Texto

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**Monitor of Use of Lethal Force in Latin America and the Caribbean: 2022**

# A Comparative Study of **Brazil, Chile, Colombia**,

# **El Salvador, Jamaica, Mexico,**

# **Trinidad and Tobago and Venezuela**

***EXECUTIVE SUMMARY***

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**Introduction**

As a result of their monopoly of legitimate violence, States occasionally employ lethal force against their own citizens. This use, however, must always be exceptional and subjected to strict legal limits to avoid abuses and human right violations. There are several international standards for the use of lethal force by State agents. Unfortunately, these are not always followed. In many countries in Latin America and the Caribbean, abuse of lethal force by the State is a serious problem. Yet, despite the prevalence of abuses, many events are never investigated. In some countries the legality of the use of lethal force by State agents is assumed and victims have the burden of proving their case.

The Monitor of Use of Lethal Force in Latin America and the Caribbean constructed and compared a series of indicators to evaluate the use of lethal force[[1]](#footnote-1) by State security agencies. The study includes eight countries in the region: Brazil, Chile, Colombia, El Salvador, Jamaica, Mexico, Trinidad and Tobago and Venezuela. Our objective was to develop common indicators and a shared methodology to monitor lethal force in a way that allows shared monitoring and international comparisons. Indicators were constructed using two sources: **official data** and **the media**.

Indicators included are divided in incidence and abuse. **Incidence indicators** try to measure the intensity of the phenomenon of the use of force against civilians. In principle, a high level of incidence, while sounding alarms, does not necessarily mean the use of force has been abusive. It is possible that lethal force has been elevated in a proportional response to an imminent threat against the live of police officers. For that reason, incidence indicators are complemented by **abuse indicators** that specifically seek to measure to what degree patterns of excessive use of lethal force are apparent in a certain territory. Several abuse indicators have a **threshold** of admissible values beyond which there is evidence of excessive use of force. Such thresholds are based on the nature of the indicator and also on previous empirical studies. Indicators cannot offer proof of abuse in individual cases, which would be the responsibility of the criminal justice system, but they do offer evidence of a pattern of abuse.

The full document, including methodology, the definition and purpose of the indicators and individual country chapters can be seen at: [www.monitorfuerzaletal.com](http://www.monitorfuerzaletal.com).

## Comparative analysis of Latin America and the Caribbean

## Indicators on incidence (I) of use of lethal force:

**I-1. Absolute number of civilians killed by on-duty public security agents, by intentional gunshot.**

**I-2. Number of civilians killed by on-duty public security agents, by intentional gunshot, for every 100,000 inhabitants (rate).**

**I-3. Number of civilians killed by on-duty public security agents, by intentional gunshot, for every 1,000 public security agents (rate).**

**I-4. Number of civilians killed by on-duty public security agents, by intentional gunshot, for every 1,000 people arrested (rate).**

**I-5. Number of civilians killed by on-duty public security agents, by intentional gunshot, for every 1,000 weapons seized (rate).**

**I-6. Absolute number of on-duty public security agents killed in homicides, by gunshot.**

**I-7. Number of on-duty public security agents killed in homicides, by intentional gunshot, for every 1,000 public security agents (rate).**

**Indicators on abuse (A) of lethal force:**

**A-1. Ratio of civilians killed by intentional gunshot by on-duty public security agents to total number of intentional homicides.**

**A-2. Ratio between civilians killed by intentional gunshot by on-duty public security agents and public security agents killed by intentional gunshot in homicides while on duty.**

**A-3. Lethality index: Ratio between the number of civilians killed by intentional gunshot by on-duty public security agents and the number of civilians wounded by intentional gunshot by on-duty public security agents.**

**A-4. Ratio between the lethality index of civilians (civilians killed divided by civilians wounded) and the lethality index of public security agents (agents killed divided by agents wounded). All of these records correspond to people killed or wounded by intentional gunshot in incidents involving the participation of on-duty public security agents.**

**A-5. Average number of civilians killed by intentional gunshot by on-duty public security agents per incident, taking into account all the incidents that caused civilian deaths or injuries by gunshot.**

The following tables present the full set of indicators, based on two sources: official records (in black) media search (in red). It is recommended that: a) indexes be compared between countries using the same source, either official or media, since each source may have different types of bias; b) both sources, official and press, be compared within each country in order to test the coverage of each.

Table 1 shows the numbers of civilians killed by firearm by public security agents on duty, comparing official and press sources. It also includes public security officers killed by firearm while on duty.

**TABLE 1. COMPARISON OF SOURCES**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | **Number of Civilians Killed (I-1)** | | % of Media over Official Source | **Public Security Officers Killed (I-6)** | | % of Media over Official Source |
|  |  | **Official source** | **Media Source** |  | **Official source** | **Media Source** |  |
| Brazil | 2018 | **5,251** | **183** | **3,5%** | **76** | **29** | **38,2%** |
| 2019 | **5,350** | **-** | **-** | **47** | **-** | **-** |
| Chile | 2018 | **-** | **18** | **-** | **0** | **1** | - |
| 2019 | **-** | **21** | **-** | **0** | **0** | - |
| Colombia | 2018 | **239** | **42** | **17,6%** | **133** | **55** | **41,4%** |
| 2019 | **220** | **55** | **25%** | **121** | **59** | **48,8%** |
| El Salvador | 2018 | **213** | **62** | **29,1%** | **6** | **3** | - |
| 2019 | **195** | **53** | **27,2%** | **5** | **0** | - |
| Jamaica | 2018 | **137** | **33** | **24,1%** | **0** | **0** | - |
| 2019 | **86** | **7** | **8,1%** | **1** | **0** | - |
| México | 2018 | **490** | **487** | **99,4%** | **210** | **283** | **134,8%** |
| 2019 | **389** | **412** | **105,9%** | **199** | **258** | **129,6%** |
| Trinidad y Tobago | 2018 | **48** | **44** | **91,7%** | **8** | **8** | - |
| 2019 | **43** | **39** | **90,7%** | **4** | **4** | - |
| Venezuela | 2018 | **5,287** | **1932** | **36,5%** | **-** | **57** | - |
| 2019 | **-** | **3042** | **-** | **-** | **76** | - |

Civilian fatal recorded through the press cases are generally an underestimation (around 20 to 30%) of official figures, most likely because of a lack of media coverage of all cases. Figures are close only in Trinidad and Tobago and in Mexico, but in the latter case this is due to severe underestimation of official figures. Only in three countries was it possible to estimate the percentage of public security agents killed that had been covered by the press, given the very low figures. In general, the lack of coverage in the media seems to be higher for civilians than for public security agents.

The following table presents **incidence indicators**.

**TABLE 2. INCIDENCE INDICATORS BY COUNTRY, YEAR AND SOURCE**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| COUNTRY |  | **I-1 Civilians killed (CK)** | | **I-2 CK per 100.000 inhab.** | | **I-3 CK per 1,000 public security agents** | | **I-4 CK per 1,000 arrests** | | **I-5 CK per 1,000 guns confiscated** | | **I-6 Public Agents killed (AK)** | | **I-7 Public Agents killed (AK) per 1,000 agents** | |
|  | **YEAR** | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source |
| **Brazil** | **2018** | **5,251** | **183** | **2.5** | **-** | **9.9** | **-** | **-** | **-** | **48.20** | **-** | **76** | **29** | **0.14** | **0.05** |
| **2019** | **5,350** | **-** | **2.6** | **-** | **10.2** | **-** | **-** | **-** | **47.9** | **-** | **47** | **-** | **0.09** | **-** |
| **Chile** | **2018** | **-** | **18** | **-** | **0.10** | **-** | **0.35** | **-** | **0.04** | **-** | **4.89** | **0** | **1** | **0.00** | **0.002** |
| **2019** | **-** | **21** | **-** | **0.11** | **-** | **0.39** | **-** | **0.04** | **-** | **6.21** | **0** | **0** | **0.00** | **0.00** |
| **Colombia** | **2018** | **239** | **42** | **0.50** | **0.10** | **0.50** | **0.10** | **0.90** | **0.20** | **10.70** | **1.90** | **133** | **55** | **0.3** | **0.1** |
| **2019** | **220** | **55** | **0.50** | **0.10** | **0.50** | **0.10** | **1.00** | **0.20** | **10.70** | **2.70** | **121** | **59** | **0.3** | **0.1** |
| **El Salvador** | **2018** | **213** | **62** | **3.40** | **0.98** | **6.40** | **1.87** | **5.80** | **1.69** | **57.80** | **16.83** | **6** | **3** | **0.18** | **0.09** |
| **2019** | **195** | **53** | **3.10** | **0.84** | **6.90** | **1.86** | **4.90** | **1.36** | **57.10** | **15.53** | **5** | **0** | **0.18** | **0.0** |
| **Jamaica** | **2018** | **137** | **33** | **5.02** | **1.21** | **8.14** | **1.96** | **48.20** | **11.61** | **190.00** | **45.77** | **0** | **0** | **0.00** | **0.0** |
| **2019** | **86** | **7** | **3.54** | **0.29** | **5.22** | **1.26** | **32.70** | **7.88** | **129.10** | **31.10** | **1** | **0** | **0.06** | **0.0** |
| **Mexico** | **2018** | **490** | **487** | **0.39** | **0.39** | **2.11** | **1.01** | **1.39** | **1.38** | **27.59** | **22.63** | **210** | **283** | **0.53** | **0.59** |
| **2019** | **389** | **412** | **0.31** | **0.33** | **1.53** | **0.78** | **0.96** | **1.02** | **21.06** | **13.95** | **199** | **258** | **0.46** | **0.49** |
| **Trinidad & Tobago** | **2018** | **48** | **44** | **3.56** | **3.26** | **5.20** | **4.77** | **4.34** | **3.98** | **48.58** | **44.53** | **8** | **8** | **0.87** | **0.87** |
| **2019** | **43** | **39** | **3.19** | **2.92** | **4.66** | **4.27** | **4.51** | **4.13** | **48.42** | **44.39** | **4** | **4** | **0.43** | **0.43** |
| **Venezuela** | **2018** | **5,287** | **1932** | **16.60** | **6.10** | **26.70** | **10.50** | **56.60** | **20.70** | **395.6** | **144.6** | **-** | **57** | **-** | **0.31** |
| **2019** | **-** | **3042** | **-** | **9.44** | **-** | **15.20** | **-** | **-** | **-** | **-** | **-** | **76** | **-** | **0.38** |

Incidence indicators show that the absolute numbers of **civilians killed by security agents** in service by firearm (I-1), and of security agents killed in service by firearm (I-6) were collected in most of the countries through both official and press sources. However, Chile did not provide official figures and in Venezuela it was only possible to obtain them from a report by UNHCHR. In Mexico full data was only accessible from federal police forces, but not from state and municipal ones. In Colombia, official figures appear to be strongly underestimated. Hence, lack of transparency and reliability of information on use of lethal force is still a great concern in the region.

Absolute numbers of civilians killed by security agents on duty by firearm (I-1) are particularly high in Venezuela and Brazil. The incidence of civilian deaths in the eight countries of the region based on official figures, weighted by different types of denominators, shows Venezuela with the highest values, often at a great distance from all other countries. Then there is a group of four countries with high values, though considerably lower than Venezuela: Jamaica, Trinidad & Tobago, El Salvador and Brazil. The order of these four countries varies according to the type of weighting. Jamaica has the highest values in the indicators weighted by population, arrests and seized arms; Brazil has the highest value for every thousand security agents.

After these four countries we find Mexico and Colombia, with really low values but with serious problems of underestimation in official data. In the case of Chile, it was not possible to obtain official data on civilian deaths, though press data reveal a very low incidence of use of lethal force by firearm attributed to public security agents.

The phenomenon of **killings against public security agents** seems to be a serious concern in Trinidad & Tobago and in Mexico, and also in Colombia. Venezuela, which has only press data, appears next, followed by El Salvador and Brazil. Last, incidence is extremely low in Chile and in Jamaica. It has to be reminded that, in many countries such as Venezuela, Mexico, Colombia and Brazil, many law enforcement agents are killed off-duty and are not included here.

Table 3 presents **abuse indicators**. According to proposed international standards, the proportion of homicides caused by state agents (A-1) should not exceed 10%. Similarly, the ratio between civilians killed by state agents and state agents killed in homicides (A-2) should not exceed the value of 10, since when it does, the lethality caused by law-enforcement agents cannot reasonably be justified as a function of the risks they encounter. The lethality index (A-3), i.e., the ratio between the number of civilians killed and the number of civilians wounded, should always be below 1. In other words, a moderate and proportional use of lethal force should yield more non-lethal victims (injured) than fatal ones (dead). The lethality ratio (A-4), the ration between the lethality index against civilians and the lethality index against public officers, has no predefined threshold, but the higher the value, the greater the certainty that state abuses have occurred.

**TABLE 3. ABUSE INDICATORS BY COUNTRY, YEAR** **AND SOURCE**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| COUNTRY |  | **A-1 % of homicides due to the intervention of public agents** | | **A-2 Ratio between CK and AK** | | **A-3 Lethality Index for civilians** | | **A-4 Lethality Ratio** | | **A-5 Average number of civilians killed per incident** | |
| **YEAR** | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source | Official Source | Media Source |
| **Brazil** | **2018** | **9.10%** | **-** | **69.40** | **-** | **-** | **-** | **-** | **-** | **-** | **-** |
| **2019** | **11.20%** | **-** | **114.10** | **-** | **-** | **-** | **-** | **-** | **-** | **-** |
| **Chile** | **2018** | **-** | **2.00%** | **-** | **18.00** | **-** | **0.72** | **-** | **10.50** | **-** | **1.20** |
| **2019** | **-** | **2.40%** | **-** | **-** | **-** | **0.24** | **-** | **-** |  | **1.00** |
| **Colombia** | **2018** | **2%** | **0%** | **1.80** | **0.8** | **0.18** | **1.7** | **0.1** | **1.4** | **0.2** | **0.6** |
| **2019** | **2%** | **0%** | **1.80** | **0.9** | **0.25** | **2.1** | **0.1** | **2.3** | **0.2** | **0.7** |
| **El Salvador** | **2018** | **6.40%** | **1.90%** | **35.5** | **20.67** | **2.3** | **2.67** | **5.85** | **103.33** | **0.8** | **0.22** |
| **2019** | **8.10%** | **2.20%** | **39** | **-** | **2.6** | **2.79** | **7.18** | **-** | **0.7** | **0.2** |
| **Jamaica** | **2018** | **9.60%** | **-** | **-** | **-** | **1.63** | **-** | **-** | **-** | **0.12** | **-** |
| **2019** | **6.03%** | **-** | **86.0** | **-** | **1.03** | **-** | **3.10** | **-** | **0.07** | **-** |
| **Mexico** | **2018** | **1.34%** | **1.33%** | **2.64** | **1.72** | **2.40** | **2.50** | **3.87** | **3.00** | **-** | **1.40** |
| **2019** | **1.08%** | **1.14%** | **2.67** | **1.60** | **2.30** | **1.90** | **2.72** | **2.57** | **-** | **1.30** |
| **Trinidad & Tobago** | **2018** | **9.29%** | **-** | **6.00** | **-** | **1.30** | **-** | **0.98** | **-** | **0.76** | **-** |
| **2019** | **7.99%** | **-** | **10.75** | **-** | **1.59** | **-** | **3.18** | **-** | **0.75** | **-** |
| **Venezuela** | **2018** | **33.30%** | **15.40%** | **-** | **34.00** | **-** | **56.80** | **-** | **43.70** | **-** | **1.50** |
| **2019** | **-** | **31.20%** | **-** | **40.00** | **-** | **59.70** | **-** | **19.60** | **-** | **1.50** |

The indicators show that abuse of lethal force is a serious and pervasive problem in Latin America and the Caribbean. Venezuela stands out in all indicators as undergoing the most extreme case of abuse, with one in three homicides being the result of government agents. Brazil also exceeds the acceptable level of 10% of all homicides attributed to public security agents, and the situation deteriorated in 2019, compared to 2018. Caribbean countries and El Salvador are dangerously close to the that threshold.

The ratio of civilians killed to law enforcement agents killed is absurdly high in Brazil, with over 100 civilians killed for each public security agent, and also extremely high in Jamaica. El Salvador and Trinidad are also beyond the acceptable ratio of 10 to 1.

As for the ratio of civilians killed to civilians wounded, all countries for which there is official data (except Colombia, where official data is grossly underestimated) exceed the accepted threshold of 1. This means there are always more dead than wounded, which reveals a pattern of abuse.

Among the eight countries analysed, only two showed acceptable indicators. One of them is Chile, with low incidence and abuse indicators (with the exception of the ratio between civilians and public officers killed, although it is based on very few cases). However, the lack of official information in Chile does not allow for a full appraisal. The other country with low indicators is Colombia but, some of the indicators are so low as to question the validity of official data. In Mexico, the limitations of available data do not allow a clear conclusion.

**General Recommendations**

**Regulation of the use of force**

A specific law, incorporating international standards, should be approved to regulate the use of force by State agents. This should increase compliance, transparency and access to justice.

**Investigation**

A rigorous investigation of each incident of use of lethal force that results in victims, both administrative and criminal, is essential. During the investigation, police officers involved in cases with fatal outcomes should be removed from active duty (although no punitive measure should be taken in respect of the presumption of innocence). If state responsibility is proven, victims must receive adequate compensation.

**Political discourse**

Public authorities must abstain from making statements that encourage use of lethal force by public security agents, let alone justify abuses. Phrases such as “a good criminal is a dead criminal” or “one bullet, one kill” are not uncommon by public officials or candidates in the region and actively promote abuses and summary executions.

**Preventive measures**

Beyond criminal investigations, administrative measures to monitor use of force and prevent abuses are needed. Internal non-disciplinary mechanisms should be created inside public security institutions in order to monitor use of lethal force. Institutions should contemplate a variety of measures to prevent abuse of lethal force that include doctrine, operating procedures, recruitment, equipment, training and internal supervision.

**Transparency**

There is still an important deficit of public information on the use of lethal force in Latin America and the Caribbean, as this study has demonstrated. Data is often incomplete, deficient and, in some cases, non-existent. It is essential that cases of use of lethal force be accurately recorded, including information on: nature of the incident, location, whether or not the agents were on duty, type of weapons used, gender of the victim and of officers involved, forces to which the agents belonged and number of lethal and non-lethal victims. This data must be consolidated and published regularly, for example through a yearly report by an official institution, in order to allow monitoring by both the State itself and civil society.

**Civil nature of the Public Security**

Public security is a civilian function which should be carried out by civilian institutions. Even if it is not uncommon that armies are called upon for support, the civilian character of public security should be maintained. Military institutions have a different doctrine which could result in excessive use of force. Also, armies are often not subjected to the same legislation and regulations as police forces which might make the accountability of their interventions more difficult.

1. In order to use a common criterion that would allow international comparisons, we considered only victims of **firearms** in **incidents that involved public security agents while** **on** **duty**. [↑](#footnote-ref-1)