

**BRAZIL INITIATIVE**

ELLIOTT SCHOOL OF INTERNATIONAL AFFAIRS

Elliott School of  
International Affairs

THE GEORGE WASHINGTON UNIVERSITY

Working Paper Series No. 4

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# The State of Security and Justice in Brazil

## Reviewing the Evidence

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March 2016

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## Introduction

**B**razil is Latin America's largest economy and South America's regional hegemon. In addition to hosting mega-events in 2014 and 2016, it is increasingly looking to expand its influence across the Americas, Africa and elsewhere. Brazil's commitment to international peace and security is widely acknowledged (Muggah and Foley 2013). It advocates a "peace zone" in its neighbourhood and has not declared war in its neighbourhood for more than 150 years. Brazil has actively pursued reform of the United Nations Security Council for the past two decades and is chairing the Peacebuilding Commission in 2014.<sup>1</sup> In recent years the country also ramped up efforts to curb organized crime outside its borders and consolidate security within them. Notwithstanding these initiatives, the most urgent security and justice challenges facing Brazilian society are internal. The country experiences more homicides in absolute terms than any other country on earth. Alongside epidemic murder rates, it also exhibits high rates of victimization, impunity and an exploding prison population. Successive governments have adopted a combination of repressive and preventive policies to mitigate insecurity with mixed effects.

The following working paper summarizes the security and justice architecture in the country. Intended to survey the dynamics of public security and access to justice in Brazil, it is divided in three parts. The first section surveys the transnational and domestic dimensions of insecurity and injustice. It highlights the complex dynamics of drug trafficking, arms smuggling, money laundering, and cybercrime, and their corrosive effects on safety and security. Section two focuses on Brazil's normative commitments together with the status of key security sector and judicial institutions. In section three, the paper traces out recent security and justice reform efforts. Included in this section is a short analytical treatment of almost 200 discrete violence prevention interventions since the late 1990s. The assessment is based on a combination of interviews with specialists<sup>2</sup> and a review of primary and secondary data. Taken together, it finds that while some important gains have been made in security and justice, serious gaps in policy and practice remain.

## Addressing transnational crime

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<sup>1</sup> See

<http://www.un.org/en/peacebuilding/pdf/140710%20PBC%20Annual%20Session%20Chair's%20summary-FINAL.pdf>.

<sup>2</sup> Specialists consulted include Bernardo Sorj; Renato Sergio de Lima, FBS; Robson Rodrigues, Igarapé Institute; Rosana Tomazini, EU; Mario Rui Queiró, EU; Pasquale Matafora, police attaché, Italy; Francisco Marques Alves, police attaché, Portugal; Jorg Bade, police attaché, Germany; Chris Brealey, FCO, UK; Rodrigo Bovo Soares, COCIT, Ministry of Foreign Relations; Nelson Tabajara, Ministry of Foreign Relations; Paulo Abrão, Secretary of Justice, Ministry of Justice; Fernanda Alves dos Anjos, Ministry of Justice; Ricardo Andrade Saadi, Ministry of Justice; Dino Capriolo, IADB; Tiago Cordeiro, IADB; Nivio Caixeta, UNODC; Rafael Franzini, UNODC; Erica Massimo, UNDP; and others.

A major factor shaping Latin America and the Caribbean's disproportionately high rates of violence is the production, trade, consumption and response to illicit narcotics. Indeed, the region features the highest rates of lethal violence in the world, with Brazil at the lead (UNODC 2013). Brazil is preoccupied with the trade and transshipment of narcotics across its borders and territory. Its relatively new security posture is a response to ballooning trafficking of cocaine from Bolivia, Colombia and especially Peru to Brazilian coastal regions for wholesale and retail distribution. Peru today is currently the largest supplier of cocaine to European markets and Brazil is the principle transit country (Muggah and McDermott 2013). Not surprisingly, consumption has sky-rocketed with Brazil declared by the United Nations Office for Drugs and Crime (UNODC) to be the second largest consumer of cocaine in the world (Latin News). As a result, Brazil is increasing counternarcotics and security assistance to other countries in Latin America.<sup>3</sup> Brazil has trained anti-drug forces in Bolivia and conducts anti-drug operations in other neighboring countries including Peru and Paraguay (Muggah and Diniz 2013). Since President Rousseff took office, the government has placed increased emphasis on securing its borders, though comparatively less attention on the domestic public security agenda.<sup>4</sup>

Brazil's fast-growing financial sector and its role as a transit point for illicit narcotics have helped make it a hub for money laundering. There are no official measures for the levels of money laundered in Brazil. Recent estimates by Ollinger (2013) suggest that laundering may be much greater, between \$2.5 and \$4 billion annually mostly from profits generated by drug trafficking, but also fraud and tax evasion. Prior to 2012, money laundering could not be prosecuted unless it was connected to terrorism, drugs, arms trafficking, or several other specific criminal offenses. However, this changed in July 2012 when President Rousseff signed into law a bill that increased the penalties against those convicted of laundering money. The bill was interpreted as part of a wider effort to root out corruption in the government. Even if there is uncertainty over its magnitude, there is a general perception amongst Brazilian security specialists that organized crime has increased in scope and scale over the past decade.<sup>5</sup>

Brazil has also witnessed an upsurge in cybercrime in the past decade. These include a wide array of crimes that range from banking fraud and identity theft to drug trafficking and child pornography. The estimated costs of cybercrime to the Brazilian economy are estimated at \$8 billion annually, or 7 percent of the global total (Muggah and Diniz 2012). Brazil features one of the highest use of malware in Latin America. Especially in the wake of major demonstrations and protests in 2013,

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<sup>3</sup> In addition, there is a large market for cheap cocaine derivatives such as crack-cocaine and a cheaper derivative known as "oxi." In response to the country's rising addiction rates, Rousseff has pledged \$2.19 billion for the treatment of crack addicts for a national plan that is called "crack: it is possible to win". There is a growing criticism of the direction of this initiative from civil society groups. See <http://oesquema.com.br/penselivre/>.

<sup>4</sup> Not unlike other neighboring states, it is achieving uneven returns in terms of breaking up organized crime organizations since it tends to be more focused on targeting symptoms of drug trafficking rather than the groups themselves. The UNODC reported that Brazilian authorities seized approximately 14 tons of cocaine in 2006 and 27 tons 2010, or roughly 3 percent of the estimated global trade. The Brazilian federal police are also making increasing seizures of marijuana, synthetic drugs, and other types of narcotics. And while narcotics apprehension appears to be steadily increasing, there is no sign that this is translating into decreased domestic consumption much less the national reduction of violence. Ibid.

<sup>5</sup> Experts consulted during the preparation of this paper tend to agree that this growth is due to the persistence and expansion of the drug trade including production in Bolivia, Colombia and Peru, the widening of transit routes to encompass most coastal countries in Central and South America and the Caribbean (as well as West Africa), and the persistent demand from North American, Western European and, indeed, Brazilian consumers.

there are also growing anxieties with so-called ‘hactivist’ groups targeting public and private institutions as well as systematic copyright infringements from the downloading of pirated material (Muggah and Diniz 2014). As an emerging power, Brazil is more preoccupied than its neighbors with cyberwar and cyberterrorist threats, which are politically motivated actions aiming to penetrate the country’s computer networks in order to inflict damage and destruction to national infrastructure (e.g. energy and water supplies or communication systems). Although no incident of this kind has reportedly taken place, the government discourse and national cybersecurity measures that have been developed (e.g. CDCiber of the Brazilian Army) indicate a growing concern, particularly since allegations of cyberespionage involving the US National Security Agency burst on the scene in 2013.

### *Confronting domestic security challenges*

Brazil has made some important advances in improving public security in certain areas of the country in recent years, particularly in its major urban centers such as Rio de Janeiro and São Paulo. Between 2009 and 2013, Rio de Janeiro, the country’s second-largest city which will host the 2014 World Cup and the 2016 Olympics, saw its lowest homicide rates in 21 years<sup>6</sup>, though rates have crept back up since late 2013 (Muggah and Szabo 2014). Likewise, in São Paulo, Brazilian largest city with approximately 11 million inhabitants, homicide rates also decreased dramatically over the past decade—while also registering recent increases (Jordan 2012). Despite the advances in major centers like Rio and São Paulo, however, the national homicide rate has in fact increased; in 2007, the rate was 23.5 murders per 100,000 inhabitants; in 2012, the most recent year available for national statistics, 25.2 per 100,000 (UNODC 2012). This translates into more than 50,100 homicides a year – the highest absolute total in the world—with an increasing proportion of lethal violence perpetrated in large and intermediate sized cities in the north and northeast of the country. The risk factors shaping this violence are far-reaching, ranging from structural factors associated with inequality, rapid urbanization, and access to drugs, alcohol and firearms. Yet one of the most important variables shaping the intensity and organization of violence are armed factions operating with relative impunity.

Brazil faces several significant threats in terms of domestic security. Organized criminal groups are well-established in Rio de Janeiro and São Paulo, but also in other cities across the Northeast and South. The largest groups include the Red Command (*Comando Vermelho*) and the First Capital Command (*Primeiro Comando da Capital* - PCC).<sup>7</sup> These groups are involved in the transnational drug trade, arms trafficking, robberies, extortion and kidnapping. The Red Command at one point controlled 53 percent of Rio de Janeiro’s most violent areas, according to some estimates, though the group’s influence is believed to have been drastically reduced in the city, due to the favela pacification campaign. Nevertheless, it still maintains some presence in the city and in the neighboring countries of Paraguay and Bolivia. The PCC’s historic area of influence is São Paulo state, which bore witness to a bloody feud between the gang and the police force in 2006<sup>8</sup> and throughout 2012. The group is believed to currently have members in 22 of Brazil’s 27 states, and controls drug trafficking routes between Brazil, Bolivia, and Paraguay, moving cocaine and

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<sup>6</sup> The homicide rate for the first five months of 2012 in Rio de Janeiro was 10.9 per 100,000, according to the Regional Institute of Public Safety.

<sup>7</sup> The First Capital Command emerged during the dictatorship era (1964-1985). The PCC emerged after the massacre of 111 prisoners during a riot in São Paulo’s Carandiru prison in 1992.

<sup>8</sup> The attacks of 2006 and the counter offensive of the São Paulo military police resulted in extra-judicial killings of more than 400 individuals in a few weeks.

marijuana shipments (Parkinson 2014). There is also mounting evidence of its connections with Mexican drug cartels (tvOUL 2014).

A comparatively new threat has emerged in Brazil's major cities: vigilantism and lynchings. Vigilante groups made up of current and former members of the military police, known as militias, have emerged in cities under the premise of fighting local drug gangs. However, they have been found to operate their own criminal rackets, including extortion and kidnapping schemes.<sup>9</sup> These militias typically have contacts or even direct support from local politicians. The militias and other organized criminal groups are known to issue threats against judicial authorities who threaten their interests. Meanwhile, while long present in Brazilian society (Brooke 1991), there has also been a disconcerting rise of public lynching in some of Brazil's cities (Tegel 2014). These are involving the extra-judicial capture and punishment of suspected thieves or drug traffickers by community residents. Notwithstanding the violence generated by militia groups or in the course of lynchings, there are signs that perceptions of insecurity remain relatively constant. Indeed, recent polls show that perceptions of insecurity actually decreased from a score of 38.1 points in 2010 to 36.9 points in 2012.<sup>10</sup>

Brazil's police have long faced accusations of abuse, especially in connection to misreporting the extrajudicial killing of civilians as acts of self-defense. According to a 2009 report by Human Rights Watch, in 2008 Rio de Janeiro police killed one person for every 23 arrests, compared to the United States, where one person is killed for every 37,000 arrests. In addition to the issue of police brutality, corruption remains a problem within the police, especially at the local level. Aside from the illegal militias operating inside urban slums, corrupt elements of the civil and military police have been accused of working with local drug traffickers and running arms trafficking networks. Even Rio de Janeiro's new community police force, the UPP, has reported several cases of corrupt officers.<sup>11</sup> This has contributed to widespread public distrust: according to the *Index of Trust in the Brazilian Justice System* (ICJBrasil) released by the Getúlio Vargas Foundation's Law School in São Paulo on April 2014, only 31 percent of those surveyed said police are trustworthy. While there is no current plan to increase the size of state security forces, private security forces have grown 74 percent over the past decade. According to Federal Police statistics, there are currently 700,000 private security personnel in Brazil.

In contrast to the police, there is comparatively widespread trust in Brazil's military institutions. While the military was a deeply corrupt institution during the 1964-1985 military government, it has since seen some notable improvements. According to the Getúlio Vargas Foundation study, 75

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<sup>9</sup> Like other countries in Latin America, express kidnappings -- in which victims are held for less than 24 hours and often forced to withdraw money their bank accounts -- are a problem in some parts of Brazil, especially in larger cities such as Rio de Janeiro and São Paulo. In Rio de Janeiro, for example, there were 143 express kidnapping cases reported in 2011, a 62.5 percent rise from the previous year. Nevertheless, the problem is nowhere near the same levels as other countries such as Mexico, and Venezuela. Regular kidnappings have also been on the rise in Rio de Janeiro, with 13 reported cases from January-October 2012. This was almost double the number of cases (seven) registered in 2011.

<sup>10</sup> Vanderbilt University's Latin American Public Opinion Project (LAPOP) recodes respondents' answers into a scale of 0-100 with a higher score representing a higher perception of insecurity. The number of Brazilians who see violence and security as the country's biggest concern has been declining. In 2007 18.8 percent of respondents said that violence was the biggest problem that the country faces, according to the LAPOP. This dropped to 15.7 percent in 2010.

<sup>11</sup> While the government says these are isolated incidents, they also serve to undermine the UPP's reputation as Rio de Janeiro's well-paid, well-trained police force that is supposedly more resistant to corruption.

percent of those surveyed said that the military is the country's most trusted security institution. Though the military is viewed as less vulnerable to corruption by organized crime in comparison to the state police forces, it has nevertheless been criticized for not doing more to support the investigation of military abuses committed during the dictatorship. The approval of a non-punitive truth and reconciliation commission in late 2011 was seen as an important step for confronting military impunity. As of January 2013, no current or former members of the military had been convicted for torture, disappearances, and other crimes committed during these past decades. One landmark step was taken in March 2012, when federal prosecutors announced they would charge a retired army colonel in connection to several disappearances registered in 1974.

Rural Brazil faces another set of security challenges. Violence linked to land conflict is one significant problem, especially in the northern and central-western Amazonian states, where poor farmers, indigenous groups and powerful ranching and logging interests frequently clash over land rights. Some 1,200 murders have been linked to this conflict over the past 20 years. Another problem in rural Brazil is slave labor: some 40,000 workers are thought to work in slave-like conditions in the country. The practice is seen in the ranching, mining, and agricultural industries, among others. It is worth underlining that the status quo is tolerated owing to the alliance between the federal government—and in particular the so-called *Bancada Ruralista* in Congress—and Brazil's mammoth agribusiness companies which are involved in the lucrative export of soya and sugarcane. There are also concerns of sexual violence and the exploitation of children in some of these rural areas as well (Reis and Fernandes 2008).<sup>12</sup>

It is also widely conceded that illegal arms smuggling is a byproduct, rather than a driver, of narcotics trafficking and other forms of organized crime. Brazil exhibits the highest gross burden of homicidal violence in the world and a firearm death rate that is three times the global average. The vast majority of these—more than 75 percent—are perpetrated with firearms. There are an estimated 3.8 million to 9.5 million illegal firearms in Brazil.<sup>13</sup> Most of the weapons on the black market are believed to have been supplied by Brazil's legal arms industry, the second largest in the Western Hemisphere.<sup>14</sup> Nearly 80 percent of the weapons produced in Brazil are exported, with an unknown number then smuggled back into the country.<sup>15</sup> Corrupt soldiers and police officers who steal guns from military and police arsenals and justice officials who divert seized weapons are another supplier of illegal weapons to the black market.

## Normative framework for security and justice

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<sup>12</sup> See <http://www1.folha.uol.com.br/fsp/cotidian/ff1805200828.htm>);

<sup>13</sup> The number of registered firearms is reported to be 5.2 million to 5.3 million, while the number of military firearms is thought to be 1.3 million to 2 million.

<sup>14</sup> With government support, Brazilian firms have also massively expanded and diversified their weapons and ammunition exports not just to the United States, but also Argentina, Colombia, Mexico and other countries in Africa, the Middle East, Southeast Asia and Western Europe. National production is dominated by three firms with complex ownership structures and robust lobbying and financial support including CBC, Taurus and IMBEL, the latter being a company administered by the Ministry of Defence. And while there are no reports of rules necessarily being broken, Brazil ranks 42 out of 52 countries in terms of its transparency over its arms exports and imports. Meanwhile, on the domestic front, the 2003 National Disarmament Statute is under threat and unevenly applied with frequent reports of locally purchased or acquired weapons being "leaked" into cities and towns.

<sup>15</sup> The most widely publicized instance of arms being leaked back into the country are from Paraguay. See <http://www.insightcrime.org/news-briefs/brazil-bust-exposes-paraguay-to-rio-trafficking-route>.

Brazil has historically invested in multilateral approaches to promoting security and justice in South America, including in relation to transnational organized crime. The country was a founding member of the League of Nations and the United Nations, as well as the Pan-American Union and its successor, the Organization of American States (OAS). Brazil has spent more time as a non-permanent member of the United Nations Security Council than any other country apart from Japan. It has also adopted the role of regional mediator through, for example, the Rio Group established in the mid-1980s. A strong supporter of rule-based peace and security, it has strongly resisted to forceful action in the affairs of other states, including Chapter VII mandates for peace enforcement or sanctions regimes.

In line with its multilateral instincts, Brazil has ratified most international and regional instruments intended to combat organized crime and promote security and justice. The key normative mechanism is the United Nations Convention Against Organized Crime (2000) which Brazil ratified in 2004 and which focuses on, among other things, money laundering. Brazil has also signed-up UN protocols on the trafficking of women and children (2004), the smuggling of migrants (2004), and against the illicit trafficking and manufacturing of firearms (2006). Brazil also signed-up to UN conventions on narcotics (1965, 1972, 1991), terrorism (2005) and corruption (2005). Of course, signing and ratifying treaties is just the first step: implementation and compliance is another matter entirely.

To the extent that Brazil has consciously adopted a regional approach to preventing organized crime, it consistently emphasizes a South American orientation. Its focus has been squarely on addressing risks among its ten neighbors. And while orienting its diplomatic posture for a more expansive global role, it continues emphasizing a regional approach through trilateral and bilateral arrangements. While cooperating with regional organizations such as the OAS on drugs, arms, money laundering and cybersecurity, its participation is entering what some analysts refer to as an “emptying phase”. Indeed, Brazil has actively resisted some of the efforts of the OAS—particularly those targeting the so-called Bolivarian Alliance (ALBA)—not least those seeking to revive defense cooperation in the region. Of the 25 bilateral agreements that Brazil has signed on transnational crime, roughly half are with neighboring countries, a third with European and African states and a small minority with countries of North, Central and South America.

While still evolving, the Union of South American Nations (UNASUR) is a cornerstone of Brazil’s regional security strategy. Formally established by the Brasilia Declaration of 2008, UNASUR includes a South American Defense Council (CDC), a Peace, Security and Cooperation Protocol, a Center for Strategic Defense Studies (CEED) and routine encounters of defense, justice and interior ministers. It is intended to foster confidence-building measures, build closer collaboration across defense and security establishments, and forge common strategies to address organized crime as well as wider peace and security challenges. While bold statements and commitments have been forwarded, however, UNASUR still lacks a clear funding strategy. Moreover, it has limited policy development capability or agreement on the devolution of power. Other regional organizations—including the Common Market of South America (Mercosur), which includes a political body—also suffer from similar limitations and credibility problems.

### *Security institutions*

After more than three decades of military rule, Brazil's 1988 Constitution was the first to actually define the concept of "public safety" as distinct from national security. Indeed, the 1988 Constitution set a new precedent for how the state—its police, jurists and legislators—would come to "combat" crime and violence on behalf of the country's citizens. Before 1988, variations on the slogan "security and/with development" were routinely applied by the military dictatorship regime (Muggah et al 2014). The preoccupation of leaders and elite was on maximizing "national security" and "economic growth". Indeed, the emphasis on the rights of individual citizenships did not emerge until the 1990s. Even so article 144 of the 1988 Constitution set out a more comprehensive approach to public security. It drew special attention to the place of participatory channels and citizen engagement in relation to promoting security, emphasizing it is the responsibility of all Brazilians (Ibid).

While exhibiting few agencies with international or supranational functions, Brazil has elaborated an array of national and subnational institutions to address organized crime, including drug trafficking, arms smuggling, money laundering, cybercrime and other issues. The principle public sector entity involved in addressing crime, insecurity and injustice domestically is the Ministry of Justice. The Ministry was reinforced during the Lula administration and enabled to expand its activities on counternarcotics, financial crimes and terrorism, but also to engage in preventive activities—including those focused on youth violence prevention. It reinforced a number of specific internal bureaus focused on public security (SENASP), drugs (SENAD) and justice (SNJ) as well as a Department of Assets Recovery and International Juridical Cooperation (DRCI).<sup>16</sup> Under the Rousseff administration, however, investment in domestic public security and violence prevention agendas has been rolled back.

Meanwhile, the Federal Police, including its Crime Repression Division, its General Coordinator of Drug Enforcement Police (CGPRE), the Division for Repressing Illicit Arms Trafficking (DARM) and the Division for Repressing Financial Crime (DFIN), are constitutionally mandated to address both international and domestic crime and violence. The Federal Police is a widely respected federal agency and regarded as competent and efficient, even if it has been involved in a series of scandals over the past decade. The Federal Police also cooperate with Interpol and Ameripol and sustains liaison offices with neighboring countries such as Argentina, Bolivia, French Guyana, Paraguay, Peru, Suriname and Uruguay. Alongside the Ministry of Justice and the Federal Police are a host of other critical public entities, including the Ministry of Foreign Affairs, the National Treasury, Intelligence Services, the office for Presidential Security, the Chamber for External Relations and National Defence, the National Defence Council, and the Public Prosecutors Office.

It is worth emphasizing that the police are divided into Federal (around 15,000 members), Military (over 400,000 active members), and Civil (some 123,403 members) forces. The Military and Civil police are subordinated to the state government, while the Federal Police described above serve under the Ministry of Justice. Military police are responsible of ostensive activities while Civil Police oversee investigations. In practice, there is a critical lack of coordination and cooperation between the two forces. Some states have elite units within the Military Police<sup>17</sup>, including Rio de Janeiro, Alagoas, and Santa Catarina, where Special Forces units are known as the Special Police Operations Battalion (*Batalhão de Operações Policiais Especiais* – BOPE). There is also a national force—the

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<sup>16</sup> Many of these departments were established during the Presidential term of Fernando Henrique Cardoso.

<sup>17</sup> Indeed, Civil Police also feature elite units. Take the case of the GATE in Sao Paulo or CORE in Rio de Janeiro.



National Public Security Force (*Força Nacional de Segurança Pública* - SENASP)—constituted of Military Police from various states which includes an elite force, the Quick Deployment Special Battalion (*Batalhão Especial de Pronto Emprego* - BEPE).

Brazil's intelligence architecture is defined by the Brazilian Intelligence System (*Sistema Brasileiro de Inteligência* - SISBIN). The SISBIN's central office is the Brazilian Intelligence Agency (*Agência Brasileira de Inteligência* – ABIN), which coordinates the processing of intelligence from a sub-agency, the Public Security Intelligence Subsystem (*Subsistema de Inteligência de Segurança Pública* - SISP), as well as various government ministries, including the Ministry of Justice, and Ministry of Defense (*Ministério da Defesa*). The army intelligence branch is the Center for Army Intelligence (*Centro de Inteligência do Exército* – CIE). The SISP is responsible for collecting intelligence from the intelligence branches of law enforcement agencies, including the Federal Police intelligence branch, known as the Police Intelligence Directorate (*Diretoria de Inteligência Policial* - DIP), as well as the civil and military police of Brazil's 26 states and the District Capital, Brasilia.

The Ministry of Defense and the Armed Forces play an increasingly important function in promoting security, including against organized crime but also in “pacification” processes. With more than 339,000 active members, it is the largest in Latin America. The military's primary role is enforcing border control, particularly in the Amazon states.<sup>18</sup> The 1998 *Lei do Abate*, in particular, authorized the armed forces to shoot down hostile aircraft flying over Brazilian territory, including those purportedly shipping narcotics. A federal law in 1999 also allows the military to “act through preventive and repressive actions ... against transnational and environmental crimes, alone or in coordination with other agencies ... running ... patrolling, inspecting/searching people, land vehicles, ships and aircraft, and on-scene arrests”. In line with the *National Defense Strategy* of 2008, the military and navy are permanently stationed in the Amazon and border areas to address organized crime, including drug trafficking, arms smuggling, and illegal migration while also pursuing illegal logging. The so-called Amazonian Vigilance Surveillance System (SIVAM) is one such mechanism launched in 2002 to monitor the country's fluvial systems and its borders.

Under President Dilma Rousseff, a 2011 Strategic Frontier Plan (PEF) has elevated the securing of the Amazon to a top priority. The PEF includes some \$6.3 billion allocated to border security over an eight year period. President Rousseff has deployed thousands of troops to secure Brazil's frontier—known as Operation Agata—one which is five times longer than the US-Mexico border. President Rousseff has said the strategy is seeing enormous success, with the announcement in early 2013 that more than 3,650 tons of drugs had been seized since the plan's implementation. Brazil has conducted cross-border raids to destroy coca cultivations and cocaine processing labs in other countries, which has caused some tensions with Bolivia and Paraguay. By the end of 2012, six such operations had been carried out and a further three were planned for 2013 and early 2014. Also, in 2011 and 2014, Rousseff also authorized large-scale deployments of the armed forces to reinforce pacification processes or contain protest, including in Bahia and Rio de Janeiro. There are concerns that such activities further securitize and already overly militarized approach to public security (Muggah 2014).

### *Judicial institutions*

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<sup>18</sup> The army has also traditionally participated in United Nations peacekeeping missions to countries like Haiti and the Democratic Republic of Congo.

Brazil's judiciary is comprised of lower courts, which are divided into federal and state branches, and specialized courts, which include the military, labor, and electoral courts. Each of these specialized courts answers to a superior tribunal: the Superior Military Court (*Superior Tribunal Militar*), the Superior Court of Labor (*Tribunal Superior do Trabalho*), and the Superior Electoral Court (*Tribunal Superior Eleitoral*). The Military Court has three regional courts, based in the states of Minas Gerais, São Paulo and Rio Grande do Sul. For state and federal courts, the superior tribunal is the Superior Court of Justice (*Superior Tribunal de Justiça*). Higher than any of these bodies is the Supreme Federal Court (*Supremo Tribunal Federal*) – the country's highest court of law and the equivalent to the Constitutional Court – and the National Justice Council (*Conselho Nacional de Justiça*), which oversees the judiciary and investigates those accused of corruption.

Brazil's Office of the Attorney General of the Union (*Advocacia-Geral da União* – AGU) is responsible for providing legal advice to the state, and for representing the federal government before the courts. Responsible for overseeing criminal prosecutions and protecting the public interest is the Office of the Prosecutor General (*Procuradoria Geral da República* - PGR), part of the Public Ministry (*Ministério Público Federal*). There is also a Comptroller General's Office (*Controladoria-Geral da União* – CGU) which oversees transparency within the federal government. Additionally, there is a special commission meant to curb abuses within the Public Ministry, the National Council of Public Ministry (*Conselho Nacional do Ministério Público* - CNMP). Meanwhile, there are two ombudsman offices; the Ombudsman-General of the Federal Government (*Ouvidoria Geral do Governo Federal*), responsible for processing citizen complaints against government institutions from 152 local ombudsman offices across the country, and the Ombudsman-General of Citizenship (*Ouvidoria-Geral da Cidadania*), a special office of the presidency responsible for looking at reports of human rights violations. Operating with an accusatory legal system, Brazil has prosecutors who work at both the state and federal level.

Although Brazil implemented a series of judicial reforms after 1988, many of these were not successful in making the judiciary more effective or efficient. While the reforms greatly increased the independence of the courts, they failed to address the issue of judicial efficiency. Indeed, according to the World Economic Forum's 2012-2013 Global Competitiveness Report, Brazil placed 71 out of 144 countries on judicial independence. As the number of cases entering the court system increased, the courts became overwhelmed, to the point that, on average, judges became responsible for 10,000 cases at any given time. Congress passed another judicial reform package in 2001, aimed at reducing the backlog of cases being handled by the courts, as well as other measures meant to reduce nepotism. However, repeated reports of judicial scandals have fed the public impression that the court system remains corrupt, inefficient, and slow.

The penitentiary system is managed by the National Penitentiary Department (*Departamento Penitenciário Nacional*) which is housed under the Ministry of Justice (*Ministério da Justiça*). Yet the prison system is considered to be even more inefficient than the judiciary. Indeed, the Minister of Justice is on record as having said that he'd "rather die than go to a Brazilian prison" (Muggah and Szabo 2014). The non-government organisation (NGO) Human Rights Watch (HRW) described Brazil's prison system as "plagued by inhumane conditions, violence, and severe overcrowding." According to HRW, in 2009 some 60,000 inmates were being held arbitrarily. This has helped swell the prison population, which stood at approximately 549,577 in June 2012. As of that date, Brazil's prisons were operating at a 172 percent of capacity. Just 56 percent of prisoners have been

convicted, with the other 44 percent awaiting trial. Groups like the PCC and Red Command, both established in prison, are able to run drug trafficking, kidnapping, and extortion schemes from the inside of the penitentiary system. The situation was no better in 2014, with the prison system described as hellish, overcrowded and stuck in the middle ages by *The Economist*.

## **Security Sector Reforms and Initiatives**

Today Brazil is a veritable laboratory of innovation in urban violence prevention and reduction (Muggah et al 2014) (Muggah 2013). Over the past decades a number of enlightened mayors, city councils, and law enforcement agencies from Belo Horizonte to Salvador have initiated data-driven hot spot mapping projects, introduced new technologies to policing, and launched urban renewal schemes in partnership with federal and state partners, universities and think tanks, NGOs and the private sector to positive effect. But Brazil's momentum is also threatened. President Rousseff cut support to the country's flagship public security program (PRONASCI) amid claims it was underperforming. The President also abandoned plans to set-up a meaningful strategy to deal with homicides. Without meaningful alternatives, there are signs that gains established over the past decade risk moving in reverse.

At the state level, Rio de Janeiro's experiment with pacification is also one of the most exciting proximity policing initiatives in the world today. Launched in late 2008 and now counting with 38 communities, which accounts for over 220 communities and 1.5 million residents, the deployment of Pacification Police Units (UPP) represents a dramatic break with the tradition of temporary violent interventions by the armed forces and military police. The UPP strategy of qualified repression coupled with the installation of permanent public security focused on "safety" are necessary but insufficient steps. On the one hand, lethal violence has declined by over 65 percent across the city and public confidence, while at the moment unstable, has soared over the past five years (Muggah and Szabo 2014). But it is the gradual introduction of social services to pacified areas, in some instances for the very first time, which will likely determine whether the UPP succeed or fail.

The city's authorities stress that the UPP is about more than preventing and reducing violence, although this is indeed a critical component. It is an attempt to transform the relationship between the state and the people, underlining the rights and responsibilities accompanying citizenship. By deliberately bringing the hills and asphalt together, by enhancing mobility and interaction, it is also about symbolically and physically remaking the city and the police force (Muggah and Mulli 2012). And while the UPP are routinely criticized for not doing enough, of favoring certain zones over others, and of contributing to new forms of poverty, they are for the most part viewed as a success. A major deficit of the UPP continues to be the lack of meaningful employment schemes for at-risk youth, and a failure to properly "institutionalize" the initiative in the government. In 2013, 2014 and 2015, a series of widely-reported instances of police violence against communities in both pacified and non-pacified areas severely compromised public confidence in the process (Muggah and Szabo 2014).

Another example of an innovative practice in Brazil is the program *Fica Vivo* (Stay alive) initiated in Belo Horizonte in 2002. On the basis of initial positive results, *Fica Vivo* was expanded across the state of Minas Gerais. It was also included in the so-called Emergency Plan of Minas Gerais in 2003

and is considered one of the most exhaustively evaluated violence prevention initiatives in Latin America. *Fica Vivo* consists of an assortment of interventions focused on at-risk youth. The key implementing entities are Centers for Crime Prevention (CCPs) which in turn develop multi-sector Groups for Strategic Interventions (GSIs). It is through these institutional arrangements that *Fica Vivo* is credited with having improved community relations and social protection.

The central innovation of *Fica Vivo* is its emphasis on data-driven interventions. Specifically, the CCPs are responsible for identifying and diagnosing the key risk factors associated with violence in communities as well as the most able institutions equipped to deal with it. The CCPs also serve as headquarters for so-called conflict mediation programs that are intended to improve local mediation practices and provide targeted legal services to affected communities. Meanwhile, the GSIs play an “intelligence” and information collection role while also coordinating ostensive crime prevention, actions against drug control, and disarmament and arms collection. Included in the GSIs are representatives from the Public Prosecutors Office, the Judiciary, the Secretariat of Social Defense of Minas Gerais, and the Civil and Military police. Owing to its size and scale, *Fica Vivo* can be defined as a comprehensive program. It advances a range of activities intended to prevent and reduce crime but also enhance the protective capabilities of communities. In this way, it echoes some aspects of the UPP experience in Rio de Janeiro but in fact moves beyond it. What is more, the program is highly targeted and emphasizes violence reduction. *Fica Vivo*—as its name suggests—is designed to keep people alive and reduce homicides. As such, metrics related to intentional violence are carefully monitored. And communities play a central role in helping shape the direction of interventions, monitor outcomes, and design local solutions for lasting safety.

Meanwhile, another innovative violence prevention program is underway in Pernambuco, the only northeastern state that has registered a reduction in lethal violence in recent years. The *Pacto Pela Vida* (Pact for Life) program is designed specifically to reduce criminal violence and was singularly responsible for reducing homicide by over 40 percent between January 2007 and June 2013. Like *Fica Vivo*, *Pacto Pela Vida* is a comprehensive program consisting of no less than 138 projects separating across six themes. These sectors include qualified violence repression, institutional improvement, information and knowledge management, education and training, social prevention and democratic management. Taken together, the program is designed to promote greater coordination among criminal justice institutions (Military and Civil police, Public Prosecutor’s Office and the Judiciary) and promote more proximity policing. .

A key focus of *Pacto Pela Vida* is its emphasis on active participation of civil society organizations in shaping public security. In addition to mobilizing community organizations, it is guided by a Committee on Governance which is a government body that monitors public security policies across Pernambuco state. The Committee is composed of a number of line ministries and departments, public and non-governmental agencies directly involved in the program and civil society groups. The Committee sets the priorities for *Pacto Pela Vida*, monitors its results and revises its goals and activities. It routinely issues “situational” reports, drawing attention to risk factors triggering crime, changes in the rate and distribution of criminality, challenges confronting the program, and practical recommendations to overcome them.

Arguably the most well-known violence prevention program took place in São Paulo. Indeed, the “São Paulo miracle” has been widely publicized in the international and national media. There is no single intervention credited with the state’s considerable reductions in lethal and non-lethal

violence, but rather a combination of interventions. For example, the restructuring of the military police, the establishment of community policing models, and massive investments in information systems to facilitate smarter policing are all described as crucial. Likewise, the expansion of the capabilities of the civil police department's homicide division and their ability to protect witnesses is also routinely singled out.

Notably, the São Paulo government is also launching a new data-driven program to reduce crime further still—the *Detecta* system. Undertaken in cooperation with Microsoft, it promises to combine Big Data, cloud computing, hundreds of CCTV cameras and license plate recognition software to positive effect. Detecta is based on the so-called Domain Awareness System (DAS), originally developed by the New York Police Department. It will be used by COPOM (Center of Military Police Operations), CEPOL (Center for Civil Police Communications and Operations) and CIISP (Integrated Center of Public Security Intelligence of the State of São Paulo) and allow officers to access the system through computers, notebooks, tablets and smartphones.

Notwithstanding these innovative examples, there are many constraints to changing the narrative from one of repressive security promotion to public safety. Perhaps one of the most important relates to the professionalization and integration of the Civil and Military Police. There have been a few efforts at the state level aimed at reducing violence committed by these branches of the police, particularly in São Paulo state. In 2010, the state's attorney general created a special unit of prosecutors to investigate alleged police abuse. More recently, in 2013 São Paulo's Secretary of Public Security passed a resolution that bans civil and military police from taking crime scene victims to the emergency room (ER). This forms part of an effort to curb incidents in which police transport allegedly wounded civilians to the emergency room (ER), kill them, then misreport the death as the result of a shootout while resisting arrest. The federal government has also moved against police brutality. Notably, the Human Rights Defense Council (*Conselho de Defesa dos Direitos Humanos*) issued a resolution in 2012 laying out new procedures that police should follow in order to reduce unlawful killings, a move which Human Rights Watch described as an "encouraging" sign of the federal government taking the lead on the issue.

### *Justice Sector Reform and Initiatives*

As in the case of the security sector, there are some modest signals of positive reform in the judicial area, at least at the federal level. Indeed, the speed with which the court system addressed the "*mensalão*" ("big monthly allowance")<sup>19</sup> scandal is typically cited as an example of the judiciary's new efforts at improving efficiency. One of Brazil's biggest ever political scandals, the *mensalão*, resulted in the conviction of ten politicians and business figures on charges of money laundering, bribery, and other crimes, in connection with setting up a cash-for-votes scheme. Among those convicted is José Dirceu, former chief of staff of former President Lula. While the case represented an important breakthrough, its speedy processing remains the exception rather than the rule in Brazil's judiciary. What is more, the Petrobras scandal involving literally tens of billions of dollars in bribes and kick-backs will test the Brazilian judicial system to the limit. Already more than ten of the country's top politicians have been indicted and another 54 accused of taking bribes (BBC 2015).

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<sup>19</sup> The scandal first came to light in 2005.

Worryingly, the state of the judicial system at the subnational and metropolitan level is still abysmal throughout much of the country.

Several significant reform initiatives have been undertaken by the National Council of Justice. The organ received praise for pushing through a wave of reforms between 2010 and 2012, forcing judges to become more transparent about their salaries and pushing several corrupt officials out of office. The Council also oversaw the creation of a special government commission that will oversee court cases related to press freedom. Press censorship is common in Brazil, as courts are frequently used to sue journalists and block them from publishing sensitive information, according to a 2011 report by the Inter American Press Association. The new government commission, known as the National Forum of Judicial Authority and Freedom (*Fórum Nacional do Poder Judiciário e Liberdade*), will monitor court cases related to the limitation of the freedom of the press. Another significant step towards reform was the passage of Brazil's first ever Access to Public Information law in 2011, which makes it easier for citizens to request information about corruption and inefficiency in public bodies, including the court system.

The issue of military courts is generally not seen as controversial in Brazil, although some have questioned whether military justice should remain distinct from the civilian judicial system. Following a meeting with the National Justice Council in November 2012, President of the Supreme Court Joaquim Barbosa said he would create a committee to review the decisions of Brazil's regional military courts. Barbosa said it was worth questioning whether the courts should exist, as they primarily handle matters which could be "absorbed by ordinary justice." Under current law, only the states can choose to dissolve the regional military courts, but Barbosa's meeting with the National Justice Council is nevertheless an example of ongoing discussion about whether the military courts are necessary in the country.

Arguably one of the most significant reforms passed under President Rousseff was a revision of the penal code in mid-2011. The law expanded the power of the courts to rely on other methods besides pre-trial detention to monitor suspects awaiting trial. It is aimed at decongesting Brazil's prisons, and there are some indications that it could already be having an impact. According to the Federal Police, since the law's approval in July 2011 the force has made 40 percent fewer arrests. In another attempt to ease the strain on Brazil's prisons, the law also banned the use of pre-trial detention for suspects accused of crimes that have a maximum four-year prison sentence. However, it is important to stress that in reality, judges still resist implementing the law. Indeed, the courts are still marked by a high degree of conservatism in their application of these kinds of progressive measures.

#### *Violence prevention reforms and activities*

Within the past two decades Brazilian political and public authorities have initiated a rash of activities to prevent and reduce violence across its major cities and amongst specific at-risk groups. After well-publicized massacres in the 1990s, the issue of violence prevention and reduction appeared in the manifestos of all presidential campaigns in 2000. The debate triggered the enactment of three national public safety plans – the National Public Safety Plan (during Fernando Henrique Cardoso's second term, in 2001); National Public Safety Plan II (during the Lula government's first term, in 2003) and National Program for Public Citizen Security (PRONASCI)

(during the Lula government's second term, in 2007). New policies were adopted by the federal government, states and cities to integrate the management of police forces in a selection of Brazilian states such as Pará, Espírito Santo, São Paulo, Rio de Janeiro and Minas Gerais.

At the time of its launch and execution, PRONASCI opened considerable space for new initiatives at the state and municipal level. A key emphasis of these early interventions was on violence prevention – especially programs targeting at-risk youth, promoting more effective community policing models, and education and awareness initiatives. It inspired some state and city governments to support more high-risk policies and projects – effectively encouraging them to take a more proactive and responsible approach to public security. For example, some metropolitan regions supported the production of local diagnostics, small-scale pilot projects using new technology, the creation and/or restricting of the Municipal Guard, and social-oriented projects.<sup>20</sup> Different initiatives held in the cities of Diadema (São Paulo)<sup>21</sup> and Canoas (Rio Grande do Sul) are prime examples of supremely successful efforts to reduce violent crime (Muggah 2013). The Diadema Program was launched in 2002 and introduced legislation requiring bars to close after 11pm unless they obtained special permits. These activities were backed by awareness generation campaigns and robust law enforcement. The city also introduced criminal mapping strategies and integrated programs with state police forces and the municipal guards. Moreover they fielded a suite of apprenticeship schemes for youth, vacation clubs, the exchange of toy guns for magazines, and drug prevention education schemes. The results were astonishing: the homicide rates declined dramatically by more than 50 percent in less than a year.

Building on these and other initiatives, there were positive signs in 2007-2010 of a real shift in public security. In what amounts to a major watershed for Brazil, but also the Latin American region, the government held a National Conference on Public Safety—CONSEG—in 2009. This marked the first genuinely participatory process to take the country's public safety policy to a national level and showcase interventions that worked to prevent and reduce violence. Supported by the Ministry of Justice and UNDP, the CONSEG highlighted the extent to which the “new paradigm” of public safety—particularly PRONASCI - was taking hold. However, since the election of President Rousseff in 2011 the PRONASCI initiative fell apart and the country lacks a serious strategy to guide security and justice efforts (Muggah and Aguirre (2013)).<sup>22</sup> Indeed, for the past five years the public security agenda has fallen to the wayside and has yet to be seriously addressed at the federal level.

Notwithstanding the lack of national political support, there is a surprisingly diverse array of public security and safety activities underway in Brazil. Many of these emerged in the wake of spiralling violence in the 1990s: civil society supported a growing array of campaigning agendas linking violence to social justice, police aggression, impunity, and arms control. Before (and to some extent during and after) the 1990s, unrest and delinquency was met with a heavy fist. Likewise, domestic

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<sup>20</sup> According to the Brazilian Yearbook of Public Security municipalities have increased public security and safety investments from to 3% in 2006 to 5.2% in 2011. See FBSP (2011).

<sup>21</sup> Diadema a city of more than 385,000 in Greater Sao Paulo is another example of a fast growing urban settlement, though the pace has settled in recent years. After experiencing staggering population growth of 16 percent between 1950 and 1980, it was reportedly the second most densely populated area in Brazil. Predictably, the influx of poorer migrants outpaced the city's ability to provide services. The resulting precarious nature of land tenure, weak community organization and the absence of the state contributed to frontier violence. By 1999, Diadema's homicide rate was more than 140 per 100,000, several times the national average.

<sup>22</sup> A review of 193 citizen security interventions shows a marked increase in new violence prevention activities from 2005-2010 (between 12-25 new programs a year) and a dramatic fall after 2011 (averaging 3 a year).

Consult <http://igarape.data4.mx/>.

civil society and faith-based groups tended to focus more on poverty alleviation and welfare promotion—an ethos that persists today. Based on a review of some 198 interventions (from 1998-2013), it is possible to undertake a preliminary review of the scale and diversity of violence prevention efforts in the country.<sup>23</sup> These interventions target multiple forms of violence – ranging from collective gang-related interactions to inter-personal, sexual, domestic and child-related violence (Muggah and Aguirre 2013).

On the basis of a review of citizen security activities across Brazil conducted by the Igarapé Institute, there are clear priority areas of focus and funding for Brazilian efforts. Most interventions—more than sixty percent—target common crime followed by juvenile crime, gender-related crime, and organized crime. Less than two percent address “state” crime, such as extra-judicial police or prison violence. What is more, roughly 40 percent of all interventions are undertaken at the city scale, with the remainder distributed at the national and state level. Strategies varied from prevention (36 percent) and management improvements (27 percent), to measures to enhance participation in citizen security and data collection and analysis (10 percent). Moreover, most funding for such activities is national (23 percent), from the non-profit sector (20 percent), private donors (11 percent), or local governments (10 percent).<sup>24</sup> Just 14 percent of all interventions are supported by multilateral agencies, foundations or bilateral donors. Intriguingly, roughly twenty eight percent of all interventions featured budgets of over \$10 million, while the rest were between \$100,000 and \$10 million (Ibid).

### **Entry points for public security and justice promotion**

Brazil has a rapidly changing geopolitical and economic profile and has ample resources to improve its security and justice sectors. Currently the world’s seventh largest economy, Brazil is already a significant provider of foreign aid, with a current budget of over \$1 billion for overseas assistance. At the same time, however, there are signs that Brazil’s political elite have yet to invest adequate resources into expanding the country’s institutional capacities to improve safety and promote justice. On the positive side of the ledger, President Rousseff has indicated that rooting out corruption in the government is a major priority.<sup>25</sup> Despite some important strides in tackling bribes and kickbacks, Brazil’s legal system still faces significant challenges ahead in confronting corruption and inefficiency. On the negative side, the president has yet to prioritize homicide reduction and violence prevention as a serious national priority. This is astonishing given the sheer scale and magnitude of the problem and the degree to which it has become advertised internationally. The following section considers both security and justice-related entry points.

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<sup>23</sup> These contacts were generated by the citizen security mapping dashboard. See <http://igarape.data4.mx/>. Underlying data was generated from datasets and informant interviews with specialists connected to the Brazilian Ministry of Justice, UN agencies such as UNDP, UN-Habitat, UNODC, UNIFEM and UNFEC as well as networks associated with the Rede Desarma Brasil. Likewise, contacts were made with the Brazilian Forum for Public Security, CEDECA, the Brazilian Network of Policemen, and a number of civil society organizations, including Sou da Paz, Viva Rio, Afroreggae, Observatório de favelas, and CUFA, among others.

<sup>24</sup> It is worth noting that the IADB is a major contributor to citizen security initiatives in Brazil. It provides investment- and policy-loans and grants to promote social prevention, situational prevention, modernization of police forces, improvements in justice systems and rehabilitation programs. It has three large programs underway in Brazil worth more than USD300 million. Consultation with IADB-Brasilia, March 2014.

<sup>25</sup> The country ranked 69th out of 174 countries in Transparency International’s 2012 Corruption Perceptions Index. This is only a slight improvement from its 2011 score



There are a number of opportunities for assisting critical reforms of the Brazilian police. For one, assistance could be directed toward improving the oversight over civil and military police and ensuring that the government makes a more concerted effort to clean up these forces given worrying levels of corruption and their documented involvement in extrajudicial killings. Supporting the continued development of Rio de Janeiro's UPP—and also expanding its training in human rights and community outreach—could help build a model that could serve the rest of Brazil in the future. Efforts could be made to help intensify and improve the training that UPP officers receive, as the force continues to expand. Meanwhile, some support could be provided to expanding community policing models and training opportunities in other states, notably in the north and east of Brazil where there is considerably less attention.

There is also considerable space to enhance engagement on violence prevention priorities that emphasize targeted social and economic investments. For example, programs that encourage training and work opportunities for at-risk youth, especially in large and intermediate cities, are critical. Initiatives that complement pacification, including those supported by groups such as Rede Maré, Afroreggae, Shine-a-Light and others are good examples. Likewise, activities that invest in supporting low-income households—especially single-headed families led by young women—have a high return in violence prevention. Activities that reinforce early childhood development—including childcare, recreation, after-school activities—are all tightly correlated with improvements in safety and security. Another area that could benefit from investment relates to data collection, synthesis and analysis. There has been a surge in the use of new technologies in major cities such as Rio de Janeiro and São Paulo, but less so in the north and east of the country. Investments in data-driven violence prevention have yielded dramatic returns and should be prioritized (Muggah and Diniz 2013).

Civil society began to assume a more prominent role in forging public policy on security and justice during the 1990s, but have shown signs of slowing down over the past decade. A broad array of social groups became seized of the issue in the wake of succession of flagrant violence. The most prominent of these incidents included the Carandiru Massacre, the prison break from São Paulo Youth Correctional facility and the Vigário Geral Massacre in Rio de Janeiro, as well as the widely publicized massacre of children in Candelária church, and Eldorado dos Carajás massacre in southern Pará state. More recent prison violence in 2013 and 2014 has once again drawn attention to the deplorable conditions of Brazil's penal system.<sup>26</sup> There are a number of think-tanks and civilian NGOs dedicated to researching and advocating for improvements to Brazil's security and justice architecture. Among the most prominent are the Brazilian Security Forum, which assembles experts on public security and justice; the Igarapé Institute (Muggah and Szabo 2014), which works on violence prevention and drug policy; Conectas,<sup>27</sup> which lobbies for criminal justice reform and monitors human rights violations; Viva Rio,<sup>28</sup> which works to combat violence in Rio de Janeiro, and Sou da Paz which works on arms control and violence prevention in São Paulo.<sup>29</sup>

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<sup>26</sup> See Muggah and Szabo (2014).

<sup>27</sup> More information on their website: <http://www.conectas.org/en>

<sup>28</sup> More information on their website: <http://vivario.org.br/>

<sup>29</sup> The Secretariat of Judicial Reform has highlighted the policy research conducted by the Observatory of Brazilian Justice (Observatório da Justiça Brasileira), a research institute based out of the Federal University of Minas Gerais in Belo Horizonte, as particularly helpful in identifying action plans for judicial reform.

## Conclusions

Brazil's particular violence affliction is widely reported and studied. It is a leader in gross homicides and experiences among the highest rates of extrajudicial killings in the world. While all Brazilian state and metropolitan authorities are fighting crime and dealing with gangs, some face greater hurdles than others. One assessment singled out Maceió, Belém, Vitoria, Salvador, Manaus, São Luis, João Pessoa, and Recife as not simply the most violent cities in the country, but among the most dangerous on the planet. Yet such violence is not inevitable. In fact, São Paulo and Rio de Janeiro, long known for their soaring murder rates, recently experienced remarkable improvements on the safety and security front. The fact that violence is not a permanent or fixed condition is important to recognize, and there are some promising success stories that should be studied and advertised.

Brazil has witnessed some important public security and justice advancements in the past several years. Many of these are focused on organized crime that transcends borders. At the national level, it has implemented an ambitious plan to secure its nearly 17,000 kilometer-border. As mentioned above, in major cities, including Recife, Rio de Janeiro and São Paulo, state governments and civil society groups have developed programs to retake control of dozens of neighborhoods once ruled by criminal gangs. However, the country—especially its northern and eastern areas—still face the threat posed by large domestic criminal gangs who are becoming increasingly involved in the international drugs trade, as well as operating extortion and kidnapping rings at home. The increased availability of cocaine and its cheap derivatives has ensnared thousands of addicts, helping to create one of the largest drug markets in the world, while abusive police and violent criminal groups continue to keep homicide rates at high levels.

The judicial system continues to struggle to push through badly needed reforms that would improve the efficiency of the courts and tackle high impunity rates. According to Ministry of Justice research published in 2011, only eight percent of Brazil's annual homicide cases are ever solved. There have been important advances in the fight against corruption, including the increased monitoring of judges, and the Supreme Court trial of 37 people charged with misuse of public funds, many of them former political operatives for former President Lula da Silva. However, much still needs to be done to improve the judicial system.

There are a range of opportunities to further consolidate security and justice gains in Brazil. These should concentrate on strengthening community and proximity policing models and enhancing training opportunities. Since June 2013, the clear inability of the country's military police forces to adequately respond to public demonstrations has intensified the need for police reform in Brazil. There is growing dissatisfaction with the police resort to excessive violence. Thus, notwithstanding their many limitations, initiatives such as the UPP in Rio de Janeiro and community policing models in São Paulo are critical benchmarks and their successes need to be replicated. It also opens the way for a more sophisticated discussion of how best to reform and integrate the military and civilian police forces.

Likewise, violence prevention programs supporting meaningful employment training, recreation, and apprenticeship programs for young people, especially in low-income areas, have shown positive returns. While in many occasions receiving support from state governments and large development banks—notably the Inter-American Development Bank—they tend to be widely enabled by non-

governmental organizations and the private sector. Indeed, the support of the private sector to the UPP—totaling some US\$50 million at its peak—is a good example of their growing role. Yet there is a need to bring the state back in to supporting public security. At the national level—the National Program of Youth (*Programa Nacional de Inclusão de Jovens - ProJovem*) offers a critical framework to promote more cooperation from the federal to the state and municipal levels.

Further, activities that offer support for early childhood development are also excellent value for money, even if their dividends take years to materialize. In Brazil, municipalities are the primary actors responsible for implementing early childhood development interventions. Some metropolitan regions have made some important progress in this regard over the last decade. In 2003, for example, the state government of Rio Grande do Sul, with support from UNESCO and UNICEF, created the *Primeira Infância Melhor* (Better Early Childhood) program. Adopting an integrated approach combining education, health and social services, the initiative provides assistance to family members in caring and educating children from birth to six years of age. At present, more than 224 municipalities are participating in program. Notwithstanding improvements in the legal framework for child protection and the launching of public and private initiatives focused on improving childhood development, there are still major structural challenges that need to be overcome, not least persistent social inequality and limited children’s services.

The security and justice landscape in Brazil is uneven—with important gains, but also critical shortcomings. A recurring obstacle is the lack of sustained high-level debate on the issue of progressive public security and access to justice. There are clear opportunities to stimulate critical reflection. Indeed, civil society organizations have in the past successfully forced these issues on to the national and state agendas. After making considerable gains in the 1990s and early 2000s these efforts seem to have tapered off over the past decade. It is time for them to regain their voice and press for meaningful change. The creation of platforms for engagement – both inside and outside of Brazil—could have an important positive effect on creating real safety and security on the ground.

*This paper is based on a symposium entitled, “Brazil and Development: Growth, Equity and Sustainability into the 21<sup>st</sup> Century,” hosted by the Brazil Initiative, housed in the Elliott School of International Affairs at the George Washington University. All four panels and the keynote address can be viewed [here](#).*

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