A Dissertation for Master’s Degree

EMPLOYMENT OF THE BRAZILIAN ARMED FORCES AGAINST CROSS-BORDER CRIMES

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Abstract

This topic of dissertation – "Employment of the Brazilian Armed Forces in Cross-Borders Crimes" was chosen because the importance of the theme, not only in regional context, but in international level as well. It aims to analyze how the Brazilian Armed Forces currently are being employed against non-conventional threats, particularly, cross-border crimes.

Therefore, this work shows how Brazilian Armed Forces have being employed in a secondary role – keeping internal security, in absence of main threats to homeland defense.

When studying this main object, it will intend, as well, to provide suggestions of how to face transnational crimes – forms of non-conventional threats that can jeopardize the institutional security of a country.

It addresses how the Brazilian Armed Forces, together with National Agencies, are trained and equipped to face these crimes, presenting difficulties, challenges, ways out and suggestions, besides obtained experience and lessons learned.

In order for this work to be carried out, extensive research was done in bibliographical material related to the subject, both at the library of the International College of Defense Studies (ICDS) / National Defense University (NDU), as in official documents of the Ministry of Defense of Brazil and of the three singular forces: Brazilian Navy, Brazilian Army and Brazilian Air Force. Also, a detailed research was made in the world Network of computers, in order to further enlarge the research on the subject.

The development of this research will be divided in 5(five) segments and it will be analyzed from global to particular:

First, **in chapter one**, it is intended to present a general overview about the regional situation, addressing the south american subcontinent and the location of Brazil in this context. Also, a number of information and basic concepts will be presented regarding topics of importance for research, such as: the situation of the borders and the relationship of Brazil with the respective countries neighbouring; transnational crimes – its causes, developing, current situation and its impacts to the National Security.

Following the research, **in Chapter two**, it will be described the use of Brazilian Armed Forces when employed in this kind of non-traditional threats, the constitutional
missions of the Brazilian Armed Forces, as well other Agencies with the task of preventing or hindering the entry of illegal products in the country.

Besides, the work will show the main forces of this cooperation in fighting cross-border crimes, addressing how they changed their structure, what special equipments and weapons they acquired to suit to new missions and what change in doctrine. Moreover, the main counter measures against these threats will be presented, such as the SISFRON (Brazilian Acronym to Border Monitoring Integrated System).

**In the third Chapter**, after the understanding about the crimes and the main forces used to fight against them, it will be analyzed some real cases, aiming to give good experiences and lessons learned, what will be useful to the main objective of this dissertation. In these presented cases, it will be possible to identify the efforts made by the Brazilian Government to hinder the entry of illegal products, which so much harm the society.

**In Chapter four**, this work will cite the Obtained Experiences and Lessons Learned, through studies made in previous chapters. These ideas can bring new ideas that can be useful on future situations.

**In the last Chapter**, before concluding this work, it will be presented the main challenges, the ways out and important suggestions to all levels: national, regional and international.

Lastly, the dissertation will be concluded, stressing some important points addressed in this work.

To attend the above foreseen demands, some theoretic concepts and explanations have to be made, in order to make the dissertation more clearly, to know: security and defense definitions; contemporary threats; South American context; transnational crimes; Armed Forces main role and complementary duties; and other agencies involved in Transnational Crimes

**Key Words:** Cross-Border Crimes; Current threats in South America; Brazilian Armed Forces; Non-traditional threats
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EMPLOYMENT OF THE BRAZILIAN ARMED FORCES AGAINST CROSS-BORDER CRIMES

Introduction

The redefinition of international order, globalization and the various processes of transnational integration have changed the concepts of security and defense, at the international, regional and national levels.

Security and defense have different definitions. While that is an end to be reached by the state, a subjective, abstract sensation and stems from the absence of threats that can alter that state, defense is this action or set of measures able to provide and maintain the sense of security.

Until the 1990s, security was conceived as the confrontation between states, which is now defined as national defense. Over the years, the concept of security has come to include political, social and economic fields, among others. Thus, measures aimed at security also include public safety, economic, health and environmental policies, as well as the guarantee of democratic institutions and legality. Despite this concept, the Armed Forces have as their main mission the national defense.

Security is a constitutional right, if not in all countries, in most of them and constitutes, together with Justice and Welfare, one of the three purposes of the Social State. Living in safety is a basic need of citizens, a right and a guarantee to be provided by the state.

Inter-state threats and conflicts are increasingly rare, and a new type of non-state conflict and transnational threats and risks are emerging. They can be caused by a variety of religious, ethnic, environmental, and organized crime or terrorism motives that risk the lives of thousands of human beings. Many are threats without definite authorship, without a declared flag, that put national and international security in constant challenges.

Thus, the definition of Security underwent profound changes, becoming responsible not only for state security, but for the security of the individual. In addition, the troubleshooting solution changed the individual configuration to a collective security environment.

Other security definition – Internal security, as understood by several world legislations, is all the activity carried out by the State to guarantee public order, security and tranquility, protect people and property, prevent and repress crime and contribute to the normal
functioning of institutions democratic exercise of the fundamental rights and freedoms of citizens and respect for democratic legality.

With the end of World War II, the Western Armed Forces were defined by a doctrine aligned with the United States. During the so-called Cold War, almost all western countries decided to fight against the communist ideology within its dominions, while the American superpower would defend the entire Western Hemisphere against a possible confrontation with the Soviet Union. The doctrine of National Security in force at the time was based on the fight against communist ideals, which spread to almost all the American continent in the decade of 1960.

Today, new threats or non-traditional threats (terrorism, drug trafficking, extreme poverty, disorderly population growth, environmental issues, and proliferation of weapons of mass destruction, among others) are undefined and have replaced the Communist threat in the Cold War.

General Xiong Guangka, a Chinese military, said that there are four features of non-traditional threats: (1) they transcend national boundaries and are thus transnational in nature; (2) they go beyond the military sphere; (3) they often are sudden and unexpected, and (4) they are frequently mixed with traditional security threats.

Within these non-traditional threats, we can cite transnational crimes (cross-border crimes), whose inception, prevention and/or direct or indirect effects involves more than one country. This type of offense includes, among others, money laundering, terrorist activities, theft of art and cultural objects, theft of intellectual property, illicit arms trafficking, aircraft hijacking, sea piracy, insurance fraud, computer crime, environmental crime, trafficking in persons, trade in human body parts, illicit drug trafficking, fraudulent bankruptcy, infiltration of legal business, corruption and bribery of public or party officials.

A strong link between crime, terror and insurgency emerges. Terrorists and insurgents are increasingly turning to transnational organized crime with the goal of generating funds and acquiring logistical support to carry out their violent acts.

Insecurity and crime came to be considered the main problems in South American countries. This perception is corroborated by the high homicide rates in the Western Hemisphere, which place it second in the world after Africa (UNITED NATIONS OFFICE

1 Quoted by Susan L. Craig in Chinese Perceptions Of Traditional And Nontraditional Security Threats
Drug trafficking appears as the main causal factor associated with high rates of homicidal violence; another factor is the indiscriminate use of firearms. Public opinion polls also report high levels of perceived insecurity and victimization, especially crimes against property.

In this dissertation, it will be made an approach of Brazilian security situation, within the South American context. This subcontinent comprises twelve sovereignty states – Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela; besides two no-sovereign areas – French Guyana and Falklands Islands.

Because it is far from the places where the world's biggest security threats are concentrated, South America has relatively stable and good development, integration and cooperation capacity, which does not prevent several security breaches.

Over the past 25 years, a strengthening of the inter-American system has been observed to promote cooperation in combating transnational organized crime. The current challenge is to strengthen, through inter-American cooperation, national capacities to reverse this deterioration.

If this part of the globe has no big inter-state threats or high probability to be affected by terrorism or other major catastrophes, there are many areas in South America where the chronic underdevelopment persists. In these areas, unmet social needs can generate social instabilities. So, transnational crimes are other common problem for all countries in South America.

Specifically in what concerns to Brazil, a country with large extension of land borders, with almost 16,000 Km and 7,300 Km of coast lines, becomes each more hard to hinder, or even, avoid, the entrance of illicits products in country.

The entrance of illegal products harms the country in all fields of national power and is a very significant and current issue.

Organized crime is considered a social phenomenon with serious consequences for society and the State, requiring effective measures to be taken by preventive and repressive actions by public institutions, especially with regard to current legislation, which cannot leave grounds for omission, putting State sovereignty at risk.

Organized crime has already demonstrated more than once that it has the power and conditions to cause panic, not only in Brazilian society, but also within the public security
organs, making it clear that this country has serious problems in the way it treats organized crime.

Internal structural deficiencies, inequality in income distribution, social exclusion, bankruptcy of public security organs, laws that do not apply, feelings of impunity and the chaotic urbanization of large centers provide a favorable environment for the actions of organized crime.

In front of this calamitous picture, the population becomes hostage of the crime more and more organized, occupying the space left by the State.

Therefore, this is an enormous threat that plagues all South American countries, and that’s why this subject is so relevant, not only for Brazil, but internationally.

Thus, several solutions are raised by the most fragile tip of the relationship, the citizen. Among the solutions suggested for combating organized crime is the use of the Armed Forces, in order to guarantee social and legal stability.

In the context of the South American subcontinent, this meant a shift in the roles of the Armed Forces, including routine police duties. Thus, it is now up to the Armed Forces to fight against drug trafficking and organized crime and to control violence and urban disturbances when the police force is insufficient, unavailable or non-existent.

In the international context, the forces prepared to homeland security have come to play the role of a security force with the United Nations peacekeeping forces, which worries the military about the real and essential role of an armed force.

The main activities of the Armed Forces are the defense of the homeland and the guarantee of the full functioning of the constitutional powers. However, they can also be used to guarantee law and order, even though the military is not normally able to do so.

The employment of the Brazilian armed forces in a typical police activity has legal provision to promote public security against transnational crimes. This is another fact that gives great relevance, applicability, and contemporary to the subject since it is a core activity of the Brazilian armed forces.

When defining the mission of the Armed Forces, the Brazilian law corroborates this importance. The Brazilian Armed Forces has its mission defined by the constitution of Federative Republic of Brazil:

Art 142 – The Armed Forces, comprised by Navy, Army, and Air Force, are permanent and regular institutions, organized on the basis of hierarchy.
and discipline under the supreme authority of the President of Republic, and are intended for the defense of the country, for the guarantee of constitutional powers, and, on the initiative of any of these, of law and order.\textsuperscript{3}

Besides the constitution, an ordinary law sets the activities of the armed forces. It is the supplementary law nº 97, of 1999\textsuperscript{4}. It establishes how the armed forces will be organized, prepared and used. This law defines how and when the Brazilian Armed Forces will be employed in preventive and repressive activities, at land, sea and in inland waters against transnational crimes. Moreover, the law cites which activities can be executed.

When the State employs the Armed Forces to defend its interests, these are the main component in relation to the other agencies available. Besides that, when large employment is necessary, using a large amount of material resources and people, the Armed Forces are the most capable, with a view to their deployment in the national territory, the organization and efficiency.

Cooperation is the most relevant form of employment when it comes to managing serious problems. This condition involves, besides the Armed Forces, a great number of organs and entities of the public administration. In some situations, non-governmental organizations, private companies and international organizations could be included in this project. Interagency operations arise from partnership and joint efforts of governmental and non-governmental organizations, structured to achieve political and strategies of national interest.

This context requires States to be prepared to employ a diverse mix of military and civilian vectors in threat prevention, crisis management and / or conflict resolution.

Thus, the concept of security assumes a large dimension, involving not only external defense, civil defense and public security, but also economic, health, educational and environmental policy. These issues should not be addressed exclusively through political-military instruments. Coordinated action of the various vectors, be they civilian or military, is essential to ensure that the objectives of the mission are fully achieved.


\textsuperscript{4}Available (in portuguese) in http://www.planalto.gov.br/ccivil_03/leis/LCP/Lcp97.htm
1. HISTORIC REVIEW OF CROSS-BORDER CRIMES IN SOUTH AMERICA

1.1 BACKGROUND

The South America subcontinent, the fourth geographic space in area (after Asia, Africa, and North America) and fifth in population (after Asia, Africa, Europe, and North America), is located mostly in the western hemisphere, has a small part in northern hemisphere. It is bordered by two oceans: Pacific, on the west and Atlantic, on the north and east; and one sea: Caribbean Sea, on the north.

With an area of almost 18 million square kilometers and population over 420 million, South America comprises twelve sovereign states – Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela; and two non-sovereign areas – French Guyana, a oversea territory of France, and the Falkland Islands, a British Overseas Territory, disputed by Argentina.
The space occupation shows that most of population lives near the western or eastern coasts of the subcontinent. The geography of western South America is dominated by the Andes mountains; in contrast, the eastern part contains both highland regions and large lowlands where rivers such as the Amazon, Orinoco, and Paraná flow. Most of the continent lies in the tropics.

There are several cooperation mechanisms, both in economics and security areas. In economics, the Southern Common Market – MERCOSUL (Portuguese acronym to Mercado Comum do Sul) and Andean Community of Nations – CAN (Portuguese acronym to Comunidad Andina das Nações) facilitate the huge flow of individuals and goods inside the region.

MERCOSUL is a South American trade bloc established in 1994. Its full members are Argentina, Brazil, Paraguay and Uruguay. Other Associate countries are Bolivia, Chile, Peru, Colombia, Ecuador and Suriname.

The CAN is a customs union comprising the South American countries of Bolivia, Colombia, Ecuador, and Peru.

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5 Source: www.reddit.com
In the field of defense, South America share a defense mechanism: The Council of South American Defense – CDS (Portuguese acronym to Conselho de Defesa Sulamericano and Spanish acronym to Consejo de Defensa Suramericano), in the scope of Union of South American Nations is a mechanism that aims to promote the exchange of safety among the countries that make up the Union of South American Nations, such as military exchanges, experiences in peacekeeping missions, military exercises, confidence building measures mutual and coordinated assistance in areas of natural disasters, among others.6

Brazil is by far the most populous South American country, with more than half of the continent's population, followed by Colombia, Argentina, Venezuela and Peru. According to the most recent official data, the total population of South America is about 415 million. Brazil has 49% of this population. In recent decades Brazil has also concentrated half of the region's GDP and has become a first regional power.7

With an extension of approximately 17,000 km, Brazil borders 10 countries. The land border strip has a width of 150 km, corresponds to 27% of the national territory and covers 11 states. In this border area there are almost 11 million inhabitants.

The economy of the country is greater than other countries from South America, and Brazil is expanding its presence in world markets8. The Brazilian GDP is about US$ 3,16 trillion (48,15% of South American GDP) (20159), which locates the country in the 8th largest economy in the world.

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6 UNASUR Discute Consejo De Defensa Suramericano, Agência EFE, 8 de fevereiro de 2010
7 https://en.wikipedia.org/wiki/South_America
9 International Monetary Fund – See https://www.imf.org
Concerning to Amazon region, In Brazil, this area covers 4.2 million km², 60% of the national territory along nine Brazilian states. Brazil therefore has the largest part of the Amazonian biome in its territory. In addition, 45% of the country is bathed by the Amazon Basin, the largest hydrographic basin in the world (GREENPEACE, 2013).

Such a wealth of biodiversity represents one of the greatest threats to the security and sovereignty of the Brazilian State since its colonial days. However, as explained earlier, one of the greatest threats to the Brazilian Amazon region is drug trafficking and other related problem situations from neighboring states.

This rich subcontinent is distant from the points with more problems in the world. The countries of the continent maintain a relatively favorable environment for cooperation and
integration. Although a positive balance in this area, there are several challenges, especially in security and social areas.

In security, the challenges rely on non-traditional threats. In social area, the chronic underdevelopment persists. In some regions, unmet social needs can generate social instabilities. Transnational crimes and environmental crimes, both non-traditional threats, are also common problems for all South American countries.

Transnational organized crime poses a growing threat to national and international security, with direct implications for public safety, public health, democratic institutions and economic stability worldwide. Criminal networks are not only expanding but also diversifying their activities, resulting in the convergence of previously distinct threats that today have explosive and destabilizing effects.

Developing countries with weak rule of law may be particularly susceptible to the penetration of transnational (cross-border) organized crime. The penetration of this kind of crime in the States is deepening, leading to co-optation in some cases and further weakening of governance in many others. The apparent increase in the link between transnational organized crime groups, government components - including intelligence services - and high-level entrepreneurs in some states poses a significant threat to economic growth and democratic institutions. In countries where governance is weak, there are corrupt authorities who turn a blind eye to transnational organized crime.

Transnational organized crime networks infiltrate the political process in various ways. Often, this occurs through direct bribery (but also by making members compete for public office); creation of informal economies; infiltration in the financial and security sectors through coercion or corruption; and positioning themselves as alternative providers of governance, security, services and livelihoods. As they expand, transnational organized crime networks can threaten stability and weaken free markets by making alliances with political leaders, financial institutions, law enforcement, foreign intelligence, and security agencies.

The penetration of transnational organized crime into governments is exacerbating corruption and gradually destroying governance, the rule of law, legal systems, the free press, the building of democratic institutions and transparency.

The existence of an international organized crime must be considered within a global context where threats arise in a variety of ways. The unfolding and complexity of this type of crime are largely connected, in a large part of the academic literature, with the process of
globalization, which not only increases telecommunications but also enables commercial, transport and economic flows, and allows the advent of this form of crime through of borders.

In this way the process of globalization generates a series of effects on the other themes of the States' agenda, adding to the social, cultural, energetic and politically widely debated policies. This additional item in this discussion is placed in a world in which the process of globalization has generated a series of new challenges and obstacles to the actions of States internationally, since it even discusses the threat to state sovereignty caused by the inference of this crime, which ends up crossing borders around the world.

The definition of organized crime is complex and can take on a number of facets. In one, it can be said that "organized crime exists to provide illegitimate goods and services that the public demands, that is, it provides both licit and illicit goods and services, but unlawfully "(ROJAS, 2006).

Transnational organized crime is a relatively new term, which has long been used as a synonym for organized crime, but it is not a new phenomenon. On the contrary, transnational crime has its remote origin identifiable in the critical debate of organized crime, the transnational aspect being a factor used by many researchers to explain the impact of globalization on crime.

Transnational or cross-border literally means something done through the nations. It is the term destined to identify the activities that develop across the borders of the States, denoting in this way the movement: physical objects including human populations; information and ideas; and money, credit and services.

Transnational organizations obey three different criteria: complex structure, with hierarchical central command; specific way of acting, exercising the activities with support in the specialization and mastery of a technique; and develop their activities across borders, using interbank instruments for the transfer of financial capital.10

According to Albanese (2007), cross-border organized crime is a criminal enterprise developed in a rational and continuous way, aiming at illicit gain through the supply of goods or services in great demand, and keeping up with the use of physical force and threat, thus seeking the control and monopoly of illicit activity, also using the corruption of public officials.

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Still with studies by the same author, cross-border crimes have one or more of the following characteristics 11:

- Hierarchically structured organization;
- Rational search for profit;
- Use of threat or physical force;
- Corruption aimed at maintaining immunity;
- Public demand for illicit services;
- Monopoly on a particular market;
- Society restricted to certain members; and
- Extensive operational planning.

To counter this threat, the international perception of transnational crime can be observed through the political responses given by international organizations, such as the United Nations Organization (UN) and the Organization of American States (OAS), which incorporated in their discussions the impact of transnational organized crime on the global agenda and its influence on global security.

1.2 REASONS / CAUSES

The phenomenon of criminal transnationality is a recent event, fruit of the political evolutions and social unfolding of the relations originating from the Cold War. Mercantilist liberalism has taken away from the government the power of regulation and inspection, leaving to the mercy of society the limits of border and financial control and, consequently, the illegal trade resulting from the acts that it produces.

The combination of multinational efforts motivated by the fight against organized transnational crime has, as a natural consequence, caused a certain friction in the economic relations between States, creating a society for those who want to participate in the criminalized markets, not only in peripheral countries but also in central and developed countries.

The growth of transnational organized crime can be explained from two perspectives:

- **Globalization**, with the growth of transnational flows of people, goods and money, strengthening the infrastructure of global financial networks that contribute significantly to the development of both licit and illicit. But globalization should not be understood only

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11 Jay Albanese (2007) Organized Crime in Our Times, Pg 4
from an economic perspective, but as a way of changing social behavior, generating a profound change in the structures of States, in working conditions, and in international relations.

- and by the **decline of state authority**, due to the double transition: one with the political opening of economies previously closed by authoritarianism and the other caused by civil unrest and the loss of power of state institutions, due to the weakening of ties and the sharing of values and ideals brought about by the end of the cold war. Besides, this decline occurred influenced by the political openness that promoted a weakening of the international control of people and goods, corruption fomented by the great flows of illicit capital, and the impossibility of sharing the values between the western and eastern civilizations.

Organized crime, especially linked to violence related to drug trafficking, threatens peace, security and prosperity in Latin America and is therefore a source of structural violence. The strong influence of crime on state regulatory institutions and on the functioning of armed institutions, judicial apparatus and penitentiary systems through corruptive means demonstrates a relationship where crime acts directly on stability and peace in the States.

It is worth remembering that the South American context has a strong congruence of factors that provide the conformation of crime in the region, including a culture of illegality (SAIN, GAMES, 2014, p 126). The illegal practices practiced and legitimized by Latin American societies are part of the set of structural conditions that allow the rise of organized crime in the region and, more specifically, the development of drug trafficking. These conditions end up attracting individuals to the crime. In addition to the lack of trust in public institutions, there is a significant amount of illegal financial flows that are very attractive in an environment of social inequality and lack of opportunities in poor areas.

Inequality and impoverishment, combined with the inability of national states to deal with poverty and exclusion in the distribution of economic, political and social resources, explain the main reasons for the proliferation of juvenile delinquency and violence, leading to people in situations of social vulnerability, like young people, to engage in the practice of crimes such as drug trafficking.12

In South America, many young people work in drug trafficking and prostitution, especially those at the bottom of the social pyramid who live in disadvantaged

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12 Imbusch, Misse e Carrión (2011)
neighborhoods with low-income families and are subjected to trauma due to poor living conditions, domestic violence, poor education, lack of leisure options, police violence and discrimination. Youth violence and crime then emerge as a response to socioeconomic conditions to which young people are exposed.

Figure 5 – kids smoking crack

For young people facing social disadvantages that they cannot cope with, it is preferable to enter into drug trafficking when facing adverse conditions imposed by an unjust social structure (IMBUSCH; MISSE; CARRIÓN, 2011). In this way, drug trafficking is benefited by the existence of this structure of violence that moves individuals in the direction of crime. As a result, violence generates greater inequality and social exclusion, and these generate more violence and crimes, creating a vicious circle.

In the process of development and expansion, organized crime goes through phases determined by the expansion or diversification of illegal activities, the reconfiguration of the structures of the groups that lead it and the relations with allied or competing groups, as well as state organs and the society in whose context they act.

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13 Source: https://blogdacidadania.com.br/
14 BLACKWELL; DUARTE, 2014, p. 121.
The first phase is an implementation phase, called "predatory phase", and consists in the search and domination by an exclusive area for the development of its activities and propitious to the expansion thereof. For this purpose, the criminal group acts through the illegal use of force and establishes a relationship where it is still subject to subordination to political or economic agents.\textsuperscript{15}

Then, in the second phase, this relationship of subordination is transformed into a parity relationship of the criminal group with the political and economic agents by establishing the criminal group's dominance over a given area and the expansion of its activities. Such dominance and expansion occurs through the ability to meet the demand for illicit goods and services, the corrupting influence of organized crime on political actors, and the money laundering process.

In this phase of development and expansion of organized crime, known as the "parasitic phase", the corrupt interaction between the criminal group and political actors allows the insertion of criminal organizations into legitimate areas of society, increasing their influence on the economy, politics and local institutions, breaking the characteristic subordination relationship of the first phase.\textsuperscript{16}

Finally, the third stage is marked by organized criminal dominance over social, economic, political and governmental structures, where organized crime becomes part of the state. At this stage, known as the "symbiotic phase", the criminal group has sufficient economic, political, and institutional capacity to establish a relationship of 'mutuality' or subordination with the economic and political sectors.\textsuperscript{17}.

Cross-border organized crime is an important factor of structural violence and insecurity in Latin America (AVILA, 2014). According to Dreyfus (2009a), in recent decades the phenomenon of organized crime has presented significant development in Latin America due to economic crises caused by the external indebtedness of the States and the state inability to promote fiscal adjustments, providing an environment favorable to the growth of informal economies. With the structuring of organized crime in networks of criminal groups operating across national borders, the informality of Latin American economies favored the development of organized crime activities on the continent. At this point, the illegal economy stimulated by criminal organizations is one way of legitimizing organized crime assets obtained illegally or through legal gaps in national legislation.

\textsuperscript{15} SAIN; GAMES, 2014, p. 122
\textsuperscript{16} SAIN; GAMES, 2014, pp. 122-123.
\textsuperscript{17} SAIN; GAMES, 2014, pp. 122-123.
1.3 FORMING AND DEVELOPMENT

The formation of illegal local markets in Latin America, although they have different characteristics in each country, is a common reality of the countries of the region. These markets are based on the growing supply of illegal goods and services and a constant demand that fuels this market and offers advantages such as constant capital flow, cheap labor, the possibility to sell products in new markets and acquire low cost contraband, as well as the infiltration capacity of criminal organizations into the legal economy. In short, the creation of illegal local markets allows the formation of a local social base within this process and the laundering of assets derived from organized crime activities in the legal economy (GARZÓN, 2012, pp. 6-7).

This relationship with the legal systems of the states is one of the faces of organized crime. In general, the spread of organized crime in Latin America is due in large part to the interconnection between criminal businesses and the economic and political sectors of the states. This is due to the active complicity between governments and criminal businesses and to the commercial infrastructure that allowed the development of illicit businesses using also large and legal companies.

In addition, the interaction of these criminal businesses with state agencies of control and supervision and legal activities of the economic and financial market has increased the influence and relevance of the organized crime business in the economic and political-institutional sectors of the states, exerting enormous pressure and damages on the productive and financial fabrics in case of disarticulation of these relations (SAIN, GAMES, 2014). For example, it is considered that global financial capitalism is entirely dependent on the resources injected into the economy by drug trafficking, since "the amount of foreign exchange coming from drug trafficking is such that one could say that a collapse in that circuit would mean the collapse of globalized capitalism itself " (HAESBAERT; GONÇALVES, 2006, p. 64).

This form of insertion of criminal businesses into the political, economic and financial structure was only possible in view of the high level of corruption in the public and private sectors in Latin America, from control and oversight bodies to judicial institutions and security forces. Bribery of criminal groups to agents of these spheres has made it possible to construct zones of influence and control of organized crime. When this practice of corruption was not enough, violent and coercive actions to provoke damage or to destroy
these legal instances were used as alternatives for the criminal groups to reach their goals (SAIN; GAMES, 2014).

Transnational organized crime in Latin America usually invokes images of threatening drug cartels, violent gangs, abominable arms dealers, obscure networks of criminal hackers, "intermediaries" of women, children and immigrants, among others. Despite widespread concern throughout the Americas with organized crime, there is a surprising lack of clarity about the phenomenon and therefore the best ways to address it. A number of unilateral and multilateral declarations have emerged throughout Latin America promising a war against proponents of organized crime.

South America is not a common place for terrorist threats but, indeed, terrorism is a concerning for security in the region. The lastly active and most prominent terrorist group in the region is the Revolutionary Armed Forces of Colombia - FARC (Spanish acronym to Fuerzas Armadas Revolucionarias de Colombia).

![FARC terrorists](image)

In the last 5 decades, the conflict in Colombia left more than two hundred thousand dead. The FARC used violence, kidnappings, and extortion as sources of leverage and income. The FARC also participates in the lucrative market of production and sale of cocaine. In the beginning at 20th Century, Colombia was responsible for as much as 90% of the world’s cocaine production.

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18 Source: truther.org - WordPress.com
The issue of arms trafficking has a huge relationship with other problem issues in the South American region. Threats such as drug trafficking, terrorism, organized crime, money laundering and other illicit activities, are found in the internal institutions of the States due to their mismanagement and inability to provide, with quality, one of the vital survivals of its population, security - from which comes the concept of failed states. Such internal weaknesses are detrimental not only to society, which remains vulnerable to the threats, but also the neighboring countries, which are involved and receive part of the burden due to the transnational character of these problems.

These threats, whose origins lie internally with the State, but which have external effects, transcending national territorial boundaries, emerged in the debate on international relations after the end of the Cold War, after a long period of latency, due to the priority given to questions of order military-strategic during the bipolar period. Such diffuse threats can affect all spheres of a state, from military to societal and environmental, according to Buzan et al. they point out.

Figure 7 – largest cocaine producers

Source: www.statista.com
1.4 CURRENT SITUATION

Organized crime has had a major impact in Latin America and, by extension, in South America. An example of this have been the levels of crime that have made Latin American cities the most violent and insecure cities worldwide. Even though they only have 8% of the total world population, they concentrate 75% of the global kidnappings. Drug trafficking has been one of the main factors in the growing levels of corruption, violence and political instability. In 10 out of the 13 countries that offer credible data, the levels of delinquency have multiplied between 4 and 6 times since the 90s. The situation worsens because of dysfunctions suffered by the States.21

A new report by the U.N. Office on Drugs and Crime finds that Latin America is the most dangerous region in the world. Whereas most countries’ violence levels have decreased, the homicide rate in Latin America grew by 11 percent between 2000 and 2010, and more than 1 million people have died as a result of criminal violence. Robberies tripled in the past 25 years, with one in five people affected.

![Figure 8 – homicide rate in Latin America](image)

Naturally, not all Latin American countries are the same when it comes to violence; homicide rates in Honduras and Venezuela outpace the rest of the world. Meanwhile, Chile

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21 Aravena, Francisco, 2015
22 Source: United Nations Office on Drugs and Crime (UNODC)
has a rate of just 3.1 homicides per 100,000 inhabitants. Countries such as Colombia, Guatemala, El Salvador and Costa Rica are seeing downward trends in homicide figures.

But, unfortunately, as a region, the overall rate has increased in the past decade, with much of the violence attributed to transnational crime and gangs.

Sixty six percent of all homicides across the Americas involve the use of firearms, compared to 28 percent in Africa and Asia and 13 percent in Europe. In major Latin American economies — Argentina, Brazil, Chile, Colombia and Mexico — personal firearms are permitted, but obtaining the necessary permits is an arduous ordeal, with restrictions such as passing physical and psychiatric exams, undergoing firearm training and proving no criminal history.

But not only firearms contribute to violence. According to Organization Global Financial Integrity (GFI), a non-profit research and advisory organization, which produces high-caliber analyses of illicit financial flows, the international community has been aggressively combatting drug trafficking for more than 40 years, but supplies of drugs are undiminished and prices have not risen. Following studies made by this organization, human trafficking for forced labor and sexual exploitation has exploded. Counterfeiting and pirating of pharmaceuticals, consumables, luxury goods, and intellectual property is the biggest single transnational criminal activity, likely exceeding US$1 trillion in retail value.

Illegal logging, mining, fishing, wildlife trade, oil theft, and trafficking in cultural property withdraw hundreds of billions of dollars of resources from developing countries. The illegal organ trade preys upon the poor, while arms trafficking protects the criminals.

Next, will be shown below the main activities related to transnational crimes that affect Latin America, especially South America.

1.4.1 The Drug Trafficking

The global drug trafficking market was worth US$426 billion to $652 billion in 2014. It represents about one-third of the total retail value of the transnational crimes studied here. Cannabis was responsible for the largest share of drug trafficking, followed in order by cocaine, opiates, and amphetamine-type stimulants (ATS). ATS and cannabis are produced all over the world, while the production of cocaine and opiates is concentrated in South America and Afghanistan, respectively. Drug trafficking organizations (DTOs), organized

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crime groups (OCGs), guerrilla groups, and terrorist organizations are all involved in drug trafficking. OCGs in West Africa have increased their control of the drug market in the region, and the volume of heroin trafficked from Afghanistan through East Africa is escalating, stoking consumption.25

The drug sector is the most important segment in terms of volume, income generation and impact on societies among the activities carried out by organized crime 26. Drugs provide the profits needed for criminal organizations to confront the state or corrupt state agents.

Although organized crime generally does not seek to overthrow the state and place itself as its alternative power, institutional weaknesses provoked by criminal activity threaten long-term peace prospects, substantially affecting the structural violence of countries. On the other hand, drug trafficking also has catastrophic consequences for levels of local direct violence. According to UNODC (2010), the so-called "war on drugs" parallels many armed conflicts in terms of the dead. Many countries with the highest rates of homicide deaths in the world are also among the largest drug producers or major transit countries in the drug trade.

It is true that organized crime presents itself in different forms in the regions and sub regions of the continent, as a result of diverse local factors and realities. Thus, international organized crime networks and other non-state actors, such as terrorism, are not homogenous or equivalent, as they are not limited to criminal nature as a security problem.27

In fact, the motivations, forms of activity financing, organizational and hierarchical structure, methods of operationalization of activities, transnational linkages and techniques of violence use differ widely among violent non-state actors.28

The creation and reproduction of illicit networks are closely linked to the economy. Trade and power networks are fueled by unemployment and precarious labor, and so work through the expansion of globalized financial capital, which, through deregulation of the economy, financial speculation and indebtedness produces an environment conducive to the development of illegal networks of economy and power. Nevertheless, despite the different illegal flows from these networks, such as trafficking in persons, organs and armaments, for example, drug trafficking is most responsible for the movement of capital in illegal

26 United Nations Office on Drugs and Crime, 2010
27 SILVA FILHO, E. B.; OLIVEIRA JUNIOR, A., 2014
28 AVILA, C. F. D., 2014
economies (HAESBAERT, GONÇALVES, 2006, 60-61). In fact, drug trafficking is extremely profitable and influential on human lives, being linked to the political, economic, social and cultural sectors.29

Drug trafficking mobilizes more people and resources today than at any other time in history. It is undoubtedly the main activity of organized crime. There is no country that is not directly or indirectly involved in its web of power. Much of this scope is due to the ease of transportation and transportation that came in the wake of globalization. In this process, each element has a complex structure that demands the association and involvement of private, paramilitary, economic groups and national governments.30

In this context, there is still a risk of association between different types of violent non-state actors around drug trafficking, including in South America, after all, drug trafficking is responsible for maintaining guerrilla groups, paramilitaries and financing dictatorships, corrupt regimes and movements of separatist aspirations.

In this sense, the United States positions itself as one of the main stakeholders in the drug trafficking route, alleging that international criminal organizations linked to drug trafficking in Latin America would have relations with extremist groups and terrorists in the Middle East. In peripheral countries, the links between drug trafficking and the state are even stronger because of the money and power of drug trafficking. This relationship, which also involves global financial capital, finds in money laundering the ideal tool for integrating the illegal drug economy into legal financial capital.31

The United Nations Office of Drugs and Crime estimates that globally 40 percent of cocaine and heroin are interdicted somewhere between production and consumption, but less than one percent of drug money is ever recovered. The United States Drug Enforcement Administration and similar organizations across the globe concentrate heavily on seizing drug products and expend far fewer resources on tracking and blocking drug money. The truth is, drug traffickers can afford to lose not just 40 percent but 60 or 80 percent or even more of their product if they can keep more than 99 percent of the revenues.

It is estimated that there are 270 million drug users in the world, being one and a half in Brazil. A population 27 times larger than that of Portugal, four and a half times greater than that of France, six times larger than that of Colombia. In short, a number of people who, together, would form the fourth most populous country in the world.

29 BAGLEY, 2012.
30 HAESBAERT; GONÇALVES, 2006, p. 61.
31 HAESBAERT; GONÇALVES, 2006, pp. 62-64.
The largest consumer market is the United States, which, according to the most reliable calculations, consumes about 165 tons of cocaine annually. Secondly, but rapidly advancing, comes Europe, which consumes about 124 tons per year. These two markets are basically supplied by Latin American cocaine production, more specifically the Andean region, Bolivia, Peru, Colombia, and, to a lesser extent, Ecuador. Most of what comes to the United States passes through Mexico, where, in fact, it consumes 17 tons a year, leaving Canada with its 14 tons behind.

![Drug flow diagram](image)

Figure 9 – Drug flow

1.4.2 The Illicit Arms Trade

Latin America is a strategic region for the control of the traffic of arms and other forms of organized crime due to its recent history with armed conflicts, because it is a transit zone for various types of smuggling, due to its high levels of socio-economic inequality and because it has a weak institutional system that raises a certain degree of uncertainty in its capacity to properly enforce the law and to exercise transparent judiciary processes.

The trafficking of small arms and light weapons is one of the least profitable transnational crimes, but it is also one of the most consequential for human security in developing countries. This market was worth US$1.7 billion to $3.5 billion in 2014, which represents 10 to 20 percent of the legal arms trade. Three main factors drive prices: an area’s

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32 Source: www.unodc.org
level of conflict, political unrest, and political tension; the distance over which the items are
smuggled; and, the levels of enforcement traffickers must overcome. Internet-based
trafficking represents a growing challenge to combating weapons smuggling.
Decommissioned weapons that had been sold and then illegally reactivated were used in
several recent terrorist attacks in Western Europe and represent another trending threat of
arms trafficking.

Regarding to illegal sales routes in South America, the final destination is most often
Colombia, as it is home to the largest number of buyers of arms and ammunition, as well as
being a major supplier of cocaine - often used by paramilitary and guerrilla organizations as
a currency of exchange and payment. The main points of entry and exit of cargoes trafficked
in Brazil are the borders with Paraguay and Bolivia.

It is known that the Amazon region is the cradle or route for numerous illicit activities,
such as drug trafficking, arms and ammunition, biopiracy, illegal logging, and organized
crime and money laundering, among others. The presence of Colombian guerrillas and drug
traffickers, who run airstrips, laboratories, and maintain smuggling routes and distribution
centers within the forest (LOPES, 2009, p. 94), undoubtedly contribute to making border
protection even more difficult and for the proliferation of other related illicit actions.

The arms trafficking carried out in the Amazon region, having as its main destination
the illegal armed groups, happens through several shipments containing small amount of
arms. All means of transportation are available, with a wide variety of routes and entry
points. The Amazon rainforest is characterized by the scarce presence of the States, due to
the difficulties mentioned above. Colombia also suffers from the lack of technical and
human resources, which prevents it from maintaining permanent and effective surveillance
across most of its borders (UNODC, 2006).

The Amazonian countries, bordering Colombia, are more than great suppliers of arms to
the Colombian irregular groups, they are transit territory for the armament originating from
other parts of the world - and often supply with Colombian illegal armed groups. The
extensive, increasingly porous frontiers are easy targets for traffickers, who find themselves
in an inhospitable environment, virtually without state control and largely made up of
indigenous groups.

Most illegal weapons enter Colombia by land across borders; followed by maritime
transport, mainly using Panama as a gateway; and, thirdly, the fluvial and aerial means are
used - through the Amazonian borders and inaccessible to conventional vehicles, as is the
case of the Brazilian border. Another means of transport used is "human couriers". Colombian armed groups prefer to use the airway on the Amazon border because of the large deficiencies in radar coverage, which facilitate the entry of traffickers into Colombian territory, especially if airplanes fly at low altitudes (UNODC, 2006).

In Brazil, the Federal Police identified four main routes of arms trafficking in the Amazon region: (1) armaments leave the United States, through Panama and Brazil, to be later exchanged for drugs in Colombia; (2) the weapons come from the USA, through Mexico and Paraguay, to Brazil; (3) US armaments pass through Mexico and enter Brazil through ports (Rio de Janeiro and São Paulo) and Rio de Janeiro airport; (4) European weapons leave Rotterdam, the Netherlands, enter Suriname, pass through Brazil and are delivered to Colombia.

1.4.3 Other Transnational Crimes
1.4.3.1 Human Trafficking and Smuggling

Human trafficking, for labor and for sex, is one of the fastest-growing transnational organized crime markets. An estimated 24.9 million victims are trapped in modern-day slavery. Of these, 16 million (64%) were exploited for labor, 4.8 million (19%) were sexually exploited, and 4.1 million (17%) were exploited in state-imposed forced labor, which the International Labor Organization estimates generates US$150.2 billion in profits each year. 33 The South America region is responsible for almost 2% of this market.

Human trafficking is playing a growing role in terrorist and insurgent activities and groups, and the spread of the internet has provided traffickers with additional, far-reaching means to reach both victims and victimizers.

1.4.3.2 Illegal Organ Trade

Organ trafficking conservatively generates approximately US$840 million to $1.7 billion annually from around 12,000 illegal transplants. This estimate comprises the “sales” of the top five organs: kidney, liver, heart, lung, and pancreas. Kidneys are the most common for legal and illegal transplants and are the least expensive on the black market, because they can come from living donors. Brokers/scouts operate within sophisticated and specialized networks to recruit the vendors, the recipients, and the necessary medical professionals in traditional models of organ trafficking. In many cases the donor participates willingly, whereas there are further scenarios where they are pressured or forced into the

33 Transnational Crime and the Developing World
transaction. Organ traffickers coerce migrants and refugees to sell kidneys to pay for passage to Europe, among others.

According to the World Health Organization (WHO), illegal organ trade occurs in all continents. From 20 countries with the highest incidence of illegal organ trafficking, 4 are in South America. They are: Brazil, Colombia, Ecuador and Peru.\textsuperscript{34}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{kidney_world_order.png}
\caption{The Kidney World Order\textsuperscript{35}}
\end{figure}

1.4.3.3 Illegal Wildlife Trade

Estimates place the annual retail value of the illegal wildlife trade between US$5 billion and $23 billion. Per kilo, the retail revenues for ivory or rhino horn can be equal to or greater than the equivalent amount of cocaine or heroin, yet the legal penalties are considerably more lenient. The illegal wildlife trade relies on a sophisticated global supply chain, run by well-funded organized crime groups. In developing countries wildlife trafficking robs local communities of much-needed revenue streams and has deleterious impacts on the environment, security, and rule of law, and little of the profit goes into the domestic economy.

\textsuperscript{34} A Criminological Perspective: Why Prohibition of Organ Trade Is Not Effective and How the Declaration of Istanbul Can Move Forward\textsuperscript{\textsuperscript{\textsuperscript{\textsuperscript{3}}} American Journal of Transplantation.}

\textsuperscript{35} http://www.medicaldaily.com/organ-trafficking-international-crime-infrequently-punished-247493
Wildlife trafficking transit chains in Latin America are complex, secret, and as varied as the many common and threatened animal species targeted. After poachers illegally pluck wildlife from their habitats, the animals are passed on to middlemen, who move them along clandestine routes before selling them to anonymous consumers at home or abroad.

Traffickers involved in the international trade frequently smuggle contraband across poorly secured borders into neighboring countries that lack strong trafficking laws, with the animals, or animal parts, shipped overseas from there.

Routes and smuggling techniques shift regularly as traffickers play a cat-and-mouse game with enforcers. When one method is discovered by customs officials — such as sewing tiny tropical parakeets into a garment worn on a plane — smugglers contrive another to move their illegal cargo — maybe using a “mule” or local person to claim a valuable monkey as a “beloved pet” as a means of moving it across a border and into the lucrative pet trade.

1.4.3.4 Illegal Logging

Illegal logging is estimated to be valued at US$52 billion to $157 billion dollars per year; this makes it the most profitable natural resource crime. Illegally-procured timber accounts for 10 to 30 percent of the total global trade in timber products, however this crime principally occurs in Southeast Asia, Central Africa, and South America, where an estimated 50 to 90 percent of timber from these regions is acquired illegally. Illegal logging in conflict zones often contributes to financing and fueling violence. Groups that engage in illegal logging continue to use trade misinvoicing and anonymous shell companies to evade logging restrictions and avoid scrutiny. China is the primary destination for the majority of illegally-sourced timber.

1.4.3.5 Illegal Mining

A 2016 United Nations Environment Programme and INTERPOL assessment estimates that the illegal extraction and trade in minerals is worth US$12 billion to $48 billion annually. Illegal mining is largely confined to developing countries. Experts estimate that illegal gold mining in nine Latin American countries is worth approximately US$7 billion each year. Conflict diamonds are generally thought to represent less than one percent of global production, however illicitly mined diamonds are estimated to account for 20 percent of worldwide production and were worth approximately US$2.74 billion in 2015. The exploitation of natural resources is a lucrative source of financing for organized crime groups, terrorist organizations, and insurgent groups.
1.4.3.6 Cybercrimes

Globalization has increased the dependency on new technologies of information and communications. Aside from this, new vulnerabilities and risks have appeared. One of the greatest threats is the attacks on cyber-security. Crimes in this field affect privacy and threaten global stability, producing many losses in companies and individual consumers that are part of the commercial market.

Approximately 58 percent of Brazilian population uses the internet. This is about 120 million people. It compares with 49 percent of both China and South Africa and 18 percent of Indians. At least 45 percent of all banking transactions in Brazil are digital. Brazil, with 130 machines per 100,000 adults, has a larger density of ATMs than the United Kingdom (127 per 100,000), France (109 per 100,000), or Germany (116 per 100,000). Therefore, it is not surprising that the country is an important target for cyber crimes.

![Figure 1 - Cybercrime in Latin America](image)

Figure 11 – Cybercrime in Latin America

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37 [www.insightcrime.org](http://www.insightcrime.org)
According to Robert Muggah and Nathan Thompson\textsuperscript{38},

\[\text{[...] Brazil is at the epicenter of a global cybercrime wave. The country ranks second worldwide in online banking fraud and financial malware, and the problem is only getting worse. According to official sources, the number of cyberattacks within the country grew by 197 percent in 2014, and online banking fraud spiked by 40 percent this past year.}\]

1.5 IMPACTS

Latin America and the Caribbean have gone through a tremendous change in the last two decades. While the region has moved away from civil wars, towards representative democracies and experienced a growth in the size of its middle class as well as significant economic growth, even amidst a world downturn, it has also become the most violent place on the planet. The top five most homicidal nations in the world are in the Americas, four of them in Central America.

Part of the explanation for this dichotomy is to look at the criminal markets themselves. New drug markets, particularly for cocaine in Europe, Asia and Africa, have led criminal groups to change their routes, partners and means of transport. The resulting shifts have coincided with better law enforcement and stricter laws regulating, for example, the movement of money. Larger criminal organizations have responded by changing their locations and modus operandi, thus empowering lower-level criminal groups in countries around the Americas.\textsuperscript{39}

Transnational crimes constitute a major threat to the security of the State and society; or by drug trafficking, which maintains the main subversive groups responsible for maintaining the conflict; whether through the trafficking of arms and ammunition, which allows poverty, corruption, money laundering develop.

The consequences of this system are the considerable increase in internal violence, the spread of firearms among civilians, the loss of state sovereignty, the spreading of the harmful effects of threats to neighboring countries, and the maintenance of around the world, to name just a few of these effects.

The black market for weapons, especially rifles intended for illegal armed groups, is dynamic and continuous, since at each apprehension such groups lose significant quantities


\textsuperscript{39} Dudley, Steven – Criminal Evolution and Violence in Latin America and the Caribbean, 2014
of war material. The FARC, for example, loses about 1,300 rifles a year in Army seizures (UNODC, 2006), which accounts for their continued need and demand, which keeps the illicit arms trade in full operation in order to replace the weapons lost in confrontations.

The Cross-Border Crimes constitute in severe threat to National Security, acting in all fields of National Power:

- In the **political field**, corruption, obstruction of justice and the weakness of the State make up a highly favorable climate for the establishment of organized delinquency and for the growth, operation and impunity of different criminal organizations, which ends up deteriorating the quality of democracy.

- In the **economic field**, there are several damages to private sector, because they have illicit activity as their main activity, their capital is not tied to any tax obligation, so that when they enter the lawful activities of the economy, organized crime cartels tend to offer their products below the market average and, even with a lower value than the manufacturer, making it more difficult to compete with companies that act lawfully in the same activities. With the continuous expansion of the areas of "lawful" activities organized crime cartels tend to dominate the private market, eliminating all competition.

- In the **social field**, transnational crimes mean that power ceases to be one of the attributes of the state legitimately conferred by its citizens and is transferred to a small global criminal elite, contrary to all ethical and moral principles that underpin a society. Thus, the state becomes a virtual ruler, puppets in the hands of organized crime lords.

In addition to the immeasurable negative effects on the state, mentioned above, transnational organized crime is responsible for the deaths of millions of people around the globe through their illicit activities mainly as a result of the trafficking of narcotic substances and sexual exploitation.\(^\text{40}\)

\(^{40}\) BAUMAN, Zygmunt., 1999
2. THE EMPLOYMENT OF BRAZILIAN ARMED FORCES AGAINST CROSS-BORDER CRIMES

Several new theories and concepts, some more, others less convincing, have been proposed in order to try to explain this so-called new nature of war, as Revolution in Military Affairs, War of Fourth Generation, Asymmetric Warfare, Hybrid War, War in the Middle of the People and others.

According to the Stockholm International Peace Research Institute (SIPRI), there were fifteen active conflicts in the world in 2010\textsuperscript{41}. Of these, four involved territorial disputes and eleven, disputes by the government. Over the past decade, active conflicts over government have outpaced those motivated by territorial issues, and of twenty-nine conflicts in total, only two have occurred between states. It is seen that, even among conflicts with territorial motivation, half of them occurred within the states.

The trend is clear: current conflicts are mostly intrastate and mostly driven by disputes over local political power.

The traditional modern war stipulated clear spatial and temporal delimitations, defined goals, an easily identifiable and external enemy, and a definite end, with the victory of one of the parties or an agreement.

The "new threats", on the other hand, are multiple and dispersed, and can occur anywhere and at any time, in the internal or external environment of the countries. When enemies become abstract concepts or sets of practices - such as terrorism - that can be present anywhere and at any time, the spatial and temporal limits of war become increasingly indeterminate and it mingles with the activities of internal security and police actions.

The need to combat these new types of threats has transformed some military doctrines, strategies and tactics, making the Armed Forces adapt to combat these irregulars. And the Brazilian Armed Forces must be prepared to confronting the non-traditional threats, accomplishing tasks imposed by Brazilian Society, according to the law and regulations, as will now be shown.

\textsuperscript{41} SIPRI Yearbook 2011
2.1 BACKGROUND

Article 144 of the Federal Constitution of 1988 provides that Public Safety is the duty of state organization, right and responsibility of all. It indicates that its exercise is destined to the Preservation of the Public Order and the Incolumity of the People and the Patrimony.

The constitutional provision above discriminates, strictly speaking, the bodies responsible for exercising it, namely, the Federal Police, the Federal Highway Police, the Federal Railway Police, the Civil Police, the Military Police and the Military Fire Brigade. It should be noted that this constitutional role does not include the Armed Forces.\(^{42}\)

The Federative Republic of Brazil is composed of the indissoluble union of States and Municipalities and the Federal District, becoming a Democratic State of Law with administrative political autonomy of its federated entities, with respective competences established in the Constitutional Charter, resulting from this state organization an internal sharing of the attributions of the Federal, State and Municipal Governments, without supremacy of one over the other.

The Armed Forces are made up of the Brazilian Navy, the Brazilian Army and the Brazilian Air Force and are intended for the Homeland defense, the guarantee of constitutional powers and, at the initiative of any of them, of law and order. This is the constitutional provision contained in Article 142 of the Federal Constitution.

It follows that the role of the Armed Forces is not directed towards the preservation of public order nor to the execution of activities typical of the police forces listed in Article 144 of the Constitutional Charter and that action in this area can only occur in a situation of temporary exceptionality, within the concept of acting to guarantee law and order.

The role of the Armed Forces to guarantee law and order is secondary, exceptional in nature, dependent on justifications and initiatives of the legitimate authorities, representatives of the federal powers, that is, the President of the National Congress, the President of the Republic, or the President of the Federal Supreme Court.

It is only subsidiary and eventually the Armed Forces is responsible for the defense of law and order, because this defense is the primary competence of the public security forces,

\(^{42}\) Agevan, Razec, Marinha, exército e aeronáutica: atividades de preservação da ordem pública, 2017
which comprise the Military Police of the States and the Federal District, among other civil police.

The President of the Republic, as commander-in-chief of the Armed Forces, assisted by the Minister of Defense, and by the Defense Council, is responsible for the employment of military means and for the strategic direction of the Armed Forces, as provided in the Article 2 of the Complementary Law Nr 97 of June 9th, 1999.

The employment of Brazilian Armed Forces against cross-border crimes is planned in the Strategic Plan of Border. The last version of this plan was signed by the President of Republic on June 8th, 2011. Among the objectives of the Plan, the integration of public security and custom control agencies is highlighted below:

Art 3º - *The Strategic Plan of Borders will have as objectives:

I – *The integration of Public Security agencies, Custom control agencies, and Armed Forces with the action of States and Municipalities situated in the borderland.*

The Brazilian National Strategy of Defense has some guidelines. Among them, we can highlight some, for the purpose of this research:

– Brazil must develop the ability to monitor and control the Brazilian Air Space, the territory and the jurisdictional areas;

– Brazil shall enhance the presence of Army, Navy, and Air Force units in the borderline areas;

– The Amazon Region shall be prioritized;

– Brazilian Armed Forces are to prepare troops to fulfill law and order enforcement missions, under the terms of the Federal Constitution.

At this point of this research, it is clear that the law regulates the Brazilian Armed Forces employment against cross-border and environmental crimes. It is also clear that this employment is planned at the high level of Federal Government, according to Strategic Border Plan and National Defense Strategy.

To implement those measures, in order to accomplish its constitutional and legal missions, the Brazilian Army employs its Units by the vast borderline region of the country.

Since the far south, until the up north, the Army has twelve Brigades inside the legal border area (an extension of almost 17,000 kilometers by 150 Km of wide – approximately 2.5 million Km². That means the Army has approximately 45,000 troops inside the borderland.

The employment of Brazilian Armed Forces in this kind of mission has an important feature: it is an interagency operation. Interagency operations occur in an environment characterized by multifunctionality of actors (agencies), by the complexity existing in the relations, as well the mutual dependence.\textsuperscript{44}

2.2 BRAZILIAN SECURITY FORCES

The Brazilian Security Forces seeks to work in a partnership and joint effort of governmental and non-governmental bodies, structured to achieve political and strategic objectives of national interest, harmonizing diverse cultures and efforts, in response to complex problems, adopting coherent and consistent actions.

The concept of interagency process establishes a clear vision of the direction of efforts to achieve convergent objectives. In this way, the Defense becomes one of the vectors within the line of action adopted, for the prevention of threats or for crisis management, along with other power structures of the State and society.\footnote{Ministry of Defense. Field Manual MD33-M-12 – Operações interagências (Interagency operations). Brasília. Brazil. 2012.}

In the midst of the debate about the country's defense capabilities and its increasingly prominent role in international relations, interagency cooperation emerges as a challenge for public policies of national defense. Given the complexity of the problems that inhabit the defense agenda and its multiple structures of causality (RAZA, 2012), there are almost always a large number of actors with similar or competing competencies to deal with the same issues.

The elaboration of more efficient strategies of action necessarily passes through the harmonization of the divergent interests existing in the various governmental instances that act directly or indirectly in the arena of the politics to be faced. Knowing that interagency operations are joint strategies through which diverse instances with action scope and different bureaucratic bodies propose shared procedures to solve problems of hybrid arenas, the questions about solutions and behaviors to alleviate problems became recurrent.

There are several governmental agencies working in the border area of Brazil. We can mention Federal Police, Militar Police\footnote{The Militar Police, in Brazil, is not subordinated to the Armed Forces. It is directly subordinated to the states – Author’s note.}, Federal Revenue Service, Brazilian Institute of Environment, Federal Highway Police, Brazilian Intelligence Agency, National Foundation of Indians, Health Surveillance, amongst others. All these agencies have their own responsibilities, priorities, means, budgets, and professional cultures.

The interagency environment creates several challenges for the employment of the armed forces, once requires from military commanders the ability to mediate conflicts, create consensus, coordinate efforts and forces from all the actors involved.
2.2.1 Brazilian Armed Forces

The Brazilian Armed Forces are comprised of Navy, Army, and Air Force. The three forces are parts of the Ministry of Defense, which guides, supervises and coordinates all the actions of the Armed Forces.

The Armed Forces are national, permanent and regular institutions, based on hierarchy and discipline. The President of the Republic is the Commander in Chief of the Armed Forces. Their mission is defending the homeland, the defense of the constitutional branches of power and, by order of any of these branches, the guard of law and order, with the aim of preserving state sovereignty and federal union.\(^47\)

According to law\(^48\), the Brazilian Armed Forces are responsible, among other pertinent activities, for Subsidiary functions, preserving the exclusive competences of the law-enforcement forces, using preventive and repressive measures in border regions, both at sea and interior waters, regardless the ownership or destination, acting against transborder and environmental crimes, executing actions including:

I – patrolling;
II – control checks of individuals, ground vehicles, ships, and aircraft
III – arrests in flagrant crime commission.\(^49\)

Brazil has the largest active duty military force in South America – second in the Americas, only behind the United States of America. Brazil’s military has transformed from a strictly conventional force into a versatile force that has gathered much peacekeeping experience over the last decade, thus gaining, even more, respect from other militaries in the region\(^50\).

The total effective of Brazilian Armed Forces is about 330,000 men and women. Among that total, about 65,000 personnel are from Navy; 200,000 compose the Army and about 70,000 troops are in Air Force Service.\(^51\)

\(^47\)Federal Constitution of Brazil, Art 142
\(^48\)Suplementary Law Nº 97 – 1999/06/10, Last amendment: Complementary Act Nº 136 – 2010/25/08, Sec, 15 and 16
\(^49\)See Suplementary Law Nº 97 – 1999/06/10, Last amendment: Complementary Act Nº 136 – 2010/25/08, Sec, 15 and 16
\(^50\)TAVARES, Rodrigo. Security in South America: The Role of States and Regional Organizations. First Forum Press, USA, 2014
In order to effectively meet the employment hypotheses, the Armed Forces must be organized and articulated in order to facilitate joint and singular operations, adequate to the peculiar characteristics of the operations of each of the strategic areas.

The main instrument, through which the Forces will develop their tactical and strategic flexibility, will be the coordinated work between them, in order to take advantage of the dialectics of concentration and demobilization.

Therefore, the Forces, as a rule, will define their operational guidelines together, privileging this joint vision as a way to deepen their capabilities.

The institutional framework for this unified work will be the collaboration between the Joint Staff of the Forces and the Joint Chiefs of Staff of the Armed Forces, in establishing and defining joint course of action.

In this sense, the educational system of each Force will provide courses, in addition to the existing ones, and will carry out research and formulation projects in conjunction with the other Forces systems and the Superior War School.

Likewise, the Armed Forces must be equipped, articulated and trained, since the times of peace, according to the guidelines of the Ministry of Defense, performing singular and joint exercises. Thus, based on the National Defense Policy, the National Defense Strategy and the Military Strategy resulting therefrom, the Armed Forces submit to the Ministry of Defense their Equipment Articulation Plans, which contemplate a proposal for the spatial distribution of military and military installations. quantification of the necessary means to effectively meet the employment hypotheses, in order to:

- combat power that provides credibility to the strategy of deterrence;
- resources available to the national defense system to improve surveillance; control of airspace, land borders, territory and Brazilian jurisdictional waters; and national strategic infrastructure;
- increased military presence in the strategic areas of the South Atlantic and the Amazon region;
- increasing the participation of governmental, military and civilian bodies in the plan for the vivification and development of the Amazon border area, employing the presence strategy;
- the adoption of articulation that addresses the issues of concentration of resources, operational efficiency, speed of employment and mobilization, and optimization of funding in peacetime; and
• the existence of strategic forces of high mobility and flexibility, equipped with technologically advanced material and in immediate employment conditions, articulated in a way to better meet the employment hypotheses.\textsuperscript{52}

2.2.1.1 Brazilian Navy

The oldest Brazilian Armed Forces operating in the country, the Brazilian Navy has been active in defending national maritime and fluvial waters since the 18th century, at the time of the colonial period.

In addition to history, Brazil’s maritime interests are broad. Owner of the largest hydrographic basin on the planet, the country has 4.5 million km\(^2\) of sea area and a coastline of 7.4 thousand kilometers in length.

More recently, the potential for riches from the sea has taken on a new dimension with the discovery and exploration of deep-sea oil deposits in the area known as Pre-Salt.\textsuperscript{53}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure13.png}
\caption{Brazilian Navy}
\end{figure}

It is up to the Navy to develop a comprehensive monitoring and control strategy for the protection of the country's coast, as well as to strengthen the knowledge about the

\textsuperscript{52} According to National Defense Strategy, 2012
\textsuperscript{53} Ministry of Defense of Brazil
maritime environment and position the available operational means to respond promptly to eventual crises or emergencies in the Brazilian territorial sea.\textsuperscript{54}

In addition, the Navy carries out various social activities in isolated locations such as the Amazon, bringing health procedures to riverine populations and conducting river patrols in border regions, preventing transnational crimes and illegal exploitation of natural resources.

The Brazilian Navy currently has more than 70,000 men and women.

The Brazilian Navy is the largest in South America and Latin America, as well as being the second largest navy in America, after the United States Navy.\textsuperscript{55}

The Navy’s primary mission is to prepare and employ Naval Power in order to contribute to the Defense of the Motherland; for the guarantee of constitutional powers and, on the initiative of any of them, of law and order; for the fulfillment of the subsidiary duties provided for in Law; and to support foreign policy.

According to the future vision of that Force, the Brazilian Navy will be a modern, balanced and balanced Force, and it must have means compatible with the political-strategic insertion of our Country in the international scenario and, in line with the aspirations of society Brazilian It will be permanently ready to act in the sea and in the inner waters, singularly or jointly, in order to fulfill the purposes established in its mission.

As Brazil does not have an exclusive body to organize, supervise and guide the Merchant Navy and police the Brazilian coast and inland waters, it also exercises the role of "Coast Guard". These functions are defined as particular subsidiary assignments and are shown as follows:

- To guide and control the Merchant Marine and its related activities, in what matters to the national defense;
- Provide for the safety of waterway navigation;
- Contribute to the formulation and conduct of national policies concerning the sea; and
- Implement and monitor compliance with laws and regulations, in the sea and inland waters, in coordination with other federal or state executive bodies, when necessary, due to specific competencies.

\textsuperscript{54} Ministry of Defense of Brazil

\textsuperscript{55} «Venezuela owns Latin America's fifth largest Armed Force» (em Língua espanhola). El Universal. 8 de junho de 2007. Consultado em 29 de outubro de 2010
The Brazilian Navy has one fleet, based in the city of Niterói, in Rio de Janeiro state. In addition to this fleet, the Navy has nine “Naval Districts”. These commands are grounded in the towns of Manaus (State of Amazonas, the larger and most significant state of Brazilian Amazon), Rio de Janeiro (State of Rio de Janeiro), Natal (State of Rio Grande do Norte), Salvador (State of Bahia), Ladário (State of Mato Grosso do Sul), Rio Grande (State of Rio Grande do Sul), Belem (State of Pará), Brasília (Federal District), and São Paulo (State of São Paulo).  

2.2.1.2 Brazilian Army

The mission of the Brazilian Army is to defend the homeland, Contributing to the guarantee of national sovereignty, constitutional powers, law and order, safeguarding national interests and cooperating with national development and social welfare. To do this, prepare the Earth Force, keeping it in a state of readiness.

56 Command of Brazilian Navy – www.mar.mil.br
Working in the protection of our territory since the Battle of Guararapes (1648), against the Dutch invaders, the Brazilian Army has played a relevant role in maintaining unity and national integrity.

Its historical evolution is confused with the very consolidation of the country's identity. Present throughout the territory, the Army has its mission conditioned by the continental dimensions of Brazil, characterized by the variety of geographic environments and by a border strip with ten countries that extends for almost 17 thousand kilometers.

In order to fulfill the constitutional mission of defending the country, the Land Force must maintain effective training and training of more than 222,000 men and women.

The military institution also acts in support of Civil Defense activities, participating in relief and assistance to victims of natural disasters, as well as recovery and reconstruction procedures.
In the land border areas, the Army works in the prevention and repression of transboundary and environmental crimes, in isolation or in coordination with other state entities.

It also has a strong role in supporting the national foreign policy, contributing with the largest number of Brazilian military personnel in peace operations and humanitarian aid.

As a vision of the future, until 2022, the Army's transformation process will come to a new doctrine - with the use of technologically advanced defense products, highly skilled and motivated professionals - so that the army, through appropriate means, in the 21st century, supporting Brazil's sovereign decisions on the international stage.

To accomplish their missions, the Army uses the land force, its instrument of action; that includes all elements of the institution with the capacity to act in the terrestrial environment of the full spectrum operations. For this, the Brazilian Army comprises around 200 thousand men and women and prepare the land forces, keeping themselves in constant state of readiness.

The Brazilian Army currently comprises on 575 military organizations, deployed across the whole national territory.

The Land Force is composed of eight Area Military Commands:

- Amazon Military Command – CMA in Portuguese;
- Northern Military Command – CMN in Portuguese;
- Western Military Command – CMO in Portuguese;
- Planalto Military Command – CMP in Portuguese;
- Southern Military Command – CMS in Portuguese;
- Eastern Military Command – CML in Portuguese;
- Southeastern Military Command – CMSE in Portuguese;
- Northeastern Military Command – CMNE in Portuguese;
The Brazilian territory is further divided into twelve military regions. Each military region provides logistical support to operational units within its area of responsibility. Therefore, Military Regions are usually composed of units responsible for providing administration, logistics, transport, health and education. Military Regions are Division-sized units, commanded by Lieutenant Generals. The current Military Regions are:

- 1st Military Region – States of Rio de Janeiro and Espírito Santo
- 2nd Military Region – State of São Paulo
- 3rd Military Region – State of Rio Grande do Sul
- 4th Military Region – State of Minas Gerais
- 5th Military Region – States of Paraná and Santa Catarina
- 6th Military Region – States of Bahia and Sergipe
2.2.1.3 Brazilian Air Force

It was in 1941, during World War II, that the Brazilian Air Force – FAB (Portuguese Acronym to Força Aérea Brasileira) had its baptism of fire. From the junction
of aerial equipment and personnel of the Navy, the Army and the then Department of Civil Aviation, the Ministry of Aeronautics was instituted, which had its armed wing in the FAB.

After the heroic participation in fighting in the skies of Italy, together with the allied forces, the FAB has today the mission of maintaining the sovereignty of the national airspace, preventing and preventing the practice of acts hostile or contrary to the interests of the country.

The Brazilian Air Force is qualified to act both in surveillance, and in the control and defense of airspace. For this, it has modern resources for detection, interception and elimination of aerial, terrestrial and aquatic equipment.

![Figure 18 – Brazilian Air Force](image-url)

Broadly speaking, the duties of the Aeronautical Command include the provision of air navigation safety; the operation of the National Air Mail; the support of logistics, intelligence, communications and education in repression of crimes involving the use of airspace and airport areas; besides controlling the Brazilian airspace in cooperation with the competent inspection bodies.

With 68,000 troop strength, Air Force is also structured in Alas – military organizations focused on the operational area. Each Wing is a tactical-level operational organization, with responsibility focused on both the preparation activities and the Force's employment actions, when so determined. The Wings, distributed throughout the national
territory, are the symbol of an Air Force focused on its mission-end. The reason for being of the commander of the Wing is the operational activity, that is, to train or to employ the subordinate squadrons, according to the directives and the plans emitted by the upper echelons. He will not have major concerns about administrative activities, but will coordinate with the specialized agencies all the necessary support to ensure that his commanders reach the previously defined standards in a safe, effective and efficient manner.

Administrative activities are carried out by organizations subordinate to the Sectoral Organisms of Logistics, Personnel and Administration. To fulfill its mission, the Wing is basically made up of air squadrons, as well as groups, squadrons and squadrons specialized in aircraft maintenance, aviation supplies, aeronautical weapons and security and defense.

![Air Force Organization](image)

**Figure 19 – Air Force Organization**

### 2.2.2 Brazilian National Agencies

On 16 November 2016, the Integrated Border Protection Program (PPIF) was created, replacing the Strategic Border Plan, both components of the Public Border Security
Strategy – ENAFRON (Portuguese acronym to Estratégia Nacional de Segurança Pública nas Fronteiras).

The main objective of the PPIF is to strengthen prevention, control, control and repression of cross-border crimes, and its guidelines are the integrated and coordinated action of public security agencies, intelligence agencies, the Federal Revenue Secretariat of Brazil Ministry of Finance and the Joint Chiefs of Staff of the Armed Forces; and cooperation and integration with neighboring countries.

This Program also created the Executive Committee of the Integrated Border Protection Program, composed of a representative and an alternate representative of the following bodies:

- Institutional Security Office of the Presidency of the Republic;
- Brazilian Intelligence Agency;
- Joint Chiefs of Staff of the Armed Forces, Ministry of Defense;
- Secretariat of the Federal Revenue of Brazil, of the Ministry of Finance;
- Department of Federal Police, Ministry of Justice and Citizenship;
- Department of Federal Highway Police, Ministry of Justice and Citizenship;
- National Secretariat of Public Security, Ministry of Justice and Citizenship; and
- General Secretariat of the Ministry of Foreign Affairs.

These Bodies and Agencies must propose public policies, articulate the activities of the bodies and entities participating in the Integrated Border Management Offices; to plan and execute joint actions of agencies and entities that work within the scope of the Border Plan, to support the Secretariats of Public Security and the State Police, the Federal Police, the Federal Highway Police and the municipal bodies involved; propose integrated monitoring and security actions; propose the priority areas of its action; promote the exchange of information and data among the organs and entities participating in the Integrated Border Management Office – GGIF (Portuguese Acronym to Gabinete de Gestão Integrada de Fronteiras), with a view to improving actions; and promote social participation within the scope of their competencies.  

57 Integrated Border Protection Program, Decree No. 8,903, November 16th, 2016. Brazil
2.3 MAIN COUNTER MEASURES

The security and monitoring of border areas is a growing topic on the international contemporary agenda, as evidenced by the concerns of cross-border cross-border flows, particularly those associated with illegal agents and dynamics, and which raise security challenges domestic and regional levels. In South America, where different types of trafficking are at the heart of security concerns in border areas, the issue also emerges in domestic political agendas.

For Brazil, a country with borders with ten neighbors, the need to exercise greater vigilance and control in such spaces is not so recent. Such monitoring has already been done with several previous projects such as the Amazon Surveillance System (SIVAM in portuguese) and the Amazon Protection System (SIPAM in portuguese), both designed and implemented since the early 1990s, with a primary focus on airspace monitoring.

The Brazilian Army, in turn, through the Integrated Border Monitoring System (SISFRON in portuguese), is again implementing a strategic security project for our land borders, supported by the Army Electronic Communications and Warfare Center.

2.3.1 Intelligence

There are many intelligence agencies acting amongst several federal agencies that operate in the Brazilian borderland. Those agencies are organized within the Brazilian System of Intelligence (SISBIN in portuguese) under the control of the Brazilian Intelligence Agency (ABIN in portuguese).

Thus, the improvement of the intelligence coordination, especially when there are so many different agencies working in the same theater of operations, is a huge challenge.

Non-governmental organizations (NGOs) should be given special consideration, since they have a considerable amount of information that may be important for the success of operations. Working together with the local population, they understand the culture and existing practices, making the care community an important source of the following data:

- historical perspective and ideas about the factors that contribute to the situation found;
- local cultural practices that may impact the relationship with the forces present in the region;
- local political structure, partisan political objectives and the roles of key leaders; and
- security situation;
The information being managed correctly makes these organizations active participants in the interagency team during the fight against crime.

During operations, every effort must be made to explore information from open sources in planning and executing operations. Special care should be taken to ensure that sensitive military information is not mixed with non-confidential information from open sources and local human intelligence. This effort is aggravated by the sensitivity of civilian partners to the concept of military intelligence.

2.3.2 Border Monitoring Integrated System (SISFRON)

The Brazilian Border Monitoring Integrated is a system of sensing, decision support and support for integrated action, to strengthen the presence and capacity of action of the Brazilian State in the land border area.

The government's effort to maintain effective control at the land borders requires precise, perennial and multidisciplinary monitoring of activities that may have pernicious, detrimental, or even threatening characteristics to national interests throughout the land border area.

In order to do so, it is necessary to update and expand the means capable of collecting, processing and transmitting information to the organs in charge of governmental
actions that will give practical answers to the provisions of the Federal Government. Taking advantage of the considerable capillarity of the presence of the Brazilian Army throughout the national territory, especially along the border area, SISFRON shows itself as an efficient and effective solution the primary responsibility for acquiring and managing information, allowing support with better efficiency to the other governmental entities involved in the task of monitoring and protecting borders.

The System is concerned with all the functional aspects that make up the response to the assignment of monitoring and defending the more than 16,000 kilometers of Brazilian land border, covering an area of approximately 27% of the national territory, which will enhance the employment of subordinate Military Commands of the Amazon, the West and the South.

SISFRON uses a variety of nationally manufactured equipment, such as:
- Optical and optic sensors (includes night vision);
- Surveillance radars;
- Sensors of electromagnetic signals;
- Tactical, strategic and satellite communications equipment and systems;
- Decision support systems (software);
- Command and control centers;
- Integrated logistics system;
- Performance systems (vehicles, boats, etc.);
- Systems of Support to Intelligence Activities
- Geoinformation Systems
- Load scanning equipment
- Low-altitude Surveillance Radar Systems
- Remotely Piloted Aircraft Systems
- Airships Systems
- Fixed Wing Aircraft Systems (small size)

SISFRON is important to the country for bringing benefits to National Security:
a. In the political field
- It allows greater regional integration between the Governing Bodies.
- It promotes the increase of military cooperation with the Armed Forces of the neighboring countries.
- The presence of the State in the border region increases.
b. In the economic field
- Generates jobs by encouraging the national defense industry.
- Raises the technological capabilities of the industrial defense base.
- Diversifies the export agenda.
c. In the military field
- Increases surveillance and monitoring capacity in the border region.
- Effective the Presence Strategy.
- Improves the capacity to support the operations of Law Enforcement Operations and Subsidiary Actions.
  - It gives greater readiness in the emergency service (Civil Defense).
  - Allows great technological development.

For society, SISFRON will be a vector of improvement in quality of life; will increase the presence of the State among populations of deserted regions; will increase the safety and development of activities such as tele-health and distance learning using IT and communications resources.

In the socio-environmental area, SISFRON will bring as a benefit action in the effort to preserve the environment, protect biodiversity, combat environmental illicit activities and protect indigenous populations. Finally, as a benefit, SISFRON will also contribute in the area of public security in the fight against drug trafficking, arms smuggling, transboundary illicit trafficking, Organized Crime and illegal immigration, thus increasing the safety of urban centers.

2.3.3 Interagency Operations Against Cross Border Crimes

Since the creation of the Strategic Boundary Plan in 2011, joint operations and interagency operations against cross-border crime have become the responsibility of the Ministry of Defense, coordinated by the Joint Chiefs of Staff of the Armed Forces – EMCFA (Portuguese Acronym to Estado-Maior Conjunto das Forças Armadas), in coordination with the other organs and national agencies.

The interagency operations carried out by the Brazilian government recommend the integration of efforts between the Ministry of Justice and the Ministry of Defense, including the participation of the other Bodies and agencies participating in the Integrated Border Protection Program.

The main objectives of these operations are:
- reduce organized crime in the border area;  
- coordinate the planning and execution of military and police operations in the border area;  
- cooperate with countries bordering Brazil on combating cross-border illicit trafficking;  
- intensify the presence of the Armed Forces in the border region;  
- increase support to the population residing in the border region; and  
- obtain the support of national and international public opinion.

On the other hand, the activity of promoting security and guaranteeing social rights in a region of low social indexes and full of criminal actions proves to be a great challenge. This is because, on the one hand, the three Brazilian Armed Forces (Navy, Army and Air Force) need to integrate beyond their own (current competence of the Ministry of Defense), the action with the 54 state police, represented by the Military Police (PM) and Civilians of the states, as well as two federal police (Federal Police and Federal Highway Police) in national security and defense affairs.

This fact makes access to and standardization of security actions difficult and requires the need for interoperability between these forces in the pacification process, especially in the "stabilization of positive expectations regarding the order and validity of a cooperative society".58

Meanwhile, military members of interagency operations must rely on civilian cooperation in the conduct of defense policies by promoting a broad debate on the efficiency of the armed forces at a minimal cost, involving society and strengthening democratic institutions.

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58 Soares 2006, apud SOUZA 2015, p.53
3. ANALYSIS OF CASES STUDIES

Transnational border operations to combat transnational illicit activities, up to 1999, were carried out at the initiative of each armed force, in isolation. With the creation of the Ministry of Defense in 1999, this body was charged with exercising the superior direction of the Armed Forces, articulating the actions involving these institutions individually or jointly.\(^5^9\)

It was from 2011, however, with the launch of the Strategic Border Plan (PEF), that there was a strengthening of the presence of the Brazilian State in the border regions with neighboring countries. With this plan, the actions were carried out by several agencies in the prevention and fight against cross-border crimes in an integrated way, amplifying their impact.

Under the direct coordination of the vice president of the Republic, the Strategic Border Plan is formed by two operations: THE SENTINELA and THE AGATA. The Sentinela Operation, coordinated by the Ministry of Justice, has actions focused on the investigation and intelligence work and the joint action of federal security agencies (Federal Police, Federal Highway Police and National Security Force).

Agata Operation, coordinated by the Ministry of Defense, through the Joint Chiefs of Staff of the Armed Forces (EMCFA) – mobilizes Navy, Army and Air Force personnel to act, in an episodic manner, at strategic points on the border.\(^6^0\)

During the operation, tactical missions are carried out to curb crimes such as drug trafficking, smuggling and trafficking, arms and ammunition trafficking, environmental crimes, illegal immigration and mining.

The actions range from airspace surveillance to patrol and inspection operations on major rivers and roads that provide access to the country.

Besides the operations performed exclusively by national forces, the Brazilian government has been expanding military relations with neighboring countries, promoting combined operations in the border regions. In 2016, Brazilian President Michel Temer signed the decree that established the Integrated Border Protection Program. To show that the Brazilian government is active in combating cross-border crime, President Temer led a meeting at the Itamaraty Palace, where he gathered the main ministers in the areas of defense, security and intelligence.

\(^5^9\) Defense Ministry of Brazil
\(^6^0\) [http://www.defesa.gov.br](http://www.defesa.gov.br), available on the internet.
In this chapter will be presented two real cases, performed by Brazilian Armed Forces, in both Agata Operations and combined operations with other countries.

Figure 21 - AGATA Operations


Since 2011, the Joint Chiefs of Staff of the Armed Forces – EMCFA (portuguese Acronym to Estado Maior Conjunto das Forças Armadas) has coordinated a large-scale action to strengthen the security of the nearly 17 thousands Km of Brazilian land borders in Agata Operation.

This plan, created to prevent and repress criminal activity on the Brazilian border with ten South American countries, involves, in addition to the Armed Forces, the participation of 12 ministries and 20 government agencies. Planning and mobilization are done in an integrated manner, with continuous articulation between the military of the Armed Forces and agents of public security at the federal, state and municipal levels.

The Federal Police, the Federal Highway Police, the National Security Force, the Brazilian Intelligence Agency, the Environmental Agency – IBAMA, the Indigenous

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61 Source - Brazilian Agency of Intelligence (ABIN)

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Agency - FUNAI, the Federal Revenue Service and the state security agencies of the border regions are participating in this effort. All under the coordination and guidance of the EMCFA, carrying out tactical missions aimed at curbing crimes such as drug trafficking, smuggling and trafficking, arms and ammunition trafficking, environmental crimes, illegal immigration and mining. The actions range from airspace surveillance to patrol and inspection operations on major rivers and roads that provide access to the country.

Agata Operation fight against cross-border and environmental crimes in the border region and its objectives are: reduction of crime rates, coordination of planning and execution of military and police operations, intensification of the presence of the Brazilian State in the region and increased support to the population residing in the border strip.

The last edition took place in the 16,886 km of border, in eleven states of the federation. The action involved 11,244 military personnel from the Navy, Army and Air Force, as well as the work of 450 professionals from government agencies and federal, state and municipal agencies.

The purpose of the operation was to combat crimes such as drug trafficking, smuggling and misappropriation, arms and ammunition trafficking, environmental crimes, illegal immigration and mining, among others.

Figure 22 - Federal Revenue Agency and Brazilian Army inspect vehicle

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The Federal Police, the Federal Highway Police, the Brazilian Intelligence Agency, the Environmental Agency – IBAMA, the Indigenous Agency - FUNAI, the Federal Revenue Service and the state security agencies of the border regions participated in this effort. In total, 33 government agencies, along with the Armed Forces, carried out inspection and inspection actions on the roads, land, motor, river and maritime patrols.

The Interagency Operation occurred simultaneously in the areas of the Amazon Military Command – CMA (Portuguese Acronym to Comando Militar da Amazônia); Western Military Command – CMO (Portuguese Acronym to Comando Militar do Oeste); and Southern Military Command – CMS (Portuguese Acronym to Comando Militar do Sul), encompassing 710 municipalities, of which 122 are borderline.

![Map of South America showing the Brazilian Border and military command areas](image)

**Figure 23 – Military Commands Area of Operation in Agata 11**

During the operation, 126,259 inspections and inspections were carried out at points of blockade and control of roads in the border regions. In addition to seizing merchandise
valued at US$ 200 thousand in misappropriation, which is the non-collection of taxes, and US$ 7 thousand in smuggled products, public agents collected US$ 200 thousand in money of undeclared origin.

Among the seized material, there were 5.7 tons of explosives, 168 weapons and 22,865 ammunition, 11 tons of marijuana, 123 kg of cocaine and 122 kg of other drugs, as well as 4,400 cubic meters of wood. So far, 71 people have been arrested for involvement in these crimes.

The FAB also carried out 40 air patrols. In the border area alone, the air defense carried out 22 unknown aircraft interceptions. The traffics were flying over the area of operation or its vicinity without a flight plan and were identified by the military.

The answer and the conclusion that the Agata operations have become effective can be proven in a study published by the Institute of Economic and Social Development of Borders – IDESF (Portuguese Acronym to Instituto de Desenvolvimento Econômico e Social das Fronteiras), which revealed a direct relation between the accomplishment of operations in the Brazilian borders and the increase of public collection.

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According to IDESF this is due to the reduction in the supply of smuggled products, which consequently stimulates the consumption of articles manufactured in Brazil or those imported legally.

Still according to the Institute, the country fails to collect in taxes in border regions around US$ 8 billion per year.

The study took into account the last editions of Operation Agate, carried out in last three years. The Institute analyzed the collection revenues related to the two main taxes that have effects on imported products: Import Tax and Tax Industrialized Products.

![Figure 25 – Drugs and arms Apprehension](image)

### 3.2 Combined Operation Brazil / Colombia / Peru – 2016

Brazil's bilateral cooperation with Bolivia, Colombia and Peru in the fight against international drug trafficking is of fundamental importance: The three Andean countries are appointed as the world's largest producers of coca cultivation. In addition, Brazil has a relevant role in the subcontinent as an intermediate country and an illegal drug destination from the aforementioned Andean countries.

In the Upper Amazon, extreme western Amazonas, it is located the Triple Amazon Border, formed by the cities of Tabatinga/ Brazil, Santa Rosa/Peru and Letícia/ Colombia. This border area is identified as one of the entry points of narcotics produced in Colombia and Peru in the Brazilian territory.
This region is extremely sensitive to Brazilian public security policies, especially those aimed at combating transnational illicit activities, with an even greater emphasis on confronting drug trafficking, since Colombia and Peru are the largest coca leaf growers and producers of cocaine.

The Brazilian territory is bordered by the three countries that concentrate coca cultivation, raw material for the production of cocaine, Bolivia, Peru and Colombia. In the west of the State of Amazonas, the border zone is located called Amazonian Trapeze, formed by the confluence of the Brazilian, Colombian and Peruvian territories. This region is considered one of the main ports of entry of cocaine in Brazilian territory, being constant object of governmental discussions of security plans directed to the region.

Recently, with the peace agreement signed by the Revolutionary Armed Forces of Colombia (FARC) and the Colombian Government, Brazilian authorities fear the increase in trafficking, especially arms and drugs at the border. The FARC has always used drug production as a source of income. With demobilization under the agreement, they may seek other sources of money, such as the sale of the weapons used by the guerrillas, or the formation of other criminal groups.

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65 Source: Google Earth
To increase border control, an agreement was established between Brazil, Colombia and Peru to work together on protection through intensified action in the region.

Thus, the armies of Brazil, Colombia and Peru have united in the most comprehensive operation ever undertaken by the three forces in the border region of the Amazon. Countries have worked together to combat drug trafficking and illegal mining, which military officials say is a source of income for criminal groups.

TRAIRA OPERATION, how was known this operation, covered an area of 1,426 kilometers long and 1,150 kilometers deep, involving the largest force to date employed by troops of Brazilian military organizations in actions with neighboring forces. There were 1,082 military personnel directly involved, employing two infantry battalions, a special forces company and a battalion of helicopters.

The measures of integration are fundamental and are necessary increasingly resources, effective and technologies to defend the Western Amazon. The region is permeable to organized crime, because it has a vegetation cover that makes surveillance very difficult. It is known that 80% of the crimes registered at the border are linked to drugs, and information from the Brazilian Federal Police indicates that only Peru provides 300 tons of cocaine base per year to Brazil.

Figure 27 – Brazil and Colombia in Operation in the Border

This operation involved prior planning and intelligence work of the three armies. One of the objectives of this operation was to reduce environmental destruction, through river
surveillance, with integration among the military of the three nations. Extraction of gold and other minerals funds transactional groups, and this affects all three countries.

The cities located in the region of the triple border have particular dynamics. It is therefore essential that countries work together to contain illegal mining and trafficking in wood and drugs.

171,600 liters of diesel and gasoline, more than US$ 142,450, were consumed, about one-third of the operation's expense, which totaled US$ 481,481.

During the Traira, the battalions changed the type of boat used, opting for the smaller and lighter ones to be able to overcome the plane of surveillance and to surround the criminals. The exchange between the Brazilian, Colombian and Peruvian armies has also attracted the attention of Bolivia, which shares borders with Brazil and Peru. Bolivia sent Army, Navy and Air Force officers to accompany Traira Operation for two days, moving to the blockade points in the most targeted areas and considered to be drug trafficking corridors.

In addition, as a means of asserting the presence of the State, in the Traira operation, the Brazilian Army installed structures to accommodate the population in 11 localities, among municipalities and indigenous villages. Medical, dental and drug delivery offices were set up in one school, allowing the military to handle a large flow of patients.

But the results of the operation achieve unprecedented gains for regional integration. As interoperability is a decisive factor in shared action, Colombia wants to adopt the same radio communication protocol used by EB. With the same platform, a pilot of a Colombian aircraft will be able to converse with the one of Brazil, in an operation or in the routine action of surveillance.

Figure 28 – Brazil and Colombia Navies Operating jointly
The creation of more border squads in the territorial interface with Brazil is among the measures to improve the action against crimes. Currently, four units are located on the border between the two countries. The reinforcement is part of the Modernization Program of the Colombian Army, with targets until 2018, 2022 and 2030.

The supply of aircraft is another innovation in support between countries. Military commanders highlighted the supply of aviation fuel as a bottleneck due to long distances and the difficulty of transport by rivers. They also intend to establish a regulatory framework to allow a Colombian helicopter to land on Brazilian runways for fuel and the same with EB aircraft.

The command of Portuguese by officers of the Colombian 6th Army Division will be a requirement to operate in units located at the border. From 10 to 20 officers will complete the language course this year. The goal is to ensure that up to 60% of the military graduates of the division speak Portuguese.
4. OBTAINED EXPERIENCES AND LESSONS LEARNED

Although relatively recent, illicit border operations have provided important experience acquired by the Armed Forces in all sectors, both operationally and logistically, but mainly in the development and improvement of planning capacities of commanders at various levels.

Especially during the ten last years of the Armed Forces' employment, several operational and tactical learning were obtained. At tactical level, the troop adapted individual techniques and tactics of procedure to face a cunning and increasingly flexible enemy. At the operational level the Armed Forces had to adapt several basic concepts of employment in joint operations, especially interoperability, command and control, intelligence and logistics.

4.1 OBTAINED EXPERIENCES

4.1.1 Intelligence

In an interagency environment, it has been found that each organization carries its own culture, philosophy, goals, practices and abilities. This diversity is the strength of the interagency process, providing a sum of knowledge in pursuit of a common goal. This diversity has led to the creation of a coordinated forum for the integration of many points of view, capacities and options. All efforts were coordinated in this interagency coordination office, despite cultural differences and operational techniques.

There were many intelligence agencies acting amongst several federal agencies that operated in the Brazilian borderland. Those agencies were organized within the Brazilian System of Intelligence (SISBIN) under the control of the Brazilian Intelligence Agency (ABIN).

Besides, intelligence operation performed in this kind of employment allows Armed Forces know more every part of Brazilian Border.

4.1.2 Command and Control

Is vital to remember that the joint / interagency work is fundamental. The armed forces and all involved agencies have different organizational cultures, different missions, and different resources. This situation creates a complex environment, where the common
objective (fight against transnational and environmental crimes) must be the common point of understanding.

In order to achieve better coordination, the Offices of integrated border management (GGI-F – Portuguese acronym to Gabinete de Gestão Integrada de Fronteira) were created. These structures gathered structures of the armed forces, polices and agencies. It represented the specific body where the issues involving the necessary coordination were discussed, and many problems were solved.

In addition, Brazil faces the challenge of defending its territorial boundaries with the port of technology. It is the use of satellites, radars and sensors in the SISFRON, a program that receives annually about US $ 150 million. This project helps to develop the national industry, since the equipment must have a minimum of 76% nationalization index.

In order to boost the production of sophisticated and efficient remote sensing products, an industry investment of around US $ 4 billion is expected.

![Figure 29 - development of a fully national sensing system](https://dialogo-americas.com/pt/look-sisfron-brazils-integrated-border-monitoring-system)
4.1.3 Logistics

New procedures of Logistic in joint operations were developed, as instance the creation of the Logistic Command of the Area of Operations (CLAO – portuguese Acronym to Comando Logístico da Área de Operações).

After a few years of studies and experimental activations in joint operations, in this Doctrine, the new concept of Operational Theater Logistics Command (CLTO) was formally established, designed with the purpose of promoting the execution of joint logistics efficient and optimized in these operations.

Besides, the development of the joint doctrine of logistics and mobilization using the Agata Operation is a great landmark of Brazilian doctrine, when establishing a logistics and mobilization coordination center, whose primary objective is to develop and operationalize logistical interoperability.

![Figure 30 - joint logistic in Agata Operation](http://www.defesanet.com.br)

4.1.4 Training

Although not desired by the Armed Forces, employment in operations against cross-border illicit acts allows the development of several characteristics, especially in the cognitive and affective areas. Attributes such as creativity, speed of reasoning, adaptation of procedures among others, perfect leadership characteristics in peacetime.

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67 Source: http://www.defesanet.com.br
Several activities, also carried out in time of war, such as patrols and occupations of checkpoints were perfected with the purchase of new equipment and materials for the troops.

As a need to study new techniques and tactics for the use of troops in this type of illicit, the Center for the Instruction of Law and Order Guarantee was created, whose mission is to contribute to the research, development and evaluation of the doctrine of employment of the Land Force, in relation to Law and Order Assurance Operations; to plan and conduct courses and internships, aiming at the specialization and training of the military, small fractions, platoons, subunits and units for the fulfillment of Law and Order Assurance Operations; cooperate with the Armed Forces Teaching Institutions; and cooperate with the training of human resources of the other Armed Forces, Police and government agencies.

![Figure 31 - Army troops training to be employed in Agata Operation](image)

4.1.5 Centralization of information

The media have a strong influence on this type of operation. Military plans should consider the influence of the media on operations and on public opinion. All participating agencies need to establish, by mutual agreement, procedures for access to these means, issue and verification of credentials, meetings, follow-ups and transportation of personnel and equipment.

Common points of communication and public relations issues must be developed before the actions, favoring the projection of a harmonious image between agencies.
Social Communication planning should include the identification of contact points and the authorized spokespersons of each agency that will operate in the area of operations to adequately and coordinate the demand for news by the media.

4.1.6 Civilian Affairs

The Armed Forces have developed the Social Civic Actions, ACISO (Portuguese Acronym to Social Civic Actions), which constitutes a set of activities of a temporary, episodic or programmed character of assistance and assistance to the communities, promoting the citizens’ civic and community spirit, in the country or abroad, developed by military organizations of the armed forces at the various levels of command, using resources in available personnel, equipment and techniques to solve immediate and pressing problems.

When in the operations against cross-border illicit activities, these civic-social actions occur in support of various sectors of activity, such as transportation, education, recovery of basic infrastructure, hygiene and health, well-being and recreation, among others.

These actions allow greater interaction between the military and the civilian population, stimulating cooperation, trust and mutual respect, bringing benefits to both. For the Armed Forces, in particular, numerous gains are obtained in relation to accurate and valuable information to trigger operations with the greatest possible effectiveness and with minimum damage to society.

Figure 32 - medical care to needy communities
4.1.7 Legislation

The use of the Armed Forces demanded the change of several laws, mainly the creation of complementary Laws to support the action of the federal forces when in accomplishing specific missions of internal security forces.

The main changes are found in the texts of Complementary Law no. 97/1999 and 136/10, one conferring and the other extending the police power of the Armed Forces, through the action, through repressive and preventive actions in the terrestrial border band, in the territorial sea and in the internal waters against transboundary and environmental crimes, alone or in coordination with other organs of the Executive Branch, being able to carry out patrols, searches of people and land vehicles, vessels or aircraft, as well as arrests in flagrante delicto.

Legislative innovation conferred police power on the Armed Forces and legitimized preventive and repressive actions in the fight against crime, in addition to the role initially outlined by the 1988 Constitution.

4.2 LESSONS LEARNED

4.2.1 Personnel

Although each Armed Forces and agency has its personnel control method, during joint / combined / interagency operations it was found that it is important to standardize control documents by the joint command, for immediate identification of all involved in the operations, facilitating the problems in this area more effectively.

Another important point was the need for constant recycling on the part of all the members of the operations during the substitutions, so as not to lose the continuity of the work undertaken in the operation.

4.2.2 Intelligence

The use of remotely piloted aircraft has significantly increased target identification in hard-to-reach regions, raising rates of material seizures and arrests of suspects.

In addition, the use of the troop to deal with this type of threat enabled the best knowledge of the terrain within the border range (150 km).

4.2.3 Operations

During the operations, various types of procedures, such as arrests of minors, women and fugitive prisoners indicated the need for troop training to deal with situations such as those presented.
Another important aspect was the variation of the hours of operations, not restricting to a single point, causing several checkpoints of people and materials at alternate times. This has increased the number of prisoners and seized material by more than 35%.

Finally, in order to make prisons and seizures more effective, it is necessary to have specialists from the various agencies involved with the Armed Forces, in order to provide greater precision in seizures and arrests, reducing the possibility of errors and legal actions on the troops.

4.2.4 Command and Control

Systems were created to connect the systems used by the Armed Forces and agencies, streamlining the flow of information. This enabled the communication in real time, speeding up the responses demanded.

In order to avoid interruption in the flow of information, satellite data transmission systems were acquired in order to cover the entire area of operations.

4.2.5 Logistics

The use of local resources and changes in the way the means were obtained proved to be quite adequate, reducing the need for large-scale logistical transport.

4.2.6 Civilian Affairs / Public Informations

The creation of systems such as “crime stoppers” made it possible to identify suspects and materials more quickly. In addition, the creation of channels of communication between the population and the troop increased the trust between both.

In addition, the media were invited to participate in various parts of the ostensive operations, giving greater transparency and reliability to the actions of the security forces.

Another fundamental point for the success of public information was the definition of a single point of contact, centralizing the diffusion of standardized information, avoiding conflict in the content of the same.

4.2.7 Legislation

The use of law offices closest to area of operation has made it possible to resolve legal problems more quickly. The link between the security forces and the courts has made it possible to speed up the settlement of cases that required the presence of justice.
5. CHALLENGES, WAYS OUT AND SUGGESTIONS

In South America, and especially in Brazil, organized crime is associated with various criminal activities, which invariably acquire a transnational dimension. In addition, they show a progressive diversification in their organization, products, methods, means, installation areas, traffic routes, markets and network systems.

The diverse and varied impacts of cross-border crime and the increase of organized crime, generates at the regional level a society's need for better levels of public safety.

The increase in threats to public security in scale and sophistication, with various local forms and transnational articulations, has highlighted the fact that different nations can’t face single and isolated crimes that penetrate national borders; which reaffirms the need to develop specific mechanisms for their effective prevention and repression.

Therefore, in this chapter will be presented some challenges, ways out and suggestions to face those nontraditional threats and related crimes.

5.1 PREDICTIONS AND FUTURE TRENDS

The world is more and more connected. While, on the one hand, the advancement of technology facilitates international communications and decreases the distance between countries, on the other, it facilitates the commission of crimes that violate borders and the power of States.

If, on the one hand, organized crime becomes more and more sophisticated, international organizations meet more frequently, establishing joint policies to combat transnational crimes.

As an example, the 45th meeting of ministers of justice of the South American bloc, where a number of measures were agreed for strengthening police cooperation and the creation of joint investigation teams. With this, it is hoped to combat and reduce the existing criminal branches in the various countries.68

In the domestic affair, there is a great effort by the Brazilian government to know the current dynamics of organized crime, with the objective of implementing public policies for the prevention and repression of transnational crimes such as drug trafficking, arms trafficking, smuggling and trafficking in persons.

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This is characterized by statements made at the last government meeting in Brasilia in 2017 by the director of the Brazilian Intelligence Agency (ABIN), who quoted "ABIN need understand what is going on beyond our borders and indicate vulnerabilities that allow foreign criminal structures establish themselves in Brazil and expose the country to the threat of institutional instability."

During this meeting, Brazilian President Michel Temer expressed his concern about the topic and called on the politicians and technicians present to act in a coordinated way and seek integration with international organizations.

![Figure 3: Brazilian President and ministers discussing transnational crimes](image)

It was highlighted the creation of the National Intelligence Policy, which will act against the main threats to national sovereignty, such as terrorism, cyber attacks, weapons of mass destruction and organized crime, among others.

Thus, if, on the one hand, the federal government is increasingly concerned with reducing crime at the national level, on the other hand it does not receive results from state governments, which are increasingly lenient and passive in the face of public safety. their responsibility, who resign themselves to receiving federal troops to solve security problems that are their responsibility and competence.

Therefore, there is a forecast of the continuous and indiscriminate use of the Armed Forces in public security, performing secondary missions that should be assigned by the state police.

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69 Source: Communications Advisor of the Presidency of Republic
5.2 CHALLENGES

5.2.1 Internationally and Regionally

The fight against transnational crime needs to focus on the fight against the money the crimes generate. This means shutting down the global shadow financial system that facilitates the moving and secreting of illicitly generated funds. The good news is, none of this is technically difficult. It is a matter of political will.  

Combating crime is a difficult task and requires a multidimensional strategy, engaging stakeholders at the local, city, state, national and international level. Although one size fits all policies generally fail, two key areas deserve attention and reform: access to weapons and rule of law.

First, an intellectual challenge, ample and systematic analyses are needed in order to create better responses in this topic.

Second, it is imperative to understand that national decisions have to face consequences that transcend national frontiers. The fight against organized crime involves global responsibilities.

Third, a permanent challenge is measuring the impact of globalization in different areas such as how it has affected the task of the Nation-States. In many cases, that State has ended sharing its power with other actors like transnational and non-governmental entities.

Fourth, international cooperation is the only thing that allows generating effective responses. It is necessary to promote and develop multilateralism and the regional and global institutions in order to fight organized crime. The building of international regimes and the establishment of treaties and legal norms that limit the acts of organized crime and that generate policies that lead to its eradication.

5.2.2 Domestically

For the results in the tactical and operational field to be successful, various obstacles in all fields of national power must be transposed so that the fight against crime can be overcome.

In the political field, the combat against transnational and environmental crimes must be a state policy, instead of governmental policy. Thereby, when the ruling party changes, the policy must remain unchanged.

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71 Taking a bite Out of Latin American Crime

72 Eric Farnsworth and Christine Vidmar Gomes, 2014.
In the economic area, with several social demands yet to be met, is not easy to the authorities encharged of distributing budgetary resources meet the needs of the Ministry of Defense in its fulness.

The contingency of expenses incurred in the last years, in the order of 44.5% in the last 5 years, jeopardizes not only the employment of the armed forces in the priority activity of preparation for the defense of the country, but also in the complementary areas. This contingency reduces inspections, patrols, investments in training and acquisition of important materials used in the fight against organized crime.

In the social area, it is essential that the population keep in mind that the use of the Armed Forces to maintain national stability has nothing to do with the period of military intervention that occurred between 1964 and 1985. There must be awareness of society that the use of military power to confront organized crime is cyclical and episodic, and that it is only necessary due to the unavailability, lack or insufficiency of the instruments for the preservation of public order.73

5.2.3 To the Brazilian Armed Forces

The use of the armed forces in the border area for the fight against transnational crimes, despite advances in the federal constitution of the Federative Republic of Brazil, is not a primary activity of the institution.

Thus, the continuous use of an instrument that must be precipitously turned to a national defense to carry out as assigned tasks in the various agencies and security organs should be treated with extreme parsimony.

The Armed Forces, through the Ministry of Defense, develop the congressmen that are banalization of the use of this important mechanism for national defense, which are prejudiced for the preparation and training of the employee in that region of the Country.

In addition, an acquisition of resources is required for an upgrade in a difficult access area. Means such as vessels, vehicles, satellite communications equipment, radars and others are of utmost importance for the mission to be fully fulfilled.

Besides, it is imperative a federal legislation conferring police power to the Armed Forces, legitimizing preventive and repressive actions in the fight against crime.

73 Supplementary Law 97/99, of june 9th, 1999.
In order to confront illegal drugs and weapons, it is necessary to homologate the different legislations, to standardize the indicators and methodologies employed, to update data in a coordinated fashion, to identify the counterparts in charge of the control of drugs weapons and to put into practice an awareness campaign directed to policy-makers, entrepreneurs, and civil society as a whole.

5.3 WAYS OUT AND SUGGESTIONS

To face these threats, there must be the involvement of all actors, not only local but regional and international, compromising not only the government but all the society.

5.3.1 At the International level:

- To share information and strategies among the countries of the region is paramount for the success of preventive and repressive actions of state forces, especially considering the volatility of organized crime operations, which, as a mutating characteristic, modifies its modus operandi periodically to undermine investigations of the states and to hinder the understanding of the strategies of action and structuring of a determined criminal organization (BRITO, 2007, p.28).
  - To impulse penal reforms, emphasizing on the reintegration of individuals into society.
  - To strengthen the Justice system in each country and in the region, searching to decongest the systems and to provide alternative means for the solution of conflicts.
  - To use extraditions as a way of strengthening arbitration systems and the national courts.
  - To establish a regional mechanism of feedback on successful practices, lessons learned, and also a mechanism for tracing the different routes of the illicit businesses.
  - To implement the components of the Drug Observatory on the regional level.
  - To get closer with strategic allies in Europe, Canada, Latin America and the Pacific.
  - To establish fast-acting units among security forces.

5.3.2 At the Multilateral / bilateral / regional level:

- To establish dialogue mechanisms between chancelleries and the interior defense to discuss safety-related issues.
• To establish dialogue mechanisms regarding strategic visions, security problems and civil control of the forces.
• To involve members of Parliament in the dialogue.
• To state in advance short and medium-term objectives in the areas of foreign policy, defense and internal security.
• To carry out combined exercises between the Police and the Military systems.
• To make the bilateral policies more transparent.
• To promote seminars where bilateral problems can be discussed.
• To create a progressive agenda of topics.
• To make a list of cooperative measures.
• To make a list of measures that should be discussed or shared, and that are not on the bilateral agenda.
• To provide information on the abilities of the military and the police.
• To share through the media what has been discussed and agreed.
• To create joint courses, for the training of the forces that will be at the different borders.

5.3.3 At the National Level

Brazil is a developing country, and many aspects require attention from the government. Education, health, public security and economy are some of the urgent problems to solve in the country.

In the area of public security, the focus should be on preventive social investments and intelligence equipment for use by law enforcement authorities and not just on repression.

In what concern to security provided by the Armed Forces, if they are really required to perform this work for which they were not originally prepared to act, there should be investment and preparation in the areas of intelligence, information operations, legal area, among others, not being restricted to the personal and material preparation of the troop.

In the area of intelligence, in addition to operations to search for protected knowledge, activities should be developed through strategic analysis, using systematic procedures, studies and evaluations, with the objective of identifying and understanding the characteristics and modes of action of criminal organizations and its components.
In order to combat organized crime, coordinated action is required with the various federal and state intelligence agencies. Due to the complexity and breadth of criminal activities in the domestic and transnational scope, it is no use to seek to combat organized crime only with exclusive police activities.

Concerning to information operations,

This area is extremely important today because public opinion, both national and international, is less likely to accept the use of force for which the State applies its Armed Forces and has played the leading role in crisis management and resolution of conflicts.

In addition, the considerable influence that public opinion exerts on current military operations, due to the importance attributed to the legitimacy of the cause, which is determined by legality based on national and international legal diplomas and supported by International Organizations and by morality, that is, acts of war must be morally accepted by internal and external public opinion.

Therefore, professional preparation, as well as the acquisition of resources aimed at this activity, is fundamental so that the behavior of target audiences can be modified in areas where the federal force will act, allowing greater effectiveness.

Lastly, concerning to the legal system the federal legislation confers police power to the Armed Forces, legitimizing preventive and repressive actions in the fight against crime.

In order to confront illegal drugs and weapons, it is necessary to homologate the different legislations, to standardize the indicators and methodologies employed, to update data in a coordinated fashion, to identify the counterparts in charge of the control of drugs weapons and to put into practice an awareness campaign directed to policy-makers, entrepreneurs, and civil society as a whole.

Besides to the Brazilian Constitution of 1988, the complementary law 97/1999 regulates the activities of the armed forces. This law establishes “the general norms for the organization, preparation, and use of the armed forces.” This law lays out how the Brazilian Armed Forces can be employed acting through preventive and repressive actions by the borderline of the country, at sea and in inland waters against transnational and environmental crimes, specifying which activities can be executed: patrolling, search of persons, vehicles, aircraft, and ships, and arrest of individuals in the case of flagrant crimes.\textsuperscript{74}

\textsuperscript{74} Filho, Paulo R. S. G - 2016
The operations carried out by the Brazilian Army in the border region are undoubtedly true changes in the constitutional destination of the role to be played by the Armed Forces (an FA is primarily intended to preserve the sovereignty of a nation and does not have as its primary purpose to confront its nationals). Therefore, permanent action in the fight against organized crime, repression of arms smuggling and drug trafficking in the border area, require new paradigms of action.

To this end, it is important for military personnel working in the border region to have specific instructions on criminal and procedural law in order to feel secure when they act to combat cross-border and environmental crimes.75
CONCLUSION

This century has brought a plenty of security challenges for every country. The mission of the Armed forces all around the world is to ensure the safety of its own people. In the case of Brazil, as showed in this work, besides to the normal duties of protection against traditional threats, has the tough job to protect the country against non-traditional threats, which has been rising constantly.

As a developing country, Brazil has Armed Forces adjusted to its size, importance, economic capacity, military tradition and foreign policy. They are not superior to what is allowed by the capacity of the country. But they cannot be smaller than what their mission requires. This research demonstrated that, regarding its mission of fight against transnational crimes, Brazilian Armed Forces has it dimensions according to their capacities. Still, there are several aspects to be improved and challenges to be surpassed.

This research aimed to study the employment of the Brazilian Armed Forces against non-conventional threats, particularly, cross-border crimes. It intended to understand, specifically, how the Brazilian Security forces, both military and civilian make their preparation; how they are employed, what are the most significant challenges and difficulties. Moreover, the objective of this research was point out ways forward and new solutions to manage this kind of operation.

In order to achieve those objectives, this work started showing how is the situation of the non-traditional security threats in South America and Brazil. The most important problems and challenges regarding this type of threats were presented, placing the reader regarding the current situation of that continent.

After studying the main aspects of security issues in South America, the study about Brazil was deepened. The main features of transnational crimes were analyzed. Subsequently, we could understand superficially the forms of employment of the Brazilian Armed Forces.

Thus, the emphasis of this research was obtaining experiences and Lessons Learned, through studies made, to provide ideas those could be useful on future situations. Besides, to present the main observations to all levels, national, regional and international, providing suggestions to other nations.
Nonetheless, it is important to stress that non-traditional security threats are the most important security challenges that face the countries of South America. Among those, transnational crimes are special concerns, especially in Brazil.

The work done showed that, although Brazilian Armed Forces have been employed in a secondary role, several knowledges have been acquired in different areas, especially in operation, intelligence, command and control and logistics. Thus, is a very good opportunity for the Brazilian Armed Forces to practice joint operations in an interagency environment. This kind of experience develops skills that will be useful for all the types of operations, from traditional to non-traditional security threats.

In this research, some real cases like the Operation Agata 11 and the combined operation among Brazil, Colombia and Peru were studied. These operations were planned centrally by the Ministry of Defense and executed in a decentralized manner by the Brazilian Armed Forces.

The Operation Agata 11 – a typical operation oriented to non-traditional threats, reflects the objectives of presence and protection at the border. This operation acts in aerial, riverside and land surveillance and supervision; in the prevention, control, supervision and repression of the offences practiced in the Brazilian border.

Concerning to combined operations, despite advances in South American cooperation in confronting the problem of drugs in various areas – including production, distribution, illicit trafficking, illicit transport of precursor substances, drug abuse and related crimes – it is clear that much must be done to make progress in combating transnational criminal organizations.

It was explored that several governmental agencies work within the borderland of Brazil. The interagency environment creates several challenges for the employment of the Armed Forces, which requires from military commanders the ability to mediate conflicts, create consensus and coordinate forces amongst all actors involved.

In conclusion, despite being an eventual constitutional destination, as the Armed Forces has been frequently used against transnational crimes; The use of the Armed Forces in this type of operation should be the last instrument after all the employment possibilities of the national Security Bodies have been exhausted.

Although the Military Power is able to temporarily neutralize the effects of a particular situation that affects constitutional powers, law and order, only the integrated action of all expressions of National Power will be able to eliminate the causes of the problem.
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