

Securing the border:

Brazil's "South America First" Approach to Transnational Organized Crime



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Photo: Agência Força Aérea/Sgt. Johnson

Brazil is at a crossroads in the fight against transnational organized crime. For one, Brazil is claiming a wider involvement in the international peace and security agenda and pursuing priorities overseas. At the same time, the country is adopting what might be described as a "South American first" approach to dealing with narco-trafficking, arms smuggling, money laundering and cybercrime. It consists of investing in sub-regional institutions and discrete bilateral agreements in its near abroad. This more localized approach is contributing to the consolidation of Brazilian state institutions in its hinterland. But what direction will Brazil take in the coming decade? This *Strategic Paper* offers an overview of the scope and scale of organized crime in Latin America and Brazil more specifically. It critically reviews Brazil's normative and institutional responses – both regional and national – and considers likely future security postures.

Introduction

The transnational organized crime menace is widely discussed but not easily defined. Not surprisingly, ominous descriptions of its spread and reach across Latin America abound. Moisés Naim has drawn attention to the ways in which smugglers and traffickers are high-jacking the global economy while Misha Glenny has studied how crime groups are steadily franchising into so-called *McMafias*.¹ Global alarm is precipitating local action, including a rash of multilateral and bilateral commitments to “combat” the organized crime threat. No country in Latin America, not even the region’s most populous and economically powerful state, is immune.² For its part, the Brazilian government is attuned to the attendant threats of organized crime – especially drug trafficking, arms smuggling, money laundering, and cyber-crime. But Brazil’s approach to containing the threat differs from its neighbors. This *Strategic Note* issues review of the distribution of organized crime in Latin America and specific Brazilian responses. It considers the evolution and expansion of Brazil’s engagement – particularly interventions supported by the federal police and armed forces – and future landscapes for security policy more generally.

The *Strategic Note* considers whether Brazil is assuming a *leadership* role when it comes to taking on organized criminals. It finds that while Brazil appears to be stepping up its international presence on wider international peace and security issues, it is also asserting a strong regionalist approach closer to home. The country’s aspirations of a permanent seat at the United Nations Security Council and its growing portfolio of peacekeeping and development investments from the Caribbean to Africa and Asia are widely known.³ Certain Latin American countries grumble about Brazil’s apparent hegemonic aspirations and rapid trade expansion with China, questioning its commitment to their neighborhood.⁴ The article finds that while Brazil is actively pursuing a global approach to peace and security issues, it is simultaneously adopting a distinctly sub-regional and bilateral response to transnational organized crime. It also questions whether Brazil has assumed a role commensurate with its massive capabilities and responsibility.

Brazil is at a crossroads when it comes to preventing and containing transnational organized crime. On the one hand, Brazil is claiming a wider involvement in the international peace and security agenda and pursuing priorities overseas.⁵ The relative change in United States dominance and the new expanding trade relations with Asia are offering intriguing soft power possibilities. On the other, Brazil is adopting what might be described as a “South American first” strategy that consists of investing in sub-regional institutions and discrete bilateral and trilateral agreements in its near abroad. A more localized approach is contributing to the consolidation of Brazilian state institutions in its hinterland. But what direction will Brazil take in the coming decade? To assist in thinking through some possible scenarios, the article proceeds in four parts. It first seeks to define the threat of organized crime, exploring what it actually means in practice. Section two assesses its scope and scale in Latin America and more specifically Brazil. The third section reviews Brazil’s normative and institutional responses – both regional and national. The

1 See Naim (2005) and Glenny (2009). See also Garzon (2008).

2 See Garzon and Olson (2013).

3 See Muggah and Conor (2013), Conor (2013), Leahy (2011) and Daudelin and Burges (2010).

4 See Oliveira (2010).

5 See, for example, Hamann and Muggah (2012) and Muggah and Szabo (2009).

final section closes with a treatment of future security postures. The article does not intend to render an exhaustive treatment, but rather a panoramic overview.

Defining the organized crime threat in Latin America

Transnational organized crime in Latin America typically conjures up images of menacing drug cartels, violent *maras* and *pandillas*, nefarious arms smugglers, shadowy hacker networks, and traffickers in women and children among others. Notwithstanding widespread North, Central and South American preoccupation with organized crime there is a surprising lack of clarity about what it is, and therefore how best to engage it. Many regional and unilateral declarations have emerged across Latin America promising to wage war against the proponents of organized crime. The United States government and its armed forces, and particularly Southern Command, have made the dismantling of organized crime – and particularly drug trafficking in Central America – a priority concern in the hemisphere.⁶ Canada too has ratcheted up assistance to the region, albeit in a piece-meal fashion.⁷ And yet with exception of cartels in Colombia and Mexico, there is surprisingly little treatment of precisely who these organized criminal actors are, where they come from, how they are interconnected, the ways in which they finance their activities, or what works and what does not in taking them down. Indeed, the Council on Foreign Relations (2012) recently counted more than fifty activities that are subsumed under the mantle of transnational organized crime. Brazil is no exception to the rule – offering tough rhetoric but confusing and often contradictory definitions on what it is (and what it is not) in either the regional or domestic context.

The term “organized crime” conceals a complex array of networks, entities, interests, activities, channels, and outcomes. Organized criminal groups come in a wide range of shapes and sizes, operate at multiple levels of scale, and often adapt and innovate over time reaching across multiple markets. It is partly for this reason, then, that efforts to generate a consensus on what is included in the concept regularly fail – one scholar has identified more than 150 distinct definitions.⁸ Instead of contributing to a comprehensive strategy for organized crime with tactical responses to each of its strands, simplistic labels give rise to homogeneous and frequently heavy-handed responses. There are some incentives to keep the term undefined and opaque – indeed, a flexible definition allows for the useful diversion of resources to military, policing, intelli-



Members of the national security force keeping watch over the Brazil-Colombia border.

Photo: Ministério da Justiça

⁶ The fight against transnational crime is now an official part of the United States Security Strategy. See Heymann (2012) and <http://www.southcom.mil/ourmissions/Pages/Countering%20Transnational%20Organized%20Crime.aspx>.

⁷ See Muggah (2013) and Muggah and Welsh (2013).

⁸ See <http://www.organized-crime.de/OCDEF1.htm>.

gence and customs agencies. But there are also drawbacks to opacity. For example, it may confuse and frustrate collective action. It can also generate disproportionate responses to what may be comparatively minor problems and result in engaging with organized crime at the margins, with a focus not on the major players but rather on more marginal entities at the periphery.

Semantic differences aside, transnational organized crime is believed by the United Nations to cost the global economy some 3.6 per cent of world GDP. And along with its conventional mainstays – drug trafficking, arms smuggling, money laundering, illegal trade in people – are new pretenders to the throne. These are increasingly found in cyberspace as old crime goes online. There is widening concern globally, as well as in Latin America, that organized crime actors are spreading across the internet using it to threaten and extort, recruit new members, traffic in illegal goods, distribute child pornography and manage and wash financial transactions. There are also growing concerns with the threats presented by cyber-warfare and cyber-terrorism on a massive scale.⁹ But there is astonishingly little empirical data on the scope or scale of cyber-crime much less the ways in which cyberspace offers new modalities and vectors to exploit national economies. There is only incipient forms of cooperation amongst countries in the region and comparatively modest evidence of practical coordination on defining strategic responses across the region.¹⁰

Assessing the organized crime threat in Brazil

As the largest economic power in Latin America, it is hardly surprising that Brazil exhibits a significant organized crime presence both on- and offline. Indeed, Brazil is credited with having an underground or parallel economy approaching US\$ 350 billion in 2012, the equivalent of roughly 17 per cent of the country's GDP.¹¹ This represents an increase in monetary terms from previous years though a decreasing proportion of the country's total GDP, largely attributed to steady economic growth and government policies focused on regulating informal labor. The specific proportion of this parallel economy that is devoted strictly to organized crime is not at all clear and estimates are impressionistic at best.¹² From a casual glance at the streets of Recife, Rio de Janeiro or Sao Paulo, it is evidenced by widespread street gambling (*jogo do bicho*), kidnap and ransom activities¹³, the presence of drug retail outlets (*bocas de fumo*), militia and drug gangs in favelas, and vast extortion, money laundering and corruption schemes.¹⁴ By contrast, along the frontiers of its ten neighbors and intermediate coastal cities, organized crime manifests itself in more overt forms as drug trafficking, arms smuggling, contraband movements in everything from cigarettes to software to used vehicles, and uncertified timber and mineral extraction.

9 See Bumiller and Shanker (2012).

10 See Diniz and Muggah (2012).

11 FGV report that the underground economy was R\$696.7 billion in 2012 and 16.8 per cent of the country's total GDP.

12 See <http://www.infomoney.com.br/negocios/noticia/2486023/economia-informal-brasileira-registra-queda-informa-ibfe-fgv> and <http://www.etco.org.br/noticias/economia-subterranea-cai-a-168-do-pib/>.

13 According to insurance brokers, Latin America features the top three countries for kidnappings since the 1990s, including Colombia, Mexico and Brazil. See http://www.insurecast.com/html/kidnapransom_insurance.asp and also http://news.bbc.co.uk/2/hi/programmes/this_world/4898554.stm for discussion of Brazilian involvement.

14 It is also important to stress that the informal economy also includes activities that are not strictly connected to organized crime, including domestic labor, construction, and a wide range of services.

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. Experts 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.¹⁵ The rise of intermediate and fragmented cartels first in Colombia and then Mexico, as well as the movement of trafficking organizations to countries such as Bolivia, Ecuador and Venezuela, has yielded a contagion effect across Latin America, including Brazil which is reportedly the second largest consumer of cocaine on the planet.¹⁶

Given the transnational dimensions of the drugs trade, Brazilian crime groups – including *Comando Vermelho* (CV), *Amigos dos Amigos*, *Terceiro Comando Puro* and *Primeiro Comando da Capital* (PCC) – while predominantly domestically focused, are also reportedly involved in the cross-border trafficking in narcotics. For example, there is anecdotal evidence from the past of ostensibly home-grown drug traffickers (e.g. Fernandinho Beira-Mar and Leonardo Mendonça) joining forces with the so-called Suri-cartel – based as it is in Surinam – and trafficking in arms and munitions to the Fuerzas Armadas Revolucionarias de Colombia (FARC) in Colombia and drugs to western markets. It was in response to the Suri-cartel that Brazil participated with Colombia and the United States in what might have been its first multinational police investigation over a decade back.¹⁷ Even so, the consensus is that Brazil's trafficking organizations – whether in drugs, arms or people – exert less influence outside the country's borders when compared to cartels from other countries such as Colombia or Mexico.¹⁸ Yet this may well be changing. According to experts Brazil's most powerful criminal syndicates – CV and PCC – are growing in stature and eliminating intermediaries – or “middle men” – in border areas. The CV is purportedly more active in Paraguay¹⁹ while PCC runs cells in Santa Cruz (Bolivia), with a view of controlling transit routes between this Bolivia, Paraguay and Brazil.²⁰

There are also signs that the comparatively under-explored potential of Brazil's illegal economy is attracting more and more foreign criminal organizations. A prison for foreigners in Itai (São Paulo) registers some 1,500 detainees and its inmate population is rapidly expanding.²¹ There are still no readily discernible patterns among such groups. Indeed, Nigerian gangs routinely singled out for managing drug trafficking to West Africa, a development that preoc-

15 See, for example, O Globo (2012a).

16 Brazil is second to the United States and Mexico in cocaine consumption. According to the World Customs Organization, between 2005 and 2009 the number of cocaine shipments seized in Europe passing through Brazilian territory increased from 25 to 260. See Azzi, (2010) and <http://oglobo.globo.com/pais/brasil-o-segundo-maior-mercado-consumidor-de-cocaina-diz-unifesp-6004119>. Brazil also features a well-developed chemical industry but exerts limited control over the final destination of its products, including those diverted as solvents for the production of narcotics (including synthetic drugs).

17 Brazil is described as a reluctant participant in the investigation. Indeed, the United States Drug Enforcement Administration (DEA) ran a cell in Brazil without telling the Federal Police. Insight from Sam Logan, October 2012.

18 See, for example, http://www.istoe.com.br/reportagens/170188_TRAFICO+DE+PESSOAS.

19 It has been reported that CV was shipping 1 ton of cocaine of Colombian origin to Brazil through Paraguay on a monthly basis. See <http://www.insight-crime.org/news-briefs/red-command-ton-cocaine-paraguay>.

20 See <http://www.insightcrime.org/news-briefs/alleged-pcc-operatives-arrested-bolivia>.

21 See <http://vejasp.abril.com.br/materia/penitenciaria-itai-condenados-estrangeiros>.



Drugs seized by the Federal Highway Patrol (DPRF) in the frontier zone.

Photo: Ministério da Justiça

cupies Brazilians, Africans and Europeans alike.²² Chinese business groups are reportedly involved in running contraband and bootleg products in São Paulo, and then on to wider Brazilian markets.²³ Some Chinese groups are also implicated in establishing extortion and protection rackets targeting the fast growing Chinese Diaspora.²⁴ Meanwhile, Latin American and East European gangs have also been identified as involved in cross-border trade in illegal cigarettes and stolen vehicles, as well as drug, gun, timber and human trafficking.²⁵

The most pressing concern to Brazilian authorities, however, relates to the *illegal trafficking of narcotics*. Brazil's experience with disrupting drug smuggling is analogous to other countries in South and Central America. Specifically, Brazil has supported an increase in surveillance, eradica-

tion efforts, interdiction and seizures from Bolivia, Colombia and Peru in recent years. According to some estimates, more than half of all cocaine consumed in Brazil is trafficked through Bolivia of which almost two thirds is grown in Peru, which explains the considerable focus on expanding cooperation with La Paz, the Bolivian capital.²⁶ 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 more on targeting symptoms of drug trafficking rather than the groups themselves. The UN Office for Drugs and Crime (UNODC), for example, reported that Brazilian authorities seized approximately 14 tons of cocaine in 2006 and 27 tons 2010, or roughly 3 per cent of the estimated global trade. The Brazilian federal police are also making increasing seizures of marijuana, synthetic drugs, and other types of narcotics.²⁷ 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.²⁸

It is also widely conceded that *illegal arms smuggling* is a byproduct, rather than a driver, of narcotics trafficking. Brazil exhibits the highest gross burden of homicidal violence in the world and a firearm death rate that is three times the global average.²⁹ While there are believed to be 16-17 million firearms in circulation in the country, the illicit trade

22 See <http://veja.abril.com.br/idade/educacao/pesquisa/drogas/1450.html> For an account of drug trafficking from Latin America to West Africa, see UNODC (2013) and Ollinger (2013).

23 See <http://www1.folha.uol.com.br/folha/brasil/ult96u731653.shtml>.

24 See <http://www.estadao.com.br/arquivo/cidades/2001/not20010205p16825.htm>.

25 See <http://kantoximpi.blogspot.com.br/2007/10/trfico-de-mulheres-mfia-russa-ataca-no.html>.

26 See <http://www.coha.org/brazilian-intervention-in-regional-war-on-drugs-at-stake/>.

27 "Brazil's Federal Police (DPF), among the top 10 in the world, seizes between 8 and 9 tons of cocaine per year, a continental record. In terms of marijuana, it amounts to 40 tons. Of synthetic drugs, as LSD and ecstasy, almost 2 tons are seized each year. Experts assure however that seizures represent only 10% to 12% of total trafficking." See http://www2.uol.com.br/historiaviva/reportagens/empresarios_do_submundo_5.html.

28 It is worth noting, however, that there have been considerable reductions in violence in some of Brazil's largest cities, including São Paulo and Rio de Janeiro.

29 See Waiselfisz (2012).

is reportedly modest and motivated more by the demands of (violently) protecting markets and distribution routes than by private collectors or sport shooters. Of the abovementioned total, roughly 5.4 million firearms are licensed to citizens, 2.2 million are held by military, police and customs officers, and 9.5 million held illegally.³⁰ But most of these weapons are in fact produced in Brazil by one of its handful of arms manufacturers. Indeed, the vast majority of Brazil's 35,000 annual firearm homicides (out of roughly 50,000 intentional homicides a year) are committed not with foreign-made firearms, but pistols and handguns acquired illegally in Brazil.

Brazil is the fourth largest firearms and ammunition producers in the world and exerts a comparatively weak control regime over its own products. It is, after the United States, the largest civilian arms manufacturer in the Western hemisphere with annual exports of upwards US\$300 million (though this represents less than 0.1 per cent of its annual GDP).³¹ 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.³² National production is dominated by three firms with complex ownership structures and robust lobbying and financial support³³ including CBC, Taurus and IMBEL, the latter being a company administered by the Ministry of Defense.³⁴ 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.³⁵ 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.³⁶

A number of typologies exist for describing the ways in which ostensibly authorized or legal firearms diffuse into Brazilians hands. Specific routes include diversion from military and police arsenals, diversion from retail shops and private security company stocks, legitimate purchases from firearm outlets, illegitimate sales from arms manufacturers and stores, thefts from homes, and across borders.³⁷ Contrary to public perceptions, most weapons circulating in Brazil are not of a military caliber, but rather constitute handguns. Recent estimates from Rio de Janeiro suggest that roughly three quarters of all violent crime was perpetrated with locally manufactured pistols and revolvers.³⁸ In a curious twist, during the mid-1990s after authorizing a succession of transfers with its neigh-

30 See Dreyfus et al (2010). See also Muggah and Risso (2013) and Muggah and Szabo (2012).

31 See Google and Igarapé Institute application at <http://googleblog.blogspot.ca/2012/08/a-new-way-to-visualize-global-arms-trade.html>. According to the Associação Brasileira das Indústrias de Defesa e Segurança (ABIMDE), the sector transacts R\$2.7 billion per year (US\$ 1.35 bi), R\$1.0 billion coming from exports. The sector employs 25,000 people and generates 100,000 indirect jobs.

32 See <http://apublica.org/2012/01/empresas-de-armas-miram-africa-asia-para-ampliar-exportacoes/>.

33 See <http://apublica.org/2012/01/bancada-da-bala/> for a review of the arms lobby. Also, note that R\$ 4 million (US\$2 million) were approved in 2005 to be lend to Taurus Máquinas-Ferramentas Ltd. It was undertaken as part of the *Programa de Apoio ao Fortalecimento da Capacidade de Geração de Emprego e Renda* (PROGEREN), a program from Brazil's Development Bank (BNDES). It was intended to increase employment by 75 per cent (150 new posts) and expand the company's gross receipts in 44.4 per cent. See http://www.bndes.gov.br/SiteBNDES/bndes/bndes_pt/Institucional/Sala_de_Imprensa/Noticias/2005/20050307_not040_05.html.

34 Another medium sized firm is E. R. Amantino or Boito.

35 See SAS (2012) at <http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/2012/eng/Small-Arms-Survey-2012-Chapter-9-summary-EN.pdf>.

36 See Dreyfus et al (2010).

37 See <http://veja.abril.com.br/multimedia/infograficos/o-mapa-do-contrabando> for a review of smuggling routes.

38 See Dreyfus et al (2010).

bor and near failed state, Paraguay, Brazil detected a surge in violence in some cities. Investigations revealed that weapons originally exported to Paraguay had been illegally diverted and smuggled back into Brazil.³⁹ Brazil swiftly encouraged Paraguay to issue a moratorium on imports and the incidence of smuggling dropped to almost zero by 2000. Likewise, Brazil has taken some steps to collect and destroy weapons, in some cases leading to reductions in urban violence.⁴⁰

Meanwhile, the extent and scale of funds generated from drug trafficking, arms smuggling, and other criminal enterprises that is "laundered" remains unknown. A study from the late 1990s positioned Brazil in the top twenty capitals of *money laundering* accounting for just 0.6 per cent – or US\$16.7 million – of global flows, suggesting a negligible role. This was considered roughly equivalent at the time to Mexico, which was alleged to have laundered some US\$21 million.⁴¹ Recent estimates by Ollinger (2013) suggest that laundering may be much greater, between US\$2.5 to 4 billion annually.⁴² Part of the difficulty estimating the extent of laundering may have something to do with how it is locally defined. It is worth noting that legally, Brazil used to divide "laundering" into cases where capital is proven to have originated from seven possible categories.⁴³ More recent legislation has been implemented to facilitate prosecution and these older categories no longer hold – now it suffices that laundered or hidden funds are linked to any illicit activity to be considered a crime.⁴⁴ A challenge with assessing the dimensions of the problem is, however, that it tends to be transnational, combining complex international transactions with networks of offshore banks and shell companies.⁴⁵ Nevertheless, according to Brazilian authorities, the chief categories of laundering arise in the context of drug trafficking, fraud and tax evasion,⁴⁶ and can, in fact be domestically traced.⁴⁷ Brazil has considerable capacity to leverage pressure on front companies and others involved in money-laundering efforts given its business leadership in the region, though it appears to have adopted a more tepid role.⁴⁸

The risks associated with money laundering are also connected to geographic factors and the specific sectors involved. For example, the potential for laundering appears to be as significant in border areas as major cities, not surprising given the under-institutionalization of the formal economies and weak regulatory presence of the state and banking sectors in the former regions.⁴⁹ For its part, the banking sector is at risk of experiencing laundering through the use of foreign exchange and private banking conduits. By comparison, the securities sector risks the

39 See <http://apublica.org/2012/01/em-cinco-anos-45-milhoes-de-armas-nas-ruas/>.

40 See Cerqueira (2010) and Dreyfus et al (2010).

41 See Walker (1999). By contrast, the United States, positioned as number one, reported US\$1.3 billion or 46.3 per cent of the total.

42 See Ollinger (2013).

43 Drug trafficking, gun-running, kidnapping, fraud, corruption, crime perpetrated by a criminal organization or terrorism. See Law nº 9.613 (1998).

44 See Law no 12.683 (2012) and <http://amp-ms.jusbrasil.com.br/noticias/3176845/lei-12683-12-torna-mais-rigorous-os-crimes-de-lavagem-de-dinheiro>.

45 See <http://blog.justica.gov.br/inicio/combate-a-lavagem-de-dinheiro-e-apontado-como-medida-para-sufocar-organizacoes-criminosas/>.

46 Another report points out that 70 per cent of money laundering in Brazil originates from official corruption. See <http://www.insightcrime.org/news-briefs/brazil-police-op-uncovers-organized-crime-politics-links>.

47 See GAFISUD <http://www.gafisud.info/home.htm>.

48 Observation by Sam Logan, October 2012.

49 See, for example, Machado (1997).

use of brokers to deposit funds and conduct stock market transactions. Likewise, in the insurance sector, life and pension and retirement products are exposed to flagrant laundering. Discussed in greater detail below, the Brazilian government has sought to impose limits on laundering, particularly as it relates to terrorism, often in cooperation with other governments in the region and through regional intelligence cells and joint operations.⁵⁰

Brazil has also witnessed an upsurge in *cyber-crime* in the past decade. These include a wide array of crimes that include from banking fraud and identity theft to drug trafficking and child pornography.⁵¹ The estimated costs of cyber-crime to the Brazilian economy are estimated at US\$8 billion annually, or 7 per cent of the global total.⁵²

Brazil features one of the highest use of *malware* in Latin America.⁵³ Especially in the wake of major demonstrations and protests in 2013, there are also growing anxieties with so-called 'hacktivist' groups targeting public and private institutions as well as systematic copyright infringements from the downloading of pirated material. As an emerging power, Brazil is more preoccupied than its neighbors with *cyber-war* and *cyber-terrorist 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 some of the national cyber-security measures that have been developed (e.g. CDCiber of the Brazilian Army) indicate a growing concern particularly since allegations of cyber-espionage involving the US National Security Agency burst on the scene in 2013.⁵⁴

When considering responses to organized crime in Latin America and Brazil, it is important to differentiate between both physical and virtual manifestations. Indeed, the vast geography of Central and South America, and Brazil in particular, require taking geography into account. Brazil has more than 15,000 kilometers of physical borders with ten neighboring states together with a coastline of some 7,000 kilometers. These borders are extremely complex and differentiated, and exceedingly difficult to monitor or maintain. Brazil also features a sophisticated land and communications infrastructure and, as noted above, a massive domestic market for formal and informal goods and services. Thus, on the one hand, drug and arms selling and human smuggling exhibit tangible points of origin, transit and end-use across the region – especially in the Andean region, the Amazon and the Triple Frontier or Tri-Border Area. There are frequent reports, for example, of drug cartels from Bolivia, Colombia and Paraguay using civilian aircraft to deliver cocaine shipments on dozens of landing strips in Brazil (and subsequently discarding planes



Destruction of small arms seized during operations mandated by the Ministry of Justice.

Photo: Ministério da Justiça

50 See: FATF-GAFI (2010). <http://www.fatf-gafi.org/media/fatf/documents/reports/mer/MER%20Brazil%20full.pdf>.

51 See, for example, Diniz, Glenn and Muggah (2013) [to be published].

52 See Norton Cybercrime Report (2012).

53 Malwares are software developed to cause damage and other types of losses to information systems and networks.

54 Brazil was one of the main targets of cyber surveillance by the American government in Latin America. See oglobo.globo.com/infograficos/volume-ra-streamento-governo-americano/.

altogether).⁵⁵ By contrast, money laundering, fraud and extortion are often conducted extra-territorially, by virtual means and often involving actors outside of Latin America. Physical proximity may be required to disrupt producers, traffickers and users of drugs and arms while information and communication tools may be more instrumental in the latter case. Needless to say, such strategies will also entail resort to different types of security actors, areas of focus, and jurisprudence.

Brazil's normative and institutional approach

Although long conscious of organized crime, Latin America countries only adopted a concerted engagement with related issues from the 1990s onwards. In some ways, their efforts accompanied wider global preoccupations with organized crime following the end of the Cold War. With the emergence of powerful international criminal syndicates from Eastern and South-eastern Europe and in the wake of neoliberal reform programs across Latin America, it was no surprise that a variety of groups soon acquired a foothold in the region. Moreover, with the decline of conventional armed conflicts and the emergence of democratic movements, national armed forces and police forces sought a new legitimacy and relevance in refocusing on trans-boundary and domestic criminal threats. In an unsettling echo with the past, many countries across Central and South America soon began adopting militarized operations in the context of law enforcement, latterly described as *mano dura*. More recently, governments throughout Latin America have sought to soften their law and order approach, invoking in some instances the construct "citizen security".

For its part, Brazil has historically opted for multilateral approaches to promoting security, including in relation to transnational organized crime. After all, the country was a founding member of the League of Nations and the United Nations together with the Pan-American Union and its successor, the Organization of American States (OAS).⁵⁶ Although today heavily critical of its asymmetric governance structure, Brazil has spent more time as a non-permanent member of the United Nations Security Council than any other country apart from Japan – and this in spite of thirty years of military dictatorship.⁵⁷ Brazil has also adopted the role of regional mediator through, for example, the Rio Group which was established in the mid-1980s and other institutions.⁵⁸ While Brazil has played a strong role in promoting international norms, it has shown a marked resistance to more forceful action including so-called UN Chapter VII mandates for peace enforcement or aggressive sanctions regimes. The country's reluctance can be traced to its long-standing opposition to any interventions that breach national sovereignty. More recently, Brazil has taken a "turn" to regional and sub-regional approaches to security promotion.

Consistent with its multilateral instincts, Brazil has ratified most international and regional instruments intended to combat organized crime. The only exception, and it is one shared by most countries across Latin America, Brazil has yet to sign or ratify a treaty on cybercrime.⁵⁹ The key normative mechanisms include the United Nations *Con-*

⁵⁵ See MercoPress (2011).

⁵⁶ See Daudelin and Burges (2011).

⁵⁷ See Gratius (2007).

⁵⁸ Communications with Jean Daudelin, October 2012.

⁵⁹ The so-called *Budapest Convention* of 2001 which is overseen by the Council of Europe is the only existing treaty on the issue. See Diniz and Muggah (2012).

vention Against Transnational Organized Crime (2000) which Brazil ratified in 2004 and focuses on, among other things, money laundering.⁶⁰ Others that Brazil has signed-up to include the UN protocol on the trafficking of women and children (2004)⁶¹, the UN protocol against the smuggling of migrants (2004)⁶², the UN protocol against illicit manufacturing and trafficking in firearms (2006)⁶³, and a host of UN conventions related to narcotics (1965, 1972, 1991)⁶⁴, terrorism (2005)⁶⁵ and corruption (2005).⁶⁶ Of course, signing and ratifying treaties represent important first steps, implementing and complying with them is another matter entirely.

Even so, Brazil has elaborated a host of national and subnational institutions to address organized crime, including drug trafficking, arms smuggling, money laundering and, more recently, cybercrime. It has not, however, elaborated many agencies with extensive “supra-national” functions. The principal public sector entity involved in “combating” organized crime is the Ministry of Justice. The Ministry was strengthened during the Lula administration and empowered to amplify its activities in relation to the so-called war on drugs, arms, financial crimes and terrorism.⁶⁷ And while the Ministry has established a number of specific internal bureaus focused on public security (SENASP), drugs (SENAD), justice (SNJ), as well as a Department of Assets Recovery and International Juridical Cooperation (DRCI), the more important entities for combating organized crime are the Federal Police and, to a lesser extent, the Federal Highway Patrol (DPRF). The former is described at length below. The latter’s Crime Repression Division is the main supporter of activities against TOC. Intended to prevent and contain drugs and arms trafficking, human smuggling, contraband, piracy and vehicle theft, it has a prominent role in highways near border areas.⁶⁸



A Brazilian federal police agent performing forensics analysis.

Photo: Polícia Federal

60 Specifically, it encourages state parties to “develop and promote global, regional, sub-regional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering”.

61 *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (2000).

62 *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (2000).

63 *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime* (2001).

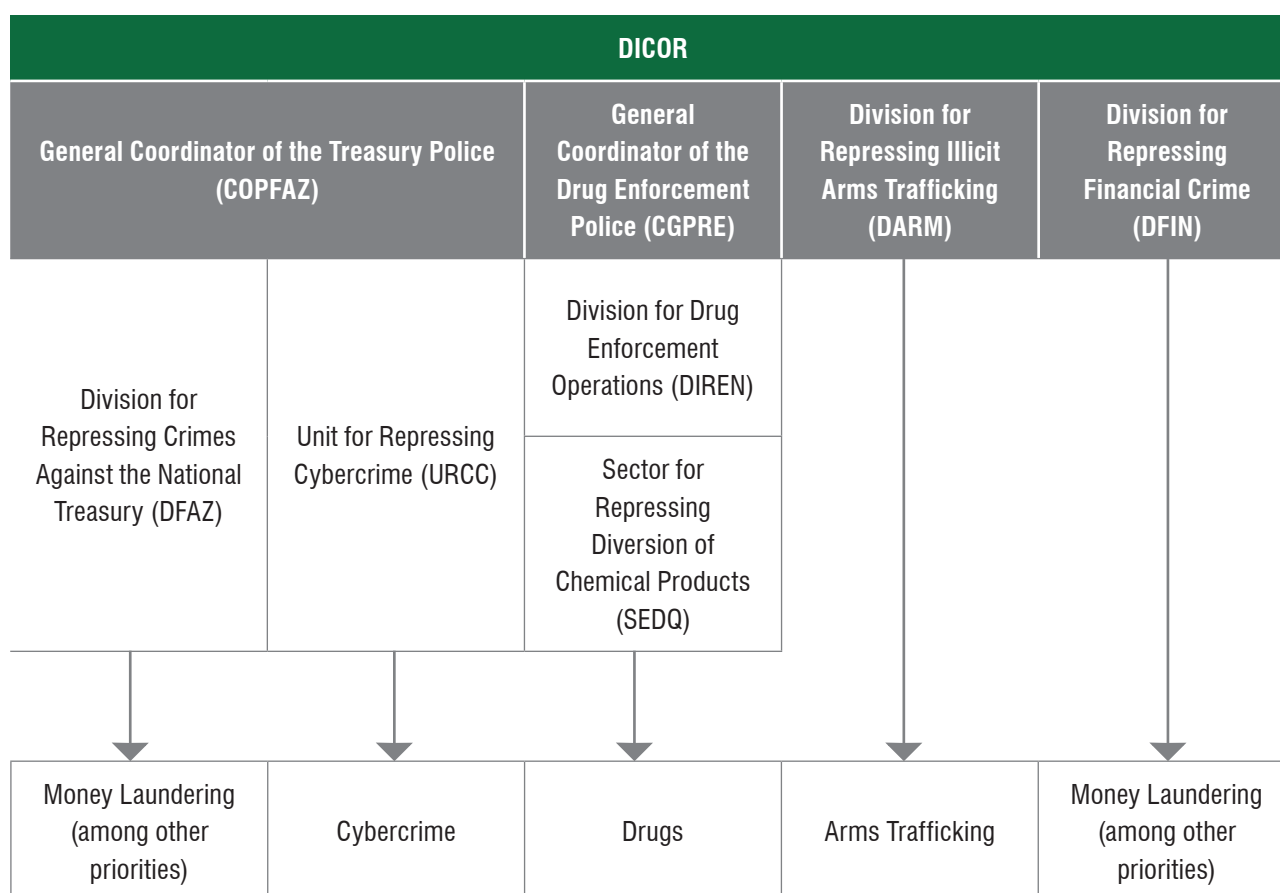
64 See *Single Convention on Narcotic Drugs* (1961) (as amended in 1972), *Convention on Psychotropic Substances* (1971) and the *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances or Vienna Convention* (1988).

65 *UN Convention for the Suppression of the Financing of Terrorism* (1999).

66 *UN Convention Against Corruption* (2003).

67 Its mandate was also bolstered following Brazil’s ascendance to the *United Nations Convention Against Transnational Organized Crime*. See Machado (2007).

68 See www.dprf.gov.br.

Figure 1. Administrative functions of the Federal Police DICOR 69

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.⁷⁰ Specifically, the Federal Police is constitutionally mandated to engage with crime of various types across Brazil as well as international, or inter-state, manifestations.⁷¹ It is bureaucratically organized into discrete divisions including the Directorate for Investigation and Combat of Organized Crime (DICOR).⁷² The DICOR's key areas of focus are illustrated in *Figure 1* and include drugs trafficking, arms smuggling, money laundering and cybercrime. 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 that are also involved in engaging with both transnational and national forms of organized crime. These include the Ministry of Foreign Affairs, the National Treasury, and others such as the Intelligence Services, the Office for Presidential Security, the Chamber for External Relations and National Defense, the National Defense Council,

69 See http://www.dpf.gov.br/institucional/Organograma_unidades_centrais_01.2012/.

70 For example, Operação Satiagraha between 2004 and 2008 was widely reported. See <http://www.brasil247.com/pt/247/brasil/55043/>.

71 The constitution is less clear on what constitutes "organized" crime. "Art. 144, par. 1st: The federal police, instituted by law as a permanent body, organized and maintained by the Union and structured in career, is intended to: I- investigate criminal offenses against the political and social order or detriment to goods, services and interests of the Union or of its autonomous agencies and public enterprises, as well as other offenses with interstate or international repercussion and requiring uniform repression, according to what the law shall establish; II- prevent and suppress illicit trafficking in narcotics and similar drugs, smuggling and contraband, not excluding action by the treasury and other public agencies in their respective areas of competence; III- perform the function of maritime, airport, and border police; and IV- exercise exclusively the functions of the judiciary police of the Union".

72 See http://www.dpf.gov.br/institucional/Organograma_unidades_centrais_01.2012/.



Brazilian military checking cargo crossing its borders.

Photo: Ministério da Defesa

and the Public Prosecutors Office. A major challenge for Brazil, as other countries, is institutional coherence and coordination across them.

The Federal Police is one of a number of security entities in Brazil. While it has an international and national mandate as well as divisions in each state, it also works alongside distinct state-level military and civil police units. Owing to the highly decentralized nature of the police forces and their overlapping competencies, there are complex challenges associated with coordinating activities. A particular obstacle relates to the Federal Police's intelligence service which is only weakly integrated into the national system and a source of considerable tension. Likewise, the Federal Police must also work alongside the Armed Forces which are playing an increasingly assertive role in combating organized crime in border areas. Indeed, not only is coordination challenging, but both actors are effectively competitors for scarce funding as 2011 protests by the Federal Police attest.⁷³ There is some truth to their concerns: the *Tribunal de Contas de União* (TCU) recently published an assessment confirming the lack of human and material capacity of the Federal Police when it came to addressing transnational organized crime in border areas.⁷⁴

73 In November 2011, protests against cuts and delays in the federal budgetary commitments to DPF's border installations (part of the Plano Estratégico de Fronteiras) took place in the country. The National Federation of Federal Agents (Fenapef) launched operação-padrão (operation-standard), in which DPF's services in border and fluvial checkpoints were slowed down, while DPF's public servants from 13 states organized a protest in front of the Ministry of Justice in solidarity of their colleagues deployed in remote areas. See <http://www.estadao.com.br/noticias/impreso,plano-de-fronteiras-patina-por-falta-de-recursos-e-policiais-federais-se-revoltam-,801796,0.htm>.

74 See http://portal2.tcu.gov.br/portal/page/portal/TCU/imprensa/noticias/noticias_arquivos/Informativo_Sisnad_1.pdf and <http://www1.folha.uol.com.br/cotidiano/1140513-tcu-diz-que-estrutura-da-policia-federal-e-insuficiente-na-fronteira.shtml>.

Alongside the abovementioned entities are the Ministry of Defense and the Armed Forces which are also playing an increasingly central function in the fight against organized crime. Under the (civilian) aegis of the Ministry, the Brazilian military occupies a significant, if intermittent, role in containing domestic threats, including in gang and militia infested favelas as well as in operations along its borders. But the military has occupied a more prominent place from the late 1990s onwards. Specifically, the 1998 *Lei do Abate* authorized the armed forces to shoot down hostile aircraft including those purported to contain narcotics or other contraband.⁷⁵ Likewise, a federal law passed in 1999 established subsidiary functions emphasizing that the military can:

“act through preventive and repressive actions in the border zone, at sea and in inland waters - regardless of the ownership, property, purpose or any encumbrance upon them - against transnational and environmental crimes, alone or in coordination with other agencies of the Executive Branch, running, among others, the following actions: I - patrolling II – inspecting/searching people, land vehicles, ships and aircraft, and III – on-scene arrests”.⁷⁶

The Brazilian military also increasingly combines its response to organized crime with what might be described as “environmental crime”. In line with the *National Defense Strategy* of 2008⁷⁷, the military and navy are now more permanently stationed in the Amazon and border areas to address “complexes” of organized crime, including drug trafficking, arms smuggling, and illegal migrant movements⁷⁸ while also pursuing illegal logging and extraction of related products.⁷⁹ 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.⁸⁰ Indeed, the SIVAM program also included a hot pursuit agreement with Colombia, though appears to be weakened by limited financing.⁸¹ *Operation Agata* is another prominent example of successive multi-task border operation intended to disrupt a combination of organized crime activities ensuing across international borders. These operations typically involve the establishment of fixed and mobile checkpoints in search of drugs and weapons supplying crime groups in Recife, Rio de Janeiro and Sao Paulo as well as controlling illegal traffic across borders. They may also entail the use of unmanned drones and dozens of aircraft.⁸² Brazilian officials have noted that the “softest” border areas are in Paraguay and Uruguay, though operations have extended into Bolivia, Colombia, and Peru. *Figure 2* highlights key Agata operations pursued by the military since 2011.

75 See Lei no 9.614/1998 (December 19).

76 See Lei Complementar no 97/1999 (June 9) and its complement (2010) at http://www.planalto.gov.br/ccivil_03/leis/lcp/Lcp97.htm.

77 See http://www.defesa.gov.br/projetosweb/estrategia/arquivos/estrategia_defesa_nacional_ingles.pdf.

78 For example, Brazil recently halted the issuing of visas to Haitian migrants who were entering the country illegally from Acre due, at least publicly, to concerns of the involvement of organized crime groups in illegal human smuggling operations.

79 See Machado (1996, 1997).

80 See Almeida (2002).

81 Observation by Sam Logan, October 2012.

82 Brazil purchased 15 drones mainly for border control from Israel in 2009 at a cost of US\$200 million during a visit of then President Shimon Peres. See MercosPress (2009).



Drone deployed in border surveillance operations alongside vehicles of Brazil's security forces.

Photo: Agência Força Aérea/Cb. V. Santos

Whilst mandated to promote wider regional integration and work in an “all of government” manner, neither the Ministry of Defense nor the Armed Forces have made strong inroads in this regard. The Ministry of Defense in particular is supposed to work with the Ministry of Foreign Affairs to promote inter-agency cooperation, including in relation to cooperation with neighbors to fight organized crime, strengthen strategic collaboration on cybernetics, space and nuclear issues, and promote common research and development on defense products.⁸³ But there are concerns that integration is occurring too slowly, if at all.⁸⁴ Clearly the lackluster performance cannot be laid entirely at the door of the Ministry of Defense and the Armed Forces. Indeed, the Ministry of Foreign Affairs is also mandated, through its General Coordinator for the Fight Against Illegal Transnational Activities (COCIT), to promote national and international cooperation on issues of drugs trafficking, arms smuggling, human trafficking, money laundering and cyber-crime. Converting expressions of intent into practical action is easier said than done.

⁸³ See ENS (2008, p. 64).

⁸⁴ See Manrique (2012).

Figure 2. Major military operations to combat organized crime in border areas ⁸⁵

OPERATION	BORDER AREA COVERED	DEPLOYMENT	RESULTS
Ágata I (2011)	Argentina, Paraguay and Uruguay	3,500 men	Apprehension of 2 tons of irregular products; destruction of illegal landing strips and prospecting sites
Ágata II (2011)	Colombia	More than 5,000 men	Apprehension of 7 vehicles, 65kg of explosives, 2t of marihuana, 65kg of illegal pesticides, R900,000 in contraband and bootleg products
Ágata III (2011)	Bolivia, Paraguay and Peru	7,000 men	50 small weapons and 1t of drugs seized
Ágata IV (2012)	Guyana, French Guyana, Surinam, and Venezuela	More than 5,000 men	Seven people arrested; 33kg of coca paste
Ágata V (2012)	3,900 km of borders from Rio Grande do Sul to Mato Grosso do Sul	19,000 men	31 people arrested; 6t of drugs seized; total value of apprehensions: more than R5 million.
Ágata VI (2013)	4,200 Km of borders from Mato grosso do Sul to Acre	7,000 men	Apprehension of 3.7 tons of drugs, 67 vehicles and 201 boats.
Ágata VII (2013)	The whole terrestrial border with emphasis on the Northern region	33,000 military + 1,100 civil agents + Support from the Colombian and Peruvian militaries	Apprehension of 25 tons of marijuana and 657 kilos of cocaine crack and hashish. Also 4.9 tons of explosives and 4.5 cubic meters of timber were seized.

Part of the reason for difficulties in promoting wider regional cooperation relates to Brazil's long-standing inward-looking focus. Not unlike other countries, Brazil is intensely preoccupied with protecting its borders and ensuring *de jure* and *de facto* sovereignty over its territory. This determination can be traced to pre-independence era policy of colonization, a more securitized approach during the dictatorship period (1965-1985), and softer variations during democratic administrations.⁸⁶ Under President Rousseff, however, the 2011 *Strategic Frontier Plan* (PEF) has given this priority a new urgency and resonance.⁸⁷ Consistent with her predecessor (i.e. Lula), the PEF explicitly and implicitly accords a priority to integration with South America. But it more forcefully emphasizes prevention, control and repression of transnational organized crime as well as enhanced integration of key public security bodies and

⁸⁵ See: Defesa.net website and pages related to Brazil's Armed Forces and Ministry of Defense.

⁸⁶ For a contemporary assessment, see Alvarez and Salla (2013).

⁸⁷ See Decreto No 7496 from June 8th, 2011: http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2011/Decreto/D7496.htm.



Brazilian military personnel during an Ágata Operation in Foz do Iguaçu, near the Tri-border zone.

Photo: Ministério da Defesa

the armed forces of countries in the region. Critically, it also privileges not just of all-of-government response on Brazil's part, but also joint actions between federal states, partnerships with neighboring countries, and implementation support through the Integrated Frontier Management Units (GGIFs) and Joint Operation Center (COC).⁸⁸ The goal, it seems, is both to consolidate the state presence in ostensibly peripheral areas, strengthen inter-state cooperation within Brazil, and expand strategic international partnerships.

Past is present?

Future security postures in the region

To the extent that Brazil has consciously adopted a regional approach to addressing organized crime, it consistently adopts a South American orientation. This perspective is hardly by accident: when it comes to taking on narco-trafficking, arms smuggling, money laundering and human trafficking, Brazil is focused squarely on the risks of contagion and the challenges emanating from its ten neighbors. And while Brazil has oriented its diplomatic posture for a more expansive global role, it continues to negotiate a regional approach to organized crime through trilateral and bilateral arrangements. Brazil also continues to cooperate with the OAS on issues of cyber-security, drugs, arms control and terrorism, but its participation is passing into what some analysts describe as an “emptying phase”. Indeed, the OAS is increasingly viewed by countries across South America as a comparatively weak entity with little legitimacy or influence. Its involvement in mediating security crises in Central and South America is also routinely

⁸⁸ See <http://www.defesanet.com.br/fronteiras/noticia/1441/PEF---Governo-Federal-lanca-plano-para-prevenir-e-enfrentar-crimes-nas-fronteiras>.

resisted by Brazil, much to the frustration of some in Washington D.C.⁸⁹ Efforts to revive the relevance of the OAS through defense ministerial meetings are also not viewed optimistically by governments in South America.⁹⁰

Thus, rather than leaning northwards, Brazil's orientation is toward intensifying sub-regional and bilateral relations.⁹¹ Tellingly, of the 25 bilateral agreements associated with transnational crime signed by Brazil, roughly half are with neighboring countries, a third are with European or African countries and just a handful are with countries in North and Central America.⁹² While Brazil does not exclude expanded cooperation with the United States, Mexico or Canada, it has not actively sought them out. Moreover, Brazil has comparatively discrete and limited relations on organized crime-related issues with Central American and Caribbean countries and related institutions. The United States government, for its part, does not appear to view Brazil as a key center of influence in the same way it sees, say, China, India and Russia. On the other hand, the United States military strategy generally supports regional integration in South America and Brazil's implied leadership.⁹³



Emblem of the joint military exercise between Brazil and Venezuela: VENBRA VI.

Photo: Agência Força Aérea/Sgt. Rezende

Even so, Brazilian diplomats continue to court the United States for a seat on the United Nations Security Council, while cautiously resisting American influence in the region and incursions on sovereign states.⁹⁴ Indeed, Brazil has made it clear that the United States military presence in Colombia (and previously Ecuador) should be of a "temporary" character.⁹⁵ Yet pragmatists in both the United States and Brazil recognize that improved cooperation is inevitable and the expectation is that strengthened military relations will flow from diplomatic ones, including on shared concerns of transnational organized crime.⁹⁶ For example, Defense Minister Celso Amorim has repeatedly emphasized the potential for expanded cooperation – including trilateral assistance abroad.⁹⁷ While still nascent, the expectation is that future cooperation will be on the Tri-Border Area of Brazil, Argentina and Paraguay together

89 Interview with the Director of the Multidimensional Security Division, OAS. February 2012. Communication with Jean Daudelin, October 2012.

90 See Daudelin and Burges (2011).

91 See Manhana and Magalhães (2006, p. 137).

92 A list of bilateral arrangements signed by Brazil between 2003-2010 associated with the fight against organized crime is available at <http://www.ita-maraty.gov.br/temas/balanco-de-politica-externa-2003-2010/3.2.19-anexo-temas-multilaterais.-combate-aos-ilicitos-transnacionais>.

93 The 2011 US National Military Strategy notes that "We welcome efforts by Brazil and our other regional partners to establish economic and security mechanisms, such as the South American Defense Council (SADC)."

94 This represents a gradual shift from more positive partnerships during the early and middle of the twentieth century (see Brown 2012).

95 See, for example, Wecker (2009).

96 See Brown (2012).

97 See Amorim (2011).

with some counter-terrorism activities.⁹⁸ Other related concerns are likely to involve alleged linkages between South American and West African drug trafficking organizations as well as possible linkages with Al-Qaeda.

It is worth stressing that South America as a whole still lacks a coherent regional structure for managing collective security and defense priorities. Most countries in the region continue relying on their own institutions to confront transnational threats and Brazil is part of a “variable geometry” of multilateral arrangements.⁹⁹ Only relatively recently have tepid regional bodies and processes emerged to enhance cooperation, with others generating still more uncertainty.¹⁰⁰ In 2003, for example, defense ministers from across South America met for the first time to review security priorities and define a common front against international threats.¹⁰¹ In spite of these limitations, and arguably because of them, Brazil adjusted its posture on a distinctly South American axis rather than a pan- or even Latin American one.¹⁰² Its decision to establish the Union of South American States (UNASUR) with 11 other members is an example of this, even as it may be setting up a possible confrontation with Mexico.

While new, UNASUR is described by some analysts as the “lynchpin” of Brazil’s regional strategy.¹⁰³ Formally established by the *Brasilia Declaration* in 2008, UNASUR includes a South American Defense Council (CDS), a Peace, Security and Cooperation Protocol, a Center for Defense Strategic Studies (CEED) and routine meetings of defense, justice and interior ministers. The CDS, with its seat in Quito, constitutes a forum to exchange information and promote cooperation on, among other things, organized crime threats.¹⁰⁴ It is intended to foster confidence-building measures, build closer collaboration between military establishments, and articulate common positions on global challenges. During the February 2012 UNASUR meeting of defense ministers, for example, transnational organized crime was openly discussed for the first time.¹⁰⁵ Commitments were restated during the May 2012 summit where a concrete recommendation was made to fight against organized crime.¹⁰⁶ It is still not clear, however, whether these calls for action will translate into practical interventions since UNASUR as a whole still lacks a clear funding strategy,

98 It is worth recalling the terrorist attacks of 1992 and 1994 in Argentina by a Hezbollah group supported by Iran. There are now more common rumors of recruitment and training in the Tri-Border Area.

99 Credit to Jean Daudelin for the term “variable geometry”, October 2012.

100 For example the avowedly anti-imperialist Bolivarian Alliance of the Peoples of the Americas (ALBA) established by Presidents Castro and Chavez in 2004 and includes eight members.

101 See Flem (2004) and Sain (2002).

102 As Stuenkel (2011) observers, Brazil’s support for CELAC amounts to little more than an empty gesture.

103 See Daudelin and Burges (2011).

104 See http://www.unasursg.org/index.php?option=com_content&view=article&catid=87:consejo-suramericano-del-problema-mundial-de-las-drogas&id=337:estatuto-consejo-problema-mundial-drogas.

105 There it was noted that “*esta es la primera vez que el tema de la seguridad pública es abordado a nivel suramericano desde una perspectiva especializada y multidisciplinaria, como fue dispuesto en agosto del año pasado por los Ministros de Relaciones Exteriores, y desde el año 2009 por los Jefes de Estado de la región, cuando acordaron “fortalecer la lucha y cooperación contra el terrorismo y la delincuencia organizada transnacional y sus delitos conexos, el tráfico de armas pequeñas y ligeras, así como el rechazo a la presencia de grupos armados al margen de la ley”*”. See http://www.unasursg.org/index.php?option=com_content&view=article&id=516:ultima-unasur-debate-cooperacion-regional-en-crimen-trasnacional-organizado-y-nuevas-amenazas&catid=66:noticias-unasur.

106 See <http://noticias.terra.com.br/mundo/noticias/0,,0I5753689-EI8140,00-Unasul+decide+coordenar+luta+contra+crime+na+America+do+Sul.html>.

policy development capability, or agreement on the devolution of power.¹⁰⁷

Brazil is also seeking to exert its leadership and influence in the Mercado Comum do Sul (MERCOSUL).¹⁰⁸ According to some diplomats in Brasilia, the political and geopolitical dividends of MERCOSUL outweigh its potential economic benefits. And while the bloc offers some strategic leverage, it is important also to note that it does not exhibit any robust autonomy, administrative capacity or discrete military or policing mandates. While designed as a mechanism to further economic interests, Brazil envisions MERCOSUL secondarily as a means of shaping security postures of states across South America and is one of many multilateral arrangements in which the country has a presence. Since its inception, the entity has generated a rash of processes calling for a more vigorous engagement with organized crime. For example, in 1998 it led to the creation of an integrated system to address drug trafficking, money laundering, and other forms of contraband in the Triple Border Area. It also led to the creation of a common system to control and track seized arms associated with drug trafficking and other crime entities¹⁰⁹ as well as systems to monitor illegal air transport activities. What is more, agreements have been brokered on fighting corruption¹¹⁰, developing cooperative approaches to transnational crime¹¹¹, and identifying means of promoting integrated responses. Yet the future of MERCOSUL as a serious force in South America is still open to question: the recent entry of Venezuela, which many states view with suspicion, and the establishment of the Pacific Alliance raise new questions.¹¹²

Notwithstanding Brazil's extensive involvement in regional clubs, the country's approach to addressing organized crime remains focused more narrowly on bolstering formal and informal bilateral ties across South America proper. Building on UNASUR and MERCOSUL, Brazil established a host of bilateral and trilateral agreements to extend its influence and manage its shared borders.¹¹³ And while there are many declarations of intent, there are still real concerns about the extent to which governments in South America are able and willing to take on organized crime.¹¹⁴ The mere signing of an accord does not necessarily translate into practical action, suggesting that verification and monitoring measures may be required to assess the effectiveness of these entreaties.

Since 2011, Brazil has established agreements with Peru and Paraguay (described colloquially as *Nosso Plano Colombia*, or "Our Plan Colombia") to deal with narcotics production and trafficking.¹¹⁵ This includes cross-border actions by the Brazilian Federal Police to destroy coca and marijuana production capacities, though concerns are

107 Communication with Jean Daudelin, October 2012.

108 It translates into Mercado Comun del Sur – or MERCOSUR – in Spanish.

109 See MERCOSUR (1998 and 2010).

110 See <http://www.mercosur.int/msweb/CCCP/PT/Index.html>.

111 See http://www.mercosur.int/msweb/Normas/normas_web/Decisiones/PT/DEC_016-006_PT_AcdoQuadroSegRegional.pdf

112 Communication with Sam Logan, October 2012.

113 In some cases, UNODC has sought to help broker and facilitate bilateral and trilateral cooperation on issues of organized crime. See, for example, UNODC (2010).

114 See <http://www.peruviantimes.com/tag/organized-crime/>.

115 See http://www.vermelho.org.br/noticia.php?id_noticia=189245&id_secao=7.



A Brazilian army helicopter flying over heavily deforested areas of the Amazon.

Photo: Ministério da Defesa

emerging that Paraguay turns a blind eye to organized crime.¹¹⁶ Brazil is also seeking to extend the plan to Bolivia and Colombia.¹¹⁷ Brazil has also initiated talks with Bolivia¹¹⁸ and the United States to develop a tripartite agreement on drugs, though details remain vague and tensions volatile.¹¹⁹ Concerns that Bolivia constitutes a “narco-state” owing to the convergence of official and illegal interests are reaching fever pitch in some quarters and appears to be influencing Brazilian policy in the region.¹²⁰ In addition to broader agreements with Argentina, Uruguay and Venezuela¹²¹, Brazil established several accords with Colombia, adapted to the threat of guerrillas as well as narco-traffickers. While focused on mutually engaging a host of organized crime threats, some Brazilian diplomats complain that Colombia’s efforts are generating displacement effects, effectively pushing drug trafficking and guerrillas into the

116 See <http://apublica.org/2011/06/wikileaks-brasileiros-reclamam-da-atuacao-do-paraguai-no-combate-ao-crime-internacional/>. Concerns grew deeper with the election of President Horacio Cartes, who was accused of harboring close ties with criminal organizations. See <http://www.bloggingbyboz.com/2013/04/dirty-laundry-for-paraguays-frontrunner.html>.

117 See <http://www1.folha.uol.com.br/cotidiano/1139987-pf-avanca-a-fronteira-para-combater-traffic-de-drogas.shtml> and <http://www1.folha.uol.com.br/cotidiano/1139988-analise-ocupar-vacuio-que-os-eua-vem-deixando-traz-risco.shtml>.

118 See http://www.em.com.br/app/noticia/internacional/2012/09/14/interna_internacional,317450/brasil-e-bolivia-reforcam-cooperacao-contra-narcotrafico.shtml.

119 See <http://www.estadao.com.br/noticias/internacional,bolivia-brasil-e-eua-estabelecem-parceria-contra-drogas,825245,0.htm>.

120 See <http://www.hacer.org/latam/?p=19940> and <http://www.coha.org/brazilian-intervention-in-regional-war-on-drugs-at-stake/>.

121 See http://www.planalto.gov.br/ccivil_03/decreto/D3078.htm, <http://www.itamaraty.gov.br/sala-de-imprensa/notas-a-imprensa/viii-reuniao-de-alto-nivel-da-nova-agenda-de-cooperacao-e-desenvolvimento-fronteirico-brasil-uruguai-porto-alegre-13-e-14-de-setembro-de-2012>, <http://www.itamaraty.gov.br/o-ministerio/conheca-o-ministerio/america-do-sul/departamento-da-america-do-sul-ii-das-ii-venezuela/grupo-de-trabalho-de-desenvolvimento-fronteirico/viii-reuniao-do-grupo-de-trabalho-de-desenvolvimento-fronteirico-brasil-venezuela>.



Brazilian navy maneuvers during an Agata operation in the Amazonian region.

Photo: Ministério da Defesa

Amazonian border areas.¹²² Many of these bilateral agreements ensure that Brazil's military preserves its pre-eminence in the Amazonian region.

By way of contrast, there is comparatively less publicly available evidence of bilateral cooperation between South American countries on managing cyber-security and cyber-defense. Indeed, silences on this front are deafening. While a possible area of growth, just Brazil has signed a treaty with another country outside of Latin America – Russia. The *Agreement on Non-Aggression by Information Weapons* was signed in 2010 and represents one of the first bilateral agreements of its kind. In addition to featuring a non-aggression pact in the case of a conventional war, the agreement calls for information exchange, capacity strengthening and joint cyber-war exercises. Meanwhile, the Defense Ministers of Argentina and Brazil also signed a 2011 *Joint Declaration* to review bilateral cooperation across the defense sector, with one clause specifically calling for increased cooperation on informatics and cyber-defense. Likewise, Defense Ministers from Brazil, Chile and Colombia have also expressed their concerns to the US Pentagon regarding cyber threats such as hacktivism and have urged for the hardening of computer networks against breaches and increased cooperation.¹²³ Obviously, the NSA scandal of cyber-espionage had not yet been revealed by that time.

It is still impossible to precisely measure the budgetary commitments of Brazil to taking the fight to organized crime, partly due to the secrecy surrounding overall defense-related spending. Defense spending in 2010 was roughly

¹²² See <http://www.ufrgs.br/nerint/folder/artigos/artigo71.pdf> and <http://agenciabrasil.ebc.com.br/noticia/2011-01-19/colombia-tornou-se-lideranca-regional-no-combate-drogas-diz-czar-antidrogas-dos-estados-unidos>.

¹²³ See Baldor (2012).

US\$33.5 million or 1.6 per cent of GDP and increased 5.8 per cent in 2012.¹²⁴ But the overall picture is complicated by the fact that the Dilma administration introduced cuts of more than R\$50 billion (US\$ 25 billion) in 2011 to contain inflation and lower interest rates, a sharp change of tact from previous years. It is also the case that the vast majority of spending on sectors involved in fighting organized crime is devoted to salaries and pensions. A snapshot of specific interventions is nevertheless revealing and indicates a moderate level of commitment though the priorities are still easily imputed. For example, the federal government allocated US\$75 million (R\$150 million) to the aforementioned *Strategic Frontier Plan*¹²⁵, as well as some more US\$15 million to the so-called Blue Amazon Management System to monitor coastlines.¹²⁶ The Brazilian government has also committed US\$6 billion (R\$12 billion) on the SISFRON program by 2030.¹²⁷ Additional programs are singled out in the federal government, though lack specific detail.¹²⁸ Meanwhile, the previous Lula administration directed just US\$ 35 million (R\$70 million) to special policing programs and another US\$80 million (R\$160 million) to a national aviation policy for public security.¹²⁹ Likewise, CDCiber will receive an injection of US\$ 60 million (R\$120 million) from the federal government in 2012 with future projections anticipating more rapid growth in the area of cyber-security and -defense.¹³⁰

Conclusions

While some critics contend that Brazil has over-extended its focus on global peace and security priorities, there is some evidence that the country has at least one eye fixed on addressing organized crime in its own backyard. Brazilian policy makers are continuing to orient the country's foreign and security posture for globalized role while its federal police and armed forces are negotiating neighborhood priorities on a sub-regional and bilateral basis. But the seriousness of Brazil's commitment remains an open question. While making significant gains, Brazil still lacks the political and economic capacity to achieve the wider global influence it desires. Paradoxically, Brazil's avowed respect for sovereignty may impede its effectiveness as a regional leader, limiting its willingness and ability to take steps to counter transnational organized crime. And although Brazil is expanding its activities against transnational organized crime, its focus is clearly geographically focused within and just beyond its own borders. Indeed, Brazil is

¹²⁴ See Oliveira (2012) and SIPRI (2012).

¹²⁵ See <http://blog.justica.gov.br/inicio/r-150-milhoes-para-plano-estrategico-de-fronteiras/>.

¹²⁶ See <http://www.processamentodigital.com.br/2011/10/02/sisgaaz-sistema-de-gerenciamento-da-amazonia-azul/>. The navy has also purchased three armed patrol boats for roughly \$172 million from BAE Systems and is developing in partnership with France nuclear-powered submarines at a cost of billions of dollars. The air force, by contrast, is considering a US\$2 billion contract for next-generation fighter jets.

¹²⁷ SISFRON is a all-embracing surveillance system for the Brazilian borders and it is part of PEF. See <http://g1.globo.com/brasil/noticia/2012/08/em-transformacao-exercito-planeja-estar-totalmente-equipado-em-10-anos.htm>.

¹²⁸ These include the Calha Norte (R\$ 72 million), SIPAM (SIVAM) (R\$ 63 million), Enafron (R\$ 156 million), DPRF (R\$ 74 million), and DPF (R\$ 77 million). See Portal SigaBrasil.

¹²⁹ See <http://saibadascoisas.blogspot.com.br/2009/10/senasp-lanca-projeto-de-policimento.html>. Federal government is also spending US\$ 14 million in 2013 on the installation of security cameras in key municipalities of the terrestrial border area. See <http://www.insightcrime.org/news-briefs/brazil-to-install-security-cameras-to-combat-border-crime>.

¹³⁰ See <http://g1.globo.com/brasil/noticia/2012/08/em-transformacao-exercito-planeja-estar-totalmente-equipado-em-10-anos.htm>. Recently, there has been some criticism over how Brazilian Army is spending its cyber-security and -defense budget. See <http://www1.folha.uol.com.br/mundo/2013/07/1310921-brasil-gasta-so-89-do-previsto-com-defesa-cibernetica.shtml> for more.

using threats in neighboring countries – from organized crime and contraband to the colonization of land and migration – as a pretext to strengthen and consolidate its own state presence in the interior. The real test of the strategy, however, is whether the sub-regional approach to combating organized crime will generate the desired outcomes.

A lingering concern is how Brazil's strategic position on organized crime is being received in neighboring countries, indeed across the Americas more generally. On the one hand, Brazil has pursued a dizzying array of diplomatic activities to raise its global profile and engagement on a wide range of governance and security issues. As United States power and influence across Latin America recedes, Brazil is also beginning to explore a "partnership of equals" with a focus on organized crime, border control, intelligence sharing and cyber-security. But there are also signs among some of Brazil's neighbors that these expressions of partnership may still be too one-sided. Indeed, Bolivia, Peru and Venezuela have all professed concern with the extension of the Brazilian Armed Forces into the Amazon, fearing infringements on their sovereignty. While seeking to assuage these concerns, Brazil will in all likelihood continue to resist the influence of other major powers across the region as it redirects the orbit of multilateral institutions to reflect its own priorities.

Closer to home, Brazil has sought to couch its sub-regional security programs in the language of solidarity and "south-south cooperation". For example, border cooperation agreements are often couched in both security and developmental terms, as recent agreements with Bolivia to manage drugs and migrants indicate.¹³¹ As noted above, Bolivia, has increasingly pushed back to Brazil's interventionist approach to border security claiming that its own armed forces as the exclusive agency capable of facing down cocaine production and trafficking.¹³² And while concerns are being registered by some countries that Brazil's efforts to secure the borders represent a new expansionism, Brazil appears to be deliberately "filling the gap" left by the less visible presence of the United States in the sub-region. And while there may be some concerns in foreign capitals of Brazil's expanding role, the reality is that dense networks of cooperation are already emerging between Brazil and its neighbors. By some metrics, the strategies appear to be working. More narcotics and illegal contraband have been recovered in the past few years than in the previous decades. Rates of arrested smugglers are also rising fast. The real question, however, is whether these are the right indicators for measuring a successful fight against transnational organized crime in the first place.

131 Brazil recently announced the donation of four N1 helicopters as well as unmanned drones to Bolivia to fight narco-trafficking. See Fox (2012). Likewise, Brazil has sought to develop new programs to address illegal Bolivian migration as well as human trafficking of Bolivians into Brazil. See O Globo (2012b).

132 See <http://www.coha.org/brazilian-intervention-in-regional-war-on-drugs-at-stake/>.

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