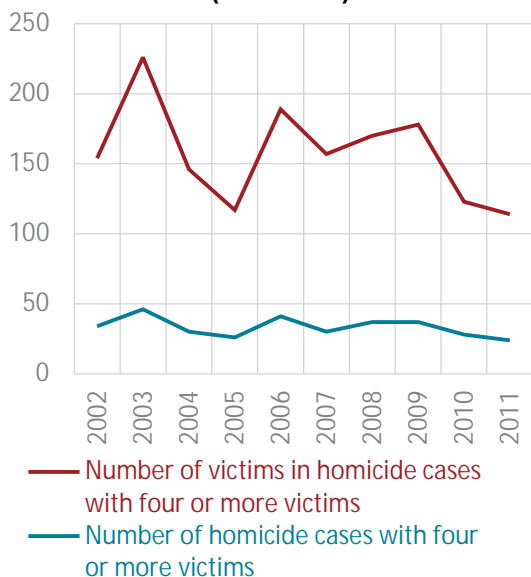


As technology now enables instant access to global news, awareness of mass murder events has increased, but mass murder is not a new phenomenon. In the United States alone, some 909 mass killings were documented between 1900 and 1999,<sup>27</sup> with the frequency of mass public shootings, the most visible form of mass murder, increasing in the 1960s. More recently, between 2002 and 2011, there was an average of 32 acts of mass

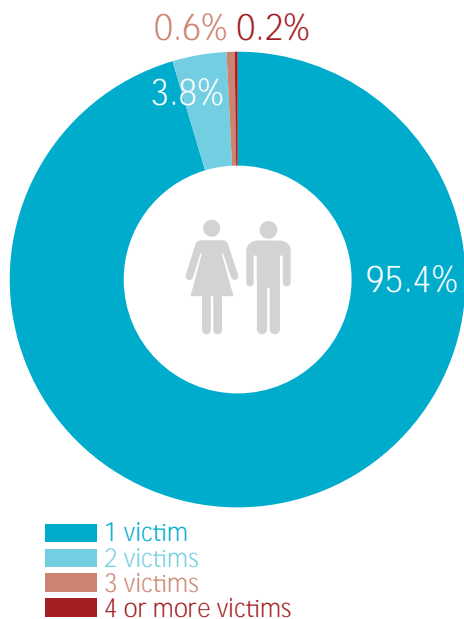
murder per year; a relatively stable trend in spite of the overall declining trend for all homicides. All those mass murder events resulted in more than 1500 victims over 10 years, which is a small fraction of all homicides that occur in the United States.<sup>28</sup> The fact that an average of 70 per cent of all mass murders in that time period involved firearms<sup>29</sup> points to the accessibility of firearms as being a decisive element in their perpetration.

**Fig. 2.2.14: Number of homicide cases with four or more victims; and related number of victims, United States (2002-2011)**



Source: Bureau of Justice Statistics, United States (2013).

**Fig. 2.2.15: Average percentage distribution of homicide cases, by number of victims, United States (2002-2011)**



Source: Bureau of Justice Statistics, United States (2013).

### 2.3 SOCIO-POLITICAL HOMICIDE

In contrast to the two other homicide typologies, this type of homicide can be seen to be the outcome of the socio-political agenda of its perpetrator(s). As its name implies, socio-political homicide may be politically motivated, or particular individuals or groups may be targeted due to their race, ethnicity, gender, religion, sexuality or status, amongst others. For example, homicides linked to hate crimes or acts of terror are both considered to be part of this typology. In all such cases, a social dimension (such as the management of diversity in society) or a power-related struggle comes into play.

Data availability on socio-political homicide is very limited, either because some killings of this nature are often excluded from homicide counts at the country level or, when included, they cannot be statistically identified due to a lack of information about the motive and context of such killings. For these reasons, this section provides a snapshot of some of their manifestations.

#### Hate Crimes

Crimes motivated by the perpetrator's bias against the victim's race, religion, ethnic origin, sexual orientation or disability, amongst others, hate crimes can also be thought of as products of social prejudice. Ingrained attitudes may promote an atmosphere that condones violence against marginalized segments of society, often resulting in "message crimes" that instil fear or terror based on prejudicial attitudes.<sup>30</sup> As they not only affect indi-

28 Some mass homicides are not represented in the data because they have been reported by law enforcement agencies in separate records, with a maximum of 11 victims per record. For example, an incident with 32 victims was reported as 4 separate incidents, with 10 victims each in the "first" three incidents and two in the "fourth" incident. The net result is that these data somewhat over-count the number of mass murder incidents and somewhat undercount the average number of victims per mass murder incident.

29 Bureau of Justice Statistics, United States (2013).

30 Mouzos, J. and S. Thompson (2000), in Australian Institute

27 Duwe, G. (2004), in *Justice Quarterly*, 21.

vidual victims, but also members of the victim's group and even society as a whole, such crimes are threats to social cohesion.<sup>31</sup>

Hate crimes can consist of a variety of violent and non-violent crimes, ranging from threats and robbery to rape, with homicide their most extreme manifestation. Accurately identifying, classifying and recording a homicide as a hate crime can be particularly challenging, as it requires the determination of a causal link between an offender's prejudice towards the victim and their act of lethal violence.

There are relatively few cases of known hate crime-related homicide, and studies of this issue are few in number. For example, gender-based killing due to sexual orientation and gender identity is a phenomenon that has only recently been documented and only very limited, often anecdotal, data are available.<sup>32</sup> That said, the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has documented murders believed to have been committed on the grounds of sexual orientation or gender identity.<sup>33</sup> Furthermore, according to the United Nations Special Rapporteur on Violence Against Women, homicides of transgender people were documented in 816 cases in 55 countries between January 2008 and December 2011.<sup>34</sup> Many of those homicides are believed to be the result of hate-based violence, but data on motivation are extremely limited, thus it is not possible to identify all of them as being specifically due to the victim's identification as transgender. In South Africa, information from case studies has indicated that 31 lesbians have been murdered in homophobic attacks since 1998.<sup>35</sup> An academic study in Australia that examined gay-hate related homicides in New South Wales identified approximately four gay men killed due to their sexual orientation each year over the 10-year period covered by the study (1989-1999).<sup>36</sup>

of Criminology: *Trends and Issues in crime and criminal justice*. No. 155.

31 Bleich, E. (2007), in *American Behavioural Scientist*, 51. Also, for example, in some case law, family members of victims were also considered victims, and sometimes granted compensation. See Inter-American Court of Human Rights, (2009).

32 United Nations General Assembly (2012). A/HRC/20/16.

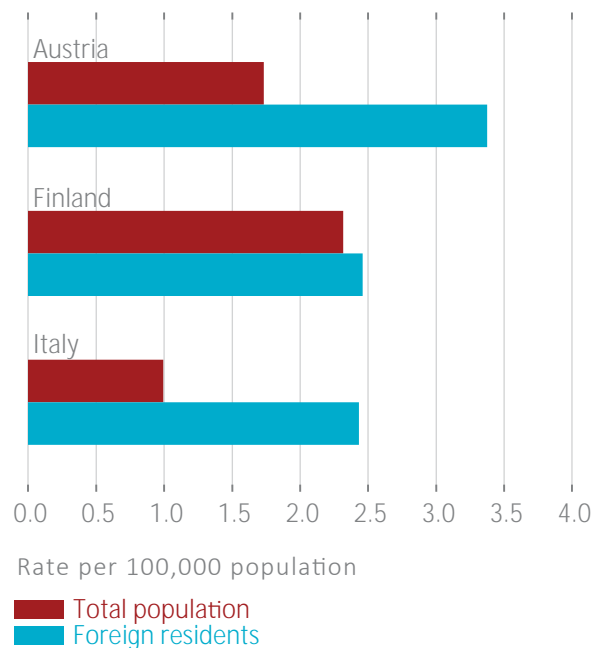
33 United Nations General Assembly, Human Rights Council (2013) A/HRC/24/23.

34 United Nations General Assembly (2012). *Op.Cit.*

35 Wesley, T. (2012), in *BUWA! A Journal on African Women's Experiences*.

36 Mouzos, J. and S. Thompson. (2000). *Op.Cit.*

**Fig. 2.3.1: Homicide rate among total population and among foreign residents, selected European countries (2010)**



Source: UN-CTS (2011); data on Austria include attempted homicides.

Other social prejudices, such as those based on race, religion or ethnic origin, can also result in lethal violence. When looking at the scarce data available, it can be noted that in three European countries which do have data, foreign residents are over-represented among homicide victims (see figure 2.3.1). Such data cannot be strictly interpreted as hate crime-related, as it is not known whether those victims were specifically targeted due to their membership of a racial, ethnic or religious group, but it does indicate that foreign residents can face a higher risk of victimization than the general population.

As mentioned earlier, homicide is the most extreme manifestation of hate-related violence. Other than lethal violence, crimes motivated by bias or prejudice are also difficult to identify, as many victims of hate crimes are reluctant to report them, which means that many hate crimes remain invisible.<sup>37</sup>

## Acts of terror

Often resulting in multiple victims, acts of terror leading to death are a global phenomenon but also a challenging category to examine statistically, as very few countries produce data on such deaths. Those with multiple victims, which result in mass murder incidents, may be classified in different ways based on varying definitions.

37 For an overview of hate crimes in Europe, see European Union Agency for Fundamental Rights (2012).

From a conceptual perspective, the label “intentional homicide” is certainly broad enough to encompass such deaths, and whilst perpetrators may face additional charges, such as acts of terrorism, acts against the State, or even crimes against humanity, the core act still concerns the unlawful intentional killing of another. That said, in national recording practices, such deaths are not always recorded and counted as intentional homicide, or in other cases, though considered as such, a specific statistical count is not available.<sup>38</sup>

### Unlawful killings by law enforcement authorities

Some of the most challenging incidents to identify and account for statistically as “intentional homicide” are unlawful killings by law enforcement authorities, including the police. The State has an obligation to safeguard life:<sup>39</sup> the use of lethal force by the police is strictly limited by international human rights law and relevant standards, and is to be applied only in situations where it is necessary to protect life.<sup>40</sup> Deaths occurring as a result of the necessary and proportionate use of force by law enforcement officers do not constitute unlawful killings. Unplanned killings that result from excessive use of force in law enforcement operations may be unlawful, although they would not qualify

as intentional homicides in the absence of any element of intentionality.

Among the special procedures of the Human Rights Council, the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions holds the mandate for examining situations of unlawful killing by the police, among other situations of extrajudicial, summary or arbitrary executions.<sup>41</sup> For example, killings by the police may occur in situations where the police are not pursuing law enforcement objectives, such as attempts at extortion that may escalate into extrajudicial killings; engaging in “social cleansing” operations and intentionally killing criminals or members of marginalized groups; or in even more extreme situations, where police are operating as a militia or death squad.<sup>42</sup> All such cases should be counted as intentional homicides, consistently with the standard definition, but little statistical information is available on such homicides, often due to a lack of recording and tracking, as well as a lack of investigation into the nature of the killings, all of which hamper data collection efforts. Findings, conclusions and recommendations of the United Nations Special Rapporteur are submitted to the Human Rights Council and the General Assembly, and constitute both a source of data and examples.<sup>43</sup>

### Mob violence/Vigilantism

Cases of “vigilante” or “mob” violence have been reported in different places around the world. The nature of these acts can vary widely, but at their core they are “killings carried out in violation of the law by private individuals with the purported aim of crime control, or the control of perceived deviant or immoral behaviour.”<sup>44</sup>

Although vigilantism has occurred across the world, recent studies have focused on this phenomenon in Africa, the Americas and Asia.<sup>45</sup> For example, in Uganda in 2010, there were 438 fatalities due to acts of mob justice, accounting for 25

38 Country practice varies as to whether such deaths are included in police homicide statistics. For example, neither the 3,000+ victims of the attacks on the United States on 11 September 2001, nor the nearly 200 killed in terrorist attacks on 11 March 2004 in Madrid were recorded as homicides in national criminal justice statistics. By contrast, the 52 victims of the 7 July 2005 London bombings and the 77 victims of the terror events of 22 July 2011 in Norway were included in official police statistics as homicides. Homicide statistics in India include murder related to “terrorist/extremist” violence.

39 This obligation of the State consists of three main aspects: a) the duty to refrain, by its agents, from unlawful killing; b) the duty to investigate suspicious deaths; and c) in certain circumstances, a positive obligation to take steps to prevent the avoidable loss of life. (For example, see European Court of Human Rights (2013); Ovey, C. and R. White (2002).

40 Principle 9 of the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (1990) provides for instance: “Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.” Article 3 of the *Code of Conduct for Law Enforcement Officials*, adopted by the General Assembly in its resolution 34/169, states that “Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.” Principle 3 of the *Interpol Code of Conduct for Law Enforcement Officials* states that “Officers must never knowingly use more force than is reasonable, nor should they abuse their authority.”

41 United Nations General Assembly, Human Rights Council (2011). A/HRC/RES/17/5

42 United Nations General Assembly, Human Rights Council (2010). A/HRC/14/24/Add.8. Para. 9.

43 See, for example, United Nations General Assembly, Human Rights Council. *Reports of the Special Rapporteur on extrajudicial, summary or arbitrary executions*. For example: A/HRC/21/49; A/HRC/22/67; A/HRC/23/51.

44 United Nations General Assembly, Human Rights Council (2009). A/64/187. Para. 15.

45 See United Nations General Assembly, Human Rights Council (2009).

per cent of all homicides in the country.<sup>46</sup> The most common victims of mob violence are suspected criminals, generally young males, especially those suspected of committing theft.<sup>47</sup> Other targets of “vigilante justice” include suspected murderers, members of gangs or organized criminal groups, suspected or convicted sexual offenders, suspected “witches” and street children.<sup>48</sup>

Mob violence can indicate a population’s lack of faith or trust in the rule of law and its implementing institutions to provide justice. If people feel the criminal justice system is not legitimate, is corrupt or unresponsive, they may feel obliged to take matters into their own hands to enforce laws. For example, in a study of formal and informal dispute resolution systems in poorer, rural areas of South America, vigilantism appeared to be five times greater in communities where informal mechanisms of justice were not functioning.<sup>49</sup>

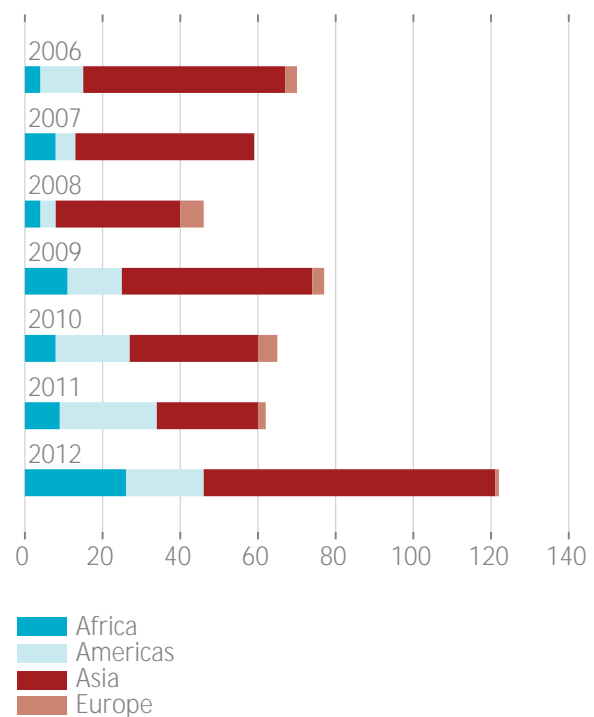
### Shooting the messengers: the killing of journalists and humanitarian aid workers

As professionals who often work in insecure environments, mostly in response to natural or man-made disasters, journalists and aid workers are both prone to certain risks that can threaten their safety and even their lives.

Journalists, as purveyors of information who seek out and report the news from around the world, often venture into the darkest corners to shed light on current events. A considerable number of them are subjected to intimidation, physical violence, kidnapping or illegal detention in direct relation to their work and, in extreme cases, they can be killed because of their professional activity. Some are killed in war or conflict zones or in situations of civil unrest, while others are the specific targets of homicidal violence.

It is challenging to disentangle the various motives behind such killings, but some data are available. According to UNESCO, since 1992 there have been 984 documented cases of killings of journalists, with over 600 of them occurring in the last 10 years.<sup>50</sup> UNESCO has also drawn attention to the

**Fig. 2.3.2: Number of journalists killed, by region (2006-2012)**



Source: UNESCO. *Facts and Figures of Killed Journalists from 2006-2012*.

fact that there is often impunity for many of the abuses against journalists,<sup>51</sup> which, in conjunction with a climate of violence, generates censorship, depriving citizens of the information they need to make informed decisions.

Besides UNESCO, the Committee to Protect Journalists (CPJ)<sup>52</sup> also tracks events around the world in which journalists are killed because of their professional activities. The statistics kept by each organization differ due to varying definitions as to who exactly is considered a journalist and what is considered a “killing in the line of duty”<sup>53</sup>

(2013). Para. 5; and UNESCO (2013). *UNESCO condemns the killing of journalists*.

51 See United Nations (2012). *Second Inter-Agency Meeting on the Safety of Journalists and the Issue of Impunity*.

52 The Committee to Protect Journalists (CPJ) is an independent, non-profit organization that promotes press freedom worldwide.

53 CPJ keeps statistics on the death of every journalist whom it is reasonably certain was killed in direct reprisal for his or her work; was killed in crossfire during combat situations; or was killed while carrying out a dangerous assignment such as coverage of a street protest. Journalists killed in accidents such as car or plane crashes are not included. UNESCO uses a broad definition and it refers to the killing of reporters, camera operators, photojournalists, television presenters, columnists, editors, broadcasters, radio presenters and other members of the media. Given these definitions, it is not always possible to differentiate between journalists who were victims of intentional homicide and those who were victims of war/conflict, based on these sources.

46 Ugandan Police Force (2011). P. 7.

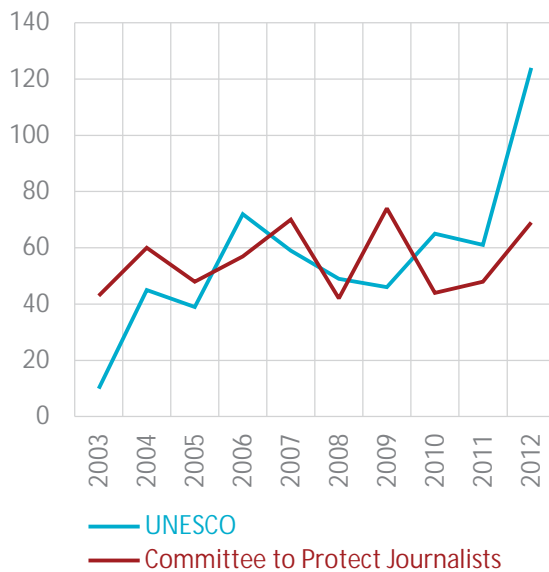
47 United Nations General Assembly, Human Rights Council (2009). Para. 58.

48 Ibid. Para. 64.

49 UNDP (2006). P. 14.

50 United Nations General Assembly, Human Rights Council

**Fig. 2.3.3: Number of journalists killed in the line of duty (2003-2012)**



Source: UNESCO and Committee to Protect Journalists.

(see figure 2.3.3). In spite of these differences, the overall trends are similar, indicating an increase in the last year. According to UNESCO data, the number of killings of journalists reached a record high in 2012 (122 journalists killed) (see figure 2.3.2). Over half of those were killed in Asia, more than half of them in the Syrian Arab Republic alone.<sup>54</sup> Some 20 per cent of the journalists killed in 2012 were killed in Africa, two-thirds of them in Somalia. South America, Central America and the Caribbean each accounted for 8 per cent of all such killings.<sup>55</sup>

Many journalists are killed in contexts of armed conflict, as demonstrated by the large share of deaths occurring in Asia (particularly in Afghanistan, Iraq and the Syrian Arab Republic), but a large amount of killings and attacks occur outside such situations. Most of those killed have been covering politics, war or corruption (see figure 2.3.4),<sup>56</sup> and, according to UNESCO, 95 per cent of all journalists killed since 2006 were local reporters, rather than foreign correspondents.<sup>57</sup> Print journalists made up the largest share of journalists killed between 2006 and 2012 (43 per cent), followed by television journalists (28 per

54 See UNESCO (2012).

55 Ibid.

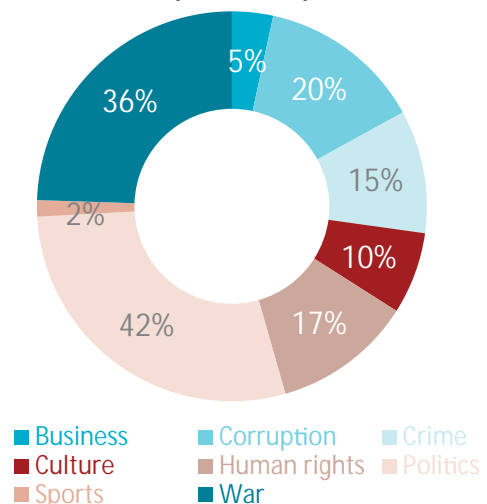
56 See United Nations General Assembly, Human Rights Council (2013).

57 UNESCO. *Facts and Figures of Killed Journalists from 2006-2012*.

cent).<sup>58</sup> The killing of photojournalists has increased in the last few years, with over a third of the journalists killed in 2012 being camera operators or photographers.<sup>59</sup>

A significant share of journalists have been killed by organized criminal groups (see figure 2.3.5): according to the CPJ, of all the killings that specifically targeted journalists between 1992 and 2013, some 13 per cent were committed by criminal groups. Investigative journalism can become a real threat for criminal groups, some of which do not hesitate to exert violence and intimidation on the media in order to maintain a climate of silence around their illicit activities. It is even more alarming that no perpetrator was convicted in 77 per cent of those cases: impunity has an incrementally negative effect on the freedom and independence of journalists.

**Fig. 2.3.4: Topics covered by journalists killed (1992-2013)**



Note: The sum is higher than 100 as journalists killed could have been covering multiple topics.

Source: United Nations General Assembly, Human Rights Council (2012). A/HRC/20/22. Para. 6.

Most humanitarian organizations are accustomed to operating in violent settings, and violence against aid workers has always been a challenge to humanitarian access. Like journalists, aid workers<sup>60</sup> can be subjected to physical attacks in direct

58 Ibid.

59 United Nations General Assembly, Human Rights Council (2012). Para. 35.

60 Aid workers, as defined by the Aid Worker Security Database, are the employees and personnel of not-for-profit aid agencies, including both national and international staff, which provide material and technical assistance in humanitarian relief contexts. These include various locally contracted staff (e.g. transportation, security, etc.), as well as relief and multi-mandated (relief and development) organizations, such

relation to their work, which result in kidnapping, serious injury or even death. According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), based on data from the Aid Worker Security Database,<sup>61</sup> the magnitude of the violence and the types of threats faced by aid workers have changed over the years.<sup>62</sup>

The Aid Worker Security Database does not disaggregate data by context and cannot provide information specifically on intentional homicides, but it does denote an increase in attacks against aid workers over the last decade (see figure 2.3.6), and a fluctuating though slightly increasing number of such workers killed in attacks. The increase in incidents against aid personnel has taken place in a period and context in which the number of humanitarian workers has also grown. However, the increase in attacks has surpassed the growth in numbers of aid workers, thus indicating an increased exposure to risk for humanitarian workers.<sup>63</sup>

In 2008, 127 aid workers were killed; the highest number on record. The decrease in killings of aid workers between 2008 and 2012 can be attributed in large part to improvements by aid organizations in security awareness and management systems, which allow for more effective risk assessment and mitigation by staff in the field.<sup>64</sup> Since 2009, six countries (Afghanistan, Nigeria, Pakistan, Somalia, South Sudan, the Syrian Arab Republic) have accounted for 75 per cent of all aid workers killed. Attacks on aid workers have become more sophisticated in recent years, and the tactics and weapons used, such as heavy explosives and improvised explosive devices (IEDs), have become more lethal.<sup>65</sup> In 2013, attacks in Afghanistan, Nigeria and Pakistan have accounted for a significant share

as non-governmental organizations, the International Red Cross/Red Crescent, donor agencies and the agencies of the United Nations that belong to the Inter-Agency Standing Committee on Humanitarian Affairs (FAO, OCHA, UNDP, UNFPA, UNHCR, UNICEF, WFP and WHO), as well as the International Organization for Migration and the United Nations Relief and Works Agency (UNRWA). The definition of "aid worker" does not include United Nations peacekeeping personnel, human rights workers, election monitors, or purely political, religious or advocacy organizations.

61 The Aid Worker Security Database collects data on deliberate acts of violence affecting aid workers all over the world, through systematic media filtering or through information provided by affected aid organizations.

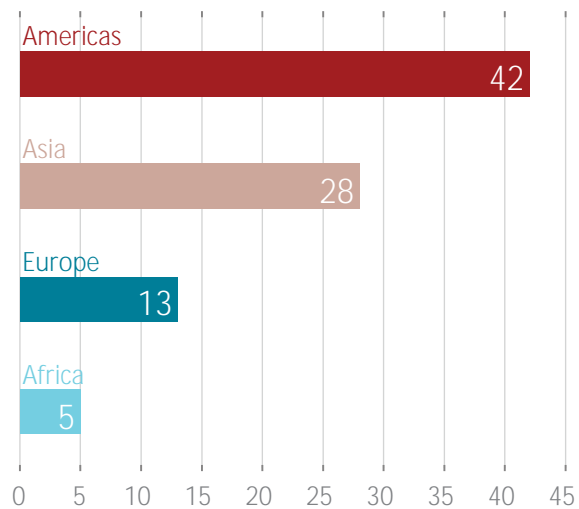
62 United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) (2011).

63 United Nations (2009). *S/2012/376*. Annex, Para. 32.

64 UNOCHA (2011).

65 Ibid.

**Fig. 2.3.5: Number of journalist victims of homicide perpetrated by organized criminal groups, by region (1992-2013)**



Note: Data for 2013 up to 13 November 2013.

Source: Committee to Protect Journalists.

of the increase in humanitarian workers killed during the course of the year.<sup>66</sup>

The killing of journalists and humanitarian aid workers has consequences beyond the loss of individual lives. The killing of journalists can be considered an attack on the human right to free expression, the foundation of strong democracy and the need for an informed, active and engaged

**Fig. 2.3.6: Number of aid workers attacked and number of aid workers killed (1997-2013)**



Source: Aid Worker Security Database, 1997-2013.

66 Aid Worker Security Database.

citizenry to access the information necessary to reach their full potential.<sup>67</sup> Violence against aid workers greatly restricts access and mobility on the ground and often results in suspended, reduced or even terminated humanitarian activities, thus placing the lives and well-being of the hundreds of thousands of vulnerable people who depend on them at risk.<sup>68</sup>

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<sup>67</sup> UNESCO. *UN Plan of action on the safety of journalists and the issue of impunity*. CI-12/CONF.202/6.

<sup>68</sup> United Nations (2009). S/2012/376. Annex, Para. 38.