visible throughout Latin America, is especially visible in Colombia where the security problems arising from political violence and the highly lucrative and corrupting drug-business are the cause of frequent crises in the penitentiaries. In this sense, Colombia has a significant disadvantage in comparison to the other countries: it has to attempt to negotiate peace with guerrilla groups while combating those who traffic with illegal

drugs, kidnap people and promote delinquency. Because the groups that are involved in these activities are often inter-linked, there has been a major problem in defining a clear and consistent security strategy.

The complexity of the problem and its important impacts on the population makes the solution arduous and long-term. With approximately 25,000 homicides a year, 3,000 kidnappings and another large number of non-declared extortion crimes, the authorities cannot hope for the success of short-term strategies. It is not only a problem of the security forces or the prosecutor's office. Since the population has been living in fear, the entire society must be taken into account in facing this violence. The topic of violent crime cannot be dealt with only by the implementation of conventional security strategies by the central government and local authorities. The issue has to be considered as a national development project involving both crime deterrence and prevention programmes. This should particularly be the case in the zones where the levels of crime are particularly high.

There is, however, a question that one has to keep in mind when analysing the last decade: what would have happened if nothing had been done? Without the efforts made, things might be even worse. Some crimes, like homicides, have somewhat decreased in recent years, yet they have decreased in many other countries besides Colombia. Some other crimes, like kidnappings and extortion, have increased more rapidly than in other countries, despite the efforts of the government. This suggests that the efforts made until now have not been sufficient, and much more remains to be done in the areas of citizen security and criminal justice. There is room for some optimism. Incoming governments, both national and local, should learn from past errors and prioritise the need to provide sound strategies to bring criminals to justice and deter potential offenders. This can be achieved by de-politicising security issues and devising long-term strategies that combine all sectors of the population: politicians and technocrats, academics, foreign governments, officials from multilateral agencies, members of non-governmental organisations and local community leaders. While this is not an easy task to undertake, it is the best way to provide long-term involvement, improve accountability and monitor the financing of future citizen security projects.

Although the determinants of crime and violence seen in this country are not unique to Colombia, it is the country that presents the most varied and numerous problems at the same time. Among the main groups that perpetuate crime and violence, one can mention guerrilla and paramilitary groups with different political and military strategies, drug-cartels with a decade of violence and strong presence in the main urban centres and youth bands that are highly territorial. Other factors also include armed forces that are constantly threatened by attacks from opposition groups, a public sector which sometimes lacks legitimacy and is often subject to corruption and a lack of resources and a slow modernisation process of the institutions underlined by a poor potential to adapt to changing environments. No other country in Latin America presents a similar degree of crime and violence caused by the confrontation and interaction of these groups and factors.

Until recently, the country also suffered from low levels of attention and involvement from foreign governments and from the international community. The US was involved mainly in funding the State in its fight against drugs cartels; European presence, however, has been almost non-existent, although EU involvement has gradually increased during the 1990s. This has been most visible during the recent peace negotiations with the largest guerrilla groups and the EU's interest in funding social projects in education, health and democratic development.

The Colombian security crisis, which until recently had been limited to frontier zones in rural areas and in the most deprived urban sectors, has gradually expanded and is now affecting most of the population. The urban middle-classes, which were almost not affected by the growing pressures of violent crime, have been increasingly targeted. The common statement of the late 1980s and early 1990s of '*El país va mal pero la economía va bien*' is outdated. The recent economic slowdown has increased the levels of unemployment, has caused rural migration and has decreased the potential for investment. This factor has also been one of the causes of the increase in economic crimes, notably ransom kidnappings, extortion crimes and street robberies. This insecurity, besides hindering more the chances of a prompt economic recovery, has

caused a general *malaise* through all levels of society. In this respect, there has been a democratisation of victimisation.

In spite of this citizen security is not a 'fashionable' topic in Colombian politics. The topic does not attract the attention of people -citizens, academics and politicians- in the same way as other topics like the control of illegal drugs or like the negotiations with insurgent groups. Citizen security is still seen as a secondary problem; it is perceived a consequence of other problems. Although the efforts of the authorities to curb crime have been shadowed by their efforts to find a solution to the political conflict with guerrillas or by their fight against drug-cartels, some progresses have been made. Citizens are aware that their security is not independent from the revolutionary programmes of guerrillas. However, kidnappings and extortion crime have ceased to be considered as instruments for political pressure and have become a lucrative industry with little or no revolutionary purpose. The problem of homicides has also taken a new dimension since available data suggest that most Colombians die in urban areas, far away from combat zones. Security institutions have responded to these problems; homicides have decreased and there has been an improvement in the capacity of the authorities, notably the Police and the *fiscalía*, to investigate and prosecute criminals. Yet, there is still room for improvement: other violent crimes remain rife.

Citizen security strategies are still at an early stage of development. It is a new concept where law-enforcement strategies mix together with crime-prevention programmes. To achieve this local authorities and community members co-operate and share information. Today, there is a consensus to say that different communities need different security programmes based on local analyses. Because there is no such thing as an 'established citizen security strategy', Colombian policy makers have to adapt and innovate current security strategies diffused abroad. The experiences of Cali with DESEPAZ and Bogotá with the *Educación Ciudadana* have been successful cases of this experimentation. However, much more remains to be done: 26,000 homicides per year, 3,700 declared kidnappings and many other cases of violent crimes are proof of this.

There is an urgent need to create better and more reliable crime databases. This will improve the knowledge of crime, its trends, locations and criminals; databases are needed to classify prison populations; convicts and sentences. For the majority of the population, databases will also help to measure the impact of public policies in the fight against crime. Central governments must call for an increased participation and co-operation between the academia, the private sector, the mass media, community leaders, non-governmental organisations and minority sectors and the international community. Together, all these groups can work hand in hand to improve the knowledge of crime while encouraging better levels of accountability and transparency from the authorities. This will help to provide better levels of security, improve public perceptions and in general, work towards an increased respect of the rule of law. All these factors will help to defend the rights of citizens and to provide a serious and consistent long-term criminal justice policy within a democratic and constitutional framework.

APPENDIX

- 1. Non-exhaustive list of public-known kidnappings in Colombia, 1930-2000**
- 2. Kidnappings by Departments and Municipalities in Colombia, 2000**
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Appendix 1: Non-exhaustive list of kidnappings of public known figures, Colombia 1930-2001

Date	Victim(s)	Occupation at the time	Kidnapper(s) / Comments
Before 1980			
31 / 01 / 1933	Elisa Eder	Daughter of H. Eder, Industrialist	Common delinquents
1950s	Carlos Navarro	Industrialist	
20 / 03 / 1965	Harold Eder	Industrialist	Died in captivity
1970	Germán Buss Werner José Straessle	Swiss Consulate, Cali	Drug-related
09 / 07 / 1970	Fernando Londoño y Londoño	Former Minister	ELN
15 / 02 / 1976	José Raquel Mercado	Leader of the Confederation of Colombian Workers (CTC)	M-19 Died in captivity
28 / 09 / 1976	George Curtis	VP Beatice Foods	
1977	Charles R. Starr	US engineer	FARC
19 / 08 / 1977	Hugo Ferrerira Neira	Manager, Indupalma	M-19
29 / 05 / 1978	Nicolás Escobar Soto	President, TEXACO and member of the managing committee of the Central Bank	M-19 Died in captivity
1980s			
27 / 02 / 1980	Embassy of the Dominican Republic	30 diplomats	M-19
23 / 06 / 1982	Gloria Lara de Echeverri		
1985	Camila Michelsen N.	Daughter of Jaime Michelsen, Banker	M-19
18 / 01 / 1988	Andrés Pastrana Arango	Son of former President Pastrana and Politician	
25 / 01 / 1988	Carlos Mauro Hoyos	Attorney General	Died in captivity
4 / 05 / 1988	Gloria Cecilia Gomez	Kidnapped with a group of journalists and diplomats	ELN
29 / 05 / 1988	Alvaro Gómez Hurtado	Son of former President Gómez and Politician	M-19
29 / 05 / 1989	Gustavo Montoya E.	Son of Germán Montoya Vélez, Industrialist and advisor to President Barco	Drug-Cartels
1989	Jaime Betancur Cuartas	Brother of former President Betancur	ELN
16 / 12 / 1989	Patricia Echavarría and daughter Diana	Relatives of President Barco	Drug-Cartels
1990s			
30 / 08 / 1990	Diana Turbay and other journalists	Daughter of former President Turbay and journalist	Drug-Cartels
9 / 09 / 1990	Francisco Santos	Sub-editor of newspaper ‘El Tiempo’	Drug-Cartels
19 / 09 / 1990	Marina Montoya P.	Sister of Germán Montoya Velez (see above)	Drug-Cartels. Died in captivity
07 / 11 / 1990	Maruja Pachón	Sister-in-law of Senator Galán	Drug-Cartels
09 / 1991	Nakagama Akeyosi y Toshikiro Coniche	Japanese engineers	FARC
13 / 02 / 1991	Fortunato Gaviria Trujillo	Cousin of President Gaviria	Drug-Cartels Died in captivity
01 / 1992	Argelino Durán Quintero	Former Minister	EPL Died in captivity
05 / 02 / 1992	Lorenzo Kling Mazuera	Businessman	
31 / 01 / 1993	David Mankins, Mark Rich and Rick Tenenoff	US missionaries	FARC

Appendix 1: Non-exhaustive list of kidnappings of public known figures, Colombia 1930-2001 (continuation)

31 / 03 / 1994	Ramón Rising	US missionary	FARC
23 / 09 / 1994	Tom Hargrove	US Engineer, CIAT	FARC
15 / 10 / 1994	Regina Betancourt de Liska	Politician and presidential candidate	ColombiaViva (dissidence of M-19)
11 / 1994	José C. Arias Arias	Former Mayor of Florencia	FARC
13 / 11 / 1994	Alfonso Lizarazo	Comedian (and later politician)	FARC
15 / 06 / 1995	Rodrigo Turbay Cote	Former President of the House of Representatives	FARC
05 / 07 / 1995	Julio César Sánchez	Member of Congress, former Minister	FARC
22 / 08 / 1995	Julio César Patiño P.		ELN
03 / 08 / 1995	Guillermo Alvarez		ELN
27 / 06 / 1995	Antonio Martelo	Former Governor of Sucre; President of FEDEGAN in Sucre	ELN
20 / 11 / 1995	Alfonso Manrique Van Damme	Member of the managing committee of Ecopetrol	
21 / 11 / 1995	Giovanni Pizarro Ruiz	Director of Carbones del Caribe (Cerrejón)	
07 / 12 / 1995	Gustavo Murillo Arias	Uncle of Manuel Patarroyo (Scientist)	Delinquency
14 / 12 / 1995	Javier M. Restrepo	High Peace Commissioner in Cali	ELN
02 / 04 / 1996	Juan Carlos Gaviria	Brother of former President Gaviria	JEGA
07 / 1996	Brigitte Schonne	Wife of former President of BASF in Colombia	ELN
01 / 1997	Carlos Jaimes Castro	Son of Adalberto Jaimes, Member of Congress	FARC
8 / 02 / 1997	Julio Bahamón	Member of Congress	FARC
13 / 03 / 1997	Ezequiel Bello	Director of IDEMA	ELN
17 / 04 / 1997	1 bus in Bogotá	Random (30 people)	Delinquency
15 / 05 / 1997	Elías George González	Brother of Edgard George González, Mayor of Barranquilla	
24 / 08 / 1997	Javier Gómez	Former CEO of the Banco Industrial Colombiano	
24 / 10 / 1997	2 diplomats	Organization of American States	ELN
27 / 11 / 1997 & 17 / 08 / 1999	José de Jesús Quintero	Bishop of Tibú	ELN
8 / 12 / 1997	Emiro Sosa Pacheco	Former Governor of Casanare & Former Mayor of Yopal	FARC
2 / 03 / 1998	José Lorenzo Escandón	Mayor of Neiva	FARC
23 / 03 / 1998	Elías Ochoa Daza	Former Mayor of Valledupar	FARC
30 / 10 / 1998	Benjamín Khoudari	Businessman	Died in captivity
23 / 01 / 1999	Gregorio González G.	Former congressman (House of Rep – Atlántico)	
02 / 1999	Ingrid Washinawatok, Larry Gay Lahe'ena'e and Terence Freitas.	US indigenous rights activists	FARC Died in captivity
25 / 02 / 1999	Humberto Arias	Director of Cali Football Club	
26 / 03 / 1999	Wilmar Gómez Pineda	Son of Darío Gomez, Folk Singer	
12 / 04 / 1999	Fokker Avianca, 41 passengers + 5 crew	Random kidnapping	ELN
05 / 1999	Jesús Antonio Pimiento	Father of Mauricio Pimiento, former Governor of Cesar	ELN

Appendix 1: Non-exhaustive list of kidnappings of public known figures, Colombia 1930-2000 (continuation)

16 / 05 / 1999	Diomedes Dionisio Díaz & Rolando Ochoa	Folk singers and sons of Folk Singers	ELN
17 / 08 / 1999		Nephew of Juan Camilo Restrepo, Finance Minister	
9 / 11 / 1999	Carlos Ramos M.	Member of Congress (House of Rep – Atlántico)	ELN
14 / 12 / 1999	Efraín Valencia	Brother of Adolfo ‘Tren’ Valencia, football player	
21 / 05 / 1999	Piedad Córdoba	Member of Congress (Senate)	Paramilitaries
30 / 05 / 1999	La Maria Church 130 people aprox.	Random kidnapping	ELN
06 / 06 / 1999	Fishing Club, Barranquilla 9 people	Random kidnapping	ELN
25 / 09 / 1999	Jorge Velosa	Folk Singer (Carranguero)	EPL
2000 – 2001			
20 / 01 / 2000 & 29 / 03 / 2000	Oliverio Rincón	Cyclist	ELN & FARC
22 / 01 / 2000	Guillermo ‘La Chiva’ Cortés	Journalist	FARC
7 / 02 / 2000	Ernesto Mesa Arango	Member of Congress (House of Rep – Antioquia)	
04 / 03 / 2000	Lucho Herrera	Cyclist Champion	FARC
23 / 04 / 2000	Andres “Pinta” Estrada	Football player	ELN
27 / 04 / 2000	Dagoberto Ospina (9 years old)	Spokesman for a children's peace group	FARC
05 / 2000	Ernesto Michelsen Caballero	Relative of former President Alfonso López	
21 / 06 / 2000	Hernando Martínez A.	Mayor of Villavicencio	FARC
28 / 11 / 2000	Juliana Villegas	Daughter of Luis C. Villegas, President of ANDI	FARC
15 / 07 / 2001	Alan Jara Urzola	Former Governor of Meta	FARC
29 / 09 / 2001	Consuelo Araújoonoguera And 30 people	Community leader and wife of Attorney General	FARC Died in captivity
12 / 11 / 2001	Alfredo Gutierrez	Folk Singer (Vallenatero)	ELN

Appendix 2: Kidnappings by Departments and Municipalities in Colombia, 2000

Departments with higher numbers of kidnappings, Colombia 2000			
Dept. / Municipality	Cases	% within Dept.	Presence of armed groups and delinquents
Antioquia			
Medellín	133	18.39	Drug dealers, Delinquency, Paramilitaries, Militias
La Unión	56	7.74	ELN
Corcorná	34	4.70	ELN, FARC, EPL
Guatapé	29	4.01	FARC, Drug dealers
Barbosa	23	3.18	EPL
Caldas	16	2.21	
Carmen de Viboral	15	2.07	EPL
Marinilla	13	1.79	FARC
Abejorral	11	1.52	
Cañasgordas	11	1.52	Drug dealers
Other municipalities	382	52.84	
Total Antioquia	723	100 %	
Santander			
Bucaramanga	62	20.53	Militias, Delinquency
Barrancabermeja	44	14.57	ELN, FARC, EPL, Paramilitaries
Rionegro	41	13.58	ELN, FARC, Paramilitaries
El Playón	31	10.26	ELN
Sabana de Torres	21	6.95	ELN, FARC, Paramilitaries
Betania	10	3.31	
Matanza	10	3.31	ELN
Piedecuesta	9	2.98	ELN, FARC
Lebrija	7	2.32	ELN, FARC, Paramilitaries
Velez	7	2.32	ELN, FARC
Other municipalities	60	19.87	
Total Santander	302	100 %	
Valle			
Cali	155	54.39	Delinquency, Drug dealers
Buenaventura	37	12.98	FARC, Paramilitaries, Drug dealers
Jamundí	11	3.86	FARC, Paramilitaries, Drug dealers
Tuluá	11	3.86	FARC, Paramilitaries, Drug dealers
Candelaria	10	3.51	FARC
Florida	10	3.51	FARC
Caicedonia	8	2.81	FARC
Buga	7	2.46	FARC, Drug dealers
Ginebra	6	2.11	FARC, Drug dealers
El Cerrito	5	1.75	FARC, Paramilitaries, Drug dealers
Other municipalities	25	8.77	
Total Valle	285	100 %	

Appendix 2: Kidnappings by Municipalities in Colombia, 2000 (continuation)

Dept. / Municipality	Cases	% within Dept.	Presence of armed groups and delinquents
Cesar			
Aguachica	67	23.59	ELN, FARC, EPL, Paramilitaries
Valledupar	44	15.49	ELN, FARC, Paramilitaries, Drug dealers
Río de Oro	25	8.80	
Agustín Codazzi	22	7.75	ELN, FARC, Paramilitaries, Drug dealers
Bosconia	17	5.99	ELN, FARC
La Jágua de Ibirico	15	5.28	ELN, FARC, Paramilitaries
Chiriguaná	14	4.93	ELN, Paramilitaries, Drug dealers, Illegal Crops
Curumani	11	3.87	ELN, Paramilitaries
La Gloria	9	3.17	ELN, Paramilitaries
Pelaya	9	3.17	ELN, Paramilitaries
Other municipalities	51	17.96	
Total Cesar	284	100 %	
Bolívar			
El Carmen de Bolívar	73	27.97	ELN, Drug dealers
San Juan de Nepomuceno	26	9.96	
Cartagena	21	8.05	FARC
María La Baja	21	8.05	
Achí	19	7.28	FARC, ELN, Drug dealers
San Jacinto	19	7.28	ELN, Illegal Crops
Magangué	13	4.98	ELN
San Pablo	9	3.45	FARC, ELN, Paramilitaries, Drug dealers,
Arjona	6	2.30	
Calamar	5	1.92	
Other municipalities	49	18.77	
Total Bolívar	261	100 %	
Cundinamarca			
Fusagasugá	28	15.14	FARC
Machetá	23	12.43	
La Calera	15	8.11	
Silvania	13	7.03	
Guayabetal	10	5.41	FARC, Illegal Crops
Fómeque	6	3.24	FARC
Granada	6	3.24	
Medina	6	3.24	FARC, Illegal Crops
Anapoima	5	2.70	
Caparrapí	5	2.70	FARC, Paramilitaries, Drug dealers
Girardot	5	2.70	
Other municipalities	90	42.45	
Total Cundinamarca	212	100 %	
Bogotá DC	167	100 %	
TOTAL COUNTRY	3607	100%	

Sources: a) kidnappings: Ministerio de Defensa – FONDELIBERTAD; b) presence of armed groups: Cubides, F., Olaya, A.C. and Ortiz, C.M., *La Violencia y el Municipio colombiano 1980-1997*, tables 1 & 2, pp. 253-283.

Appendix 3: Homicides in urban Colombia, 1990 – 2000

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	TOTAL
Medellín	3,924	4,585	4,120	2,852	2,932	3,711	3,824	3,169	2,950	3258	3151	38,476
Bogotá	2,258	2,698	3,231	4,378	3,664	3,385	3,296	2,810	2,483	2,409	2,252	32,864
Cali	1,102	1420	1654	1702	2226	2076	2000	1627	1847	2004	1969	19,627
Cúcuta	242	287	377	443	415	402	572	448	454	564	664	4,868
Pereira	393	425	418	395	370	338	432	462	466	502	463	4,664
Barranquilla	274	291	261	338	380	361	546	448	469	445	312	4,125
Bucaramanga	376	459	439	621	322	342	254	336	376	130	141	3,796
Manizales	176	259	213	223	303	233	224	207	252	282	261	2,633
Santa Marta	185	193	255	263	247	201	230	241	183	226	266	2,490
Cartagena	105	117	152	157	177	210	197	232	181	176	197	1,901
Valledupar	123	117	114	135	143	152	197	229	113	124	189	1,636
Armenia	117	116	149	144	169	158	169	159	141	139	172	1,633
Montería	196	133	145	139	106	139	130	91	75	99	177	1,430
Villavicencio	103	105	108	170	179	135	113	110	121	131	129	1,404
Pasto	130	125	129	124	133	119	102	112	99	102	159	1,334
Riohacha	95	112	108	135	122	96	94	87	96	66	97	1,108
Popayán	106	100	79	83	98	104	81	75	90	107	101	1,024
Neiva	62	80	73	76	53	60	62	73	83	57	79	758
Quibdó	45	48	42	46	40	31	50	86	87	31	65	571
Sincelejo	35	39	35	33	45	54	63	52	43	21	49	469
Ibagué	85	110	126	138	101	124	128	108	114	116	125	1,275
TOTAL	10,132	11,819	12,228	12,595	12,225	12,431	12,764	11,162	10,723	10,989	11018	128,086

Source: Policía Nacional - DIJIN

Appendix 4. Risk Definitions for Cities as Defined by Control Risks Group

Rating: the rating reflect the most realistic threats to business visitors, which in most cases stem from crime. However, they also take into account, where appropriate, the threat to visitors from terrorism and political violence.

- 1 Crime rates are low. Petty crime occasionally involves foreigners, but violence is very rare. There is no area of the city that visitors should avoid. Examples: Singapore, Dubai.
- 2 There is some petty crime, but the use of violence is rare. It is generally safe to walk on the streets in main business, hotel and residential districts at all times of the day and usually after dark. There are few city districts that visitors should avoid if alone during the hours of darkness. There are no ‘no-go’ areas. Examples: Geneva, Brussels, Calgary.
- 3 Crime rates are low in the main business, hotel and residential areas It is usually safe to walk the streets by day, though there is some risk of petty crime and - rarely - mugging. Some caution is required when walking in city centres after dark, when crime rates rise. There are few poorer residential areas, with higher crime rates, that locals would feel uncomfortable visiting during the day and that they avoid during the night. Examples: London, San Francisco, Istanbul.
- 4 Walking the streets in the main business and hotel districts is generally safe during the day, though there is always a risk of petty crime and isolated muggings. It is safe to walk in well-lit business, hotel and some residential districts during the night, though there are many areas that locals would avoid during the hours of darkness. There also may be many areas that locals feel uncomfortable visiting by day, and avoid completely after dark. There are a few well-recognised ‘no-go’ areas. Examples: New York City, Washington DC, Miami.
Alternatively: There are generally low crime rates in the main business, hotel and residential areas, but there are periodic episodes of political or social unrest, or terrorist attacks. Example: Colombo.
- 5 It is usually safe to walk in the main business and hotel districts in daytime, but night-time journeys should usually be by car because of the risk of violent crime. Crime is a constant threat throughout the city. There are many districts considered as ‘no-go’ areas that should be avoided at all times. There are occasional car hijacks. Examples: New Orleans, Lima, Mexico City.
Alternatively: crime is a concern in the main business and hotel districts though the risk rating more reflects frequent terrorist attacks and / or political violence. Examples: Algiers, Jakarta.
- 6 Street crime is common at all hours of the day and night throughout the city. There are sporadic car hijacks. Crime is a significant threat at airports. There are few areas that locals or visitors feel safe to walk around during the day. Examples: Johannesburg, Bogotá, Karachi.
Alternatively: Crime be a significant concern throughout the city, but the risk rating more reflects such factors as relatively high levels of politically-motivated terrorism or violent unrest. Example: Brazzaville.
- 7 High crime levels and / or terrorism and guerrilla violence demand extraordinary security precautions. The government is unable to maintain law and order. Criminal gangs carry more authority than the government. Example: Freetown.
Alternatively: the city is experiencing civil war or is the target of military action by foreign powers.

Appendix 5. Risk Definitions for Countries as Defined by Control Risks Group

<u>Political Risk</u>	
Insignificant:	The government is stable and there is a high degree of political continuity. There are no significant extra-constitutional threats to the authority of the government AND there is no arbitrary treatment of business by government or in the courts.
Low:	Political and commercial institutions are strong. Any changes of government are likely to take place through constitutional process. Political and economic stability is secure enough to withstand occasional internal disputes or outbreaks of unrest AND courts and other government authorities respect business rights.
Medium:	Political and economic stability is secure in the short term but cannot be guaranteed in the longer-term because political and state institutions lack authority or are evolving OR the economy is weak. Legal guarantees are weak. In some Medium risk countries there is a latent threat of military or other illegal intervention.
High:	Political, economic and legal institutions are highly vulnerable or have ceased to function effectively. The government could be ousted by non-constitutional means OR the government is only maintained in office by the presence of international peace-keeping force.
Extreme:	Law and order has broken down and government has ceased to function outside narrow circles. The economy is in ruins. There are no protections for foreign business except possible political patronage.
<u>Security Risk</u>	
Insignificant:	Virtually no politically-motivated violence, and a low level of violent crime. However, extremely isolated attacks by foreign terrorists may occur.
Low:	Occasional violence perpetrated by terrorist or criminals. This affects companies or individual members of their staff only infrequently.
Medium:	Internal unrest or violence frequently perpetrated by terrorists or criminals, though there are no areas completely outside the state's control. Violence occasionally affects companies or individual members of their staff, but there is no sustained threat directed specifically against foreign companies.
High:	There is a sustained campaign of terrorist or criminal violence specifically directed against companies' personnel and property OR there is a high risk of collateral damage from attacks on nearby targets. There is a probability - not a possibility - of encountering security problems.
Extreme:	The government is unable to maintain law and order. In extreme cases conditions verge on war or civil war. Business operations become untenable or are set to become so. Foreign companies must strongly consider withdrawal.
<u>Travel Risk</u>	
Insignificant:	The crime risk is very low. No terrorist groups are active and, although isolated incidents are possible, the security threat to travellers is minimal.
Low:	There are occasional demonstrations or terrorist incidents, but these provide no more than incidental threats to business travellers. There is a limited amount of criminal activity but this provides little risk to travellers provided they exercise common sense discretion.
Medium:	There is a high crime rate in certain areas or significant political unrest which could disrupt business travel at short notice. Terrorist attacks occasionally disrupt travel.
High:	A terrorist campaign or high levels of violent crime directly affect business travellers. Business travel is possible, but only after careful planning.
Extreme:	Conditions of war or civil war exist or are about to: law and order are in imminent danger or breaking down. It is strongly advisable that travel should be avoided.

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