





PUBLIC SECURITY OR EXPEDITIONARY OPERATIONS FOR BRAZIL'S ARMED FORCES?

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JCSP 40

Exercise Solo Flight

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CANADIAN FORCES COLLEGE – COLLÈGE DES FORCES CANADIENNES JCSP 40 – PCEMI 40

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INTRODUCTION

South America is a continent that has managed to avoid much armed conflict between neighbours. The continent experiences many other problems, such as unequal wealth distribution, corruption and high crime rates, and has experienced a number of ideologically-based and drug related guerrilla conflicts, but open conventional war between states has been remarkably rare. Instead, the primary security threat in South America comes from cross-border criminal activities. Brazil in particular faces border security challenges as it has ten neighbours and 16,886 kilometres of land border, much of it in complex mountainous, wetland and rain forest terrain. Consequently, South American states have spent little energy developing large armed forces trained and equipped for expeditionary operations, instead focusing on internal security, and the overall level of hard-power resources in the continent is low. Brazil is starting to defy that trend as part of its efforts to be seen not only a regional power, but a global power; it is increasing its engagement in United Nations (UN) operations as a means to demonstrate its capabilities. However, in spite of such actions, the Brazilian Armed Forces in general, and the Army in specific, remain institutions more focused on internal security than power projection.

METHODOLOGY

This paper will review the Brazilian legal basis for public security and expeditionary operations. It will compare domestic operations with experiences from the

largest Brazilian external operation since the Second World War: the United Nations

Stabilization Mission in Haiti (MINUSTAH), where the threat is criminal, similar to in

Brazil.

BACKGROUND

Brazil significantly increased its international activities during the administration of President Lula da Silva from 2003 to the end of 2010. This included economic and diplomatic activities along with increased defence spending and projection through UN missions. The Brazilian goal has been to acquire a permanent seat in a reformed UN Security Council, and President Lula systematically drove a foreign policy aimed at achieving that end. However, Brazil faced, and continues to face, significant domestic problems. In a 2010 interview, President Lula recounted a conversation he had as President-elect with American President Bush in late 2002 when the US was trying to garner support for the invasion of Iraq. President Lula stated that his own concern at the time was with Brazilian poverty and a war on hunger. He preferred to expend his political capital and resources in lifting 24 million Brazilians out of extreme poverty and helping 31 million Brazilians join the middle class.

Brazil faced many obstacles to such social change, one of which was, and continues to be, organized crime. The Lula administration and the subsequent administration of President Dilma Rousseff (both of the Worker's Party) shaped

¹ What Brazil actually intends to do with a permanent seat in the Security Council is unclear and is beyond the scope of this paper, but Brazil has often been described as being more concerned with appearances than function.

² Amanda Sanches Daltro de Carvalho and Renata de Melo Rosa, "O Brasil e a não-indiferença à crise haitiana: solidariedade ou retórica do discurso?" *Universitas: Relações Internacionais* 9, no. 1 (Jan/Jun 2011): 491-492.

legislation to permit greater military involvement in combating internal crime throughout the criminal equivalent of a distribution chain. Many such military operations coincided with high visibility activities in Brazil, such as conferences and international sporting tournaments, but the overall aim has also been to reduce crime in order to enable domestic programs to take root.

The global economic crisis had a profound effect on Brazil, which had become dependent on exporting raw materials to China and on exporting oil. The Brazilian staterun company Petrobras was being forecasted to turn immense profits from exploiting the offshore pre-salt oil fields, but with the collapse of oil prices these fields are less economically viable.³ Just as in the rest of the world, reduced income has resulted in budget cuts, and Defence has not been spared: "Since the beginning of the Dilma Rousseff administration [in 2011] the MD [Ministry of Defence] and Itamaraty [foreign affairs] budgets have suffered cutbacks of 24% and 15%, respectively, curtailing the president's diplomatic agenda and affecting opportunities for expanding the country's involvement in multilateral initiatives." The most recent Brazilian budget has further cut defence and foreign affairs funding, with further consequences for activities abroad. This is coupled with distinct personality difference between the two presidents. President Lula was very active internationally, while President Dilma has been much more uncomfortable on the international stage and demonstrated much less interest in international forums than her predecessor. This appears to be unlikely to change in her

³ Petrobras is currently also involved in criminal investigations over allegations of having collected billions of dollars in bribes from companies bidding on oil projects, and then having distributed that money to members of the governing Worker's Party. While these investigations are beyond the scope of this paper, the distraction they are causing is likely having some negative effect on Brazilian policy development.

⁴ Monica Hirst and Reginaldo Mattar Nasser, "Brazil's involvement in peacekeeping operations: the new defence-security foreign policy nexus," *The Norwegian Peacebuilding Resource Centre Report*, September 2014, 3.

second mandate, the start of which has been beset by distracting allegations of corruption. However, although defence funding has decreased during the Dilma administration, the armed forces have seen an increase in their internal security activities.

LEGAL BASIS

Ever since the end of the military regime, which governed from 1964 to 1985, Brazilians have been wary of the consequences of the Armed Forces holding too much power. The Brazilian Constitution of 1988 specifically outlined roles and responsibilities of military and police forces in internal security. Article 144 of the Brazilian Constitution specifies the organs responsible for public security and does not include military forces. Article 142 outlines military responsibilities and provides for military forces being used to guarantee law and order (GLO) in case of exceptional circumstances at the request of constitutional powers (federal or state governments) and dependent on the approval of the President. In other words, constitutionally, military forces are forces of last resort in internal security matters. However, while the population is happy to maintain a policy of public oversight of military activities, the population has also had few qualms about increasing the role of the Armed Forces in internal security.

⁵Presidencia da Republica, "Constitucao da Republica Federativa do Brasil," accessed 17 May 2015. http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm. Brazilian public security forces include the federal police; federal highway police; federal railway police; civil police (at state and municipal levels); and military police and military fire brigades. These last, however, are considered auxiliary units of the Armed Forces and do not fill the functions of Canadian (or other Western armed forces') Military Police units. Instead, they function as State-level police forces and vary widely between states. The Brazilian Armed Forces have their own police forces more akin to Canadian Military Police.

⁷ Since about March 2015 there have been numerous large-scale protests over problems of government corruption. A handful of these protestors have been calling for a return to military government on the grounds that no general ever retired a millionaire. While there is truth in that specific statement, the concept of military rule remains anothema to the vast majority of the population.

In practice, military forces have been frequently called upon for internal operations. In part, this is because Brazil is a vast country and while the bulk of the population is along the South Atlantic coast, many people are also scattered throughout an interior consisting of harsh geography and limited infrastructure. The military is often the only agency able to penetrate these regions and deliver assistance not only in times of crisis (flooding being a common problem in the Amazon basin), but as a matter of routine. The Air Force and Navy frequently conduct medical outreach programs and basic engineering programs in remote areas. The military also plays a major role in Amazon surveillance, combating criminal activities such as illegal logging and mining and smuggling as well as monitoring environmental issues such as forest fires (which occur even in rain forests). The Amazon Surveillance System (Sistema de Vigilância da Amazônia, or SIVAM) is an integrated system of radars and aerial surveillance, providing information to a number of civilian ministries in addition to defence. More recently, the Armed Forces have also brought a trial version of the Integrated Border Monitoring System (SISFRON) online, starting in the south of the country. This sophisticated border surveillance system is intended more to prevent cross-border crime than to detect armed incursions and will involve close cooperation between the military and public security agencies.

From civil aid programs it was a small step to involving the Army in internal security operations against well-armed gangs located in the urban jungles of the largest cities shanty towns, the *favelas* of Rio de Janeiro being the most infamous. Such

⁸ MIT, "SIVAM Presentation on November 13, 2002," last accessed 17 May 2015. http://web.mit.edu/12.000/www/m2006/kvh/sivam.html

⁹ Eduardo Szklarz, "Sisfron Technology Helps the Brazilian Armed Forces Secure Border Regions," *Dialogo: Digital Military Magazine*, 21 November 2014

operations can be traced back to the 1992 Earth Summit, when the Army was used in police tasks, and over the following years the Army conducted more occupation tasks in various favelas. 10 In order to ensure the legal basis for military involvement in public safety, Complementary Laws Nos. 97 of 9 June 1999 and 117 of 2 September 2004 were passed allowing that both the Armed Forces and the Public Safety Institutions work together when necessary to re-establish the rule of law and public order. 11 Based on such experiences, the Brazilian government passed a decree in 2001 stating that in GLO operations, police forces would fall under military command and that Army personnel (and subsequently Navy and Air Force personnel) would be granted police powers for the duration of GLO operations. 12 This broad power has been augmented by a 2010 decree that military forces acting in GLO operations not be subject to civil law but rather to federal military law. 13 The combination of power and lack of public accountability might be thought such that the public would protest such militarization of security, but this has not been the case. General Villas Boas, the recently appointed Army Commander, noted that recent operations run from April 2014 to May of 2015 in the Mare Complex, a Rio de Janeiro favela with a population of approximately 130,000, saw "over 65,000 actions undertaken by the Pacification Force. This total includes 570 arrests, 224 arrests of minors committing illegal acts, and 1,205 seizures of drugs, weapons, ammunition, vehicles, motorcycles, and various materials."¹⁴

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¹⁰ Christoph Harig, "Synergy effects between MINUSTAH and public security in Brazil," *BRASILIANA– Journal for Brazilian Studies* 3, no.2 (March, 2015): 145.

¹¹ Fernando Cesar Costa, "The Brazilian Legal Framework For Investigation, Prosecution And Trial of Transnational Organized Crime," *UNAFEI 134th International Training Course Participants*" *Papers*, Dec 2007, 70.

¹² Harig, 155.

¹³ *Ibid.*, 155-156.

¹⁴ Marcos Ommati, "General Villas Bôas Talks About the Brazilian Army's Immediate Priorities and Plans," *Dialogo: Digital Military Magazine*, 07 May 2015.

MINUSTAH

The UN mission MINUSTAH was authorized in 2004, and Brazil was selected to command the mission. While Brazil was interested in being seen taking a leadership role in resolving a problem in its own region, there were legal obstacles. Specifically, Article 4 of the Constitution dictates a policy of non-intervention.¹⁵ Brazil worked around this through citing the collaborative nature of UN declarations and operations, and noting that the need for international assistance in Haiti over-rode the ideal of non-intervention. 16

The gang threat and levels of violence in Port-au-Prince and Rio de Janeiro are remarkably similar, so it was logical that Brazil adopt the Port-au-Prince area of operations. While some have argued that tactics developed in Haiti were subsequently incorporated into domestic operations in the favelas of large urban areas such as Rio de Janeiro, ¹⁷ Brazil has used its military in aiding police forces battle urban gang violence since well before the start of MINUSTAH. However, experience aside, Western governments soon started criticising the mission in general for its passivity and lack of aggression in confronting gang violence. American pressure to use more force and to restrict the activities of the political party associated with the ousted Jean-Bertrand Aristide, and the Brazilian counter that Haiti needed an inclusive political process along with questions over whether the UN mandate included combating crime points to a number of issues with Brazilian expeditionary operations. ¹⁸ The Brazilian stance might have been a result of a lack of experience in combat situations, a fear of domestic reaction to Brazilian casualties abroad, or due to a Brazilian approach to business. The

¹⁵ Presidencia da Republica.¹⁶ de Carvalho and Rosa, 489.

¹⁸ Kim Ives, "WikiLeaks points to US meddling in Haiti," *The Guardian*, 21 January 2011.

first is possible and was likely being muttered behind closed doors in northern capitals.

There is some evidence for the second based on a conversation between the US

Ambassador to Brazil, John Danilovich, and his unnamed political counsellor, and then
President Lula's international affairs advisor Marco Aurelio Garcia in 2005:

PolCouns asked Garcia whether the GOB is concerned that Brazilian casualties could spark popular reaction in Brazil that would affect the GOB's ability to maintain forces in Haiti. Garcia replied that Brazil's mission in Haiti "has no shortage of critics" in Brazil, and "even one Brazilian casualty" killed in violence (as opposed to accident or health problems) could cause turbulence. ¹⁹

However, the Brazilian experience in dealing with gang violence suggests there was an operational-level cause for hesitation, particularly since there were few humanitarian aid resources lined up to fill a vacuum once gangs were expelled. Ultimately, MINUSTAH did conduct a violent assault on Cite du Soleil on 6 July 2005, resulting in accusations of massacres. While that may be hyperbolic, the force did claim it fired 22,000 rounds of small arms ammunition which, in the densely populated slum made up of flimsy buildings, seems excessive and likely resulted in many unreported civilian casualties.

A cable from the US embassy in Haiti to the State Department summarized American views on the mission. "Minustah's passivity is frustrating. Minustah has the opportunity to bring much needed security and confidence to Port-au-Prince, but to do so it needs to keep the pressure on the gangs." This was ultimately accomplished through a series of intelligence-led operations conducted from December 2006 to March 2007

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¹⁹ Haiti News, "WikiLeaks/US Embassy Cables/Haiti -N.11," accessed 18 May 2015. http://www.haiti-news.com/?WikiLeaks-US-Embassy-Cables-Haiti,5536

²⁰ A. Walter Dorn, "Intelligence-led Peacekeeping: The United Nations Stabilization Mission in Haiti (MINUSTAH), 2006–07," *Intelligence and National Security* 24, no. 6 (December 2009): 812-813 and Colum Lynch, "U.N. Peacekeeping More Assertive, Creating Risk for Civilians," *The Washington Post*, 15 August 2005.

²¹ State Department, "Haiti Post-Dread Wilme: MINUSTAH Takes off the Pressure." Freedom of Information Act release (2005-05-081) – Cable from US Embassy Port au Prince to State Department Headquarters. July 12, 2005. Cable Number: Port au Prince 001829.

which succeeded in combining overwhelming force, night attacks, and adopting strong points in the heart of gang-controlled territory, all of which crippled the gangs and reduced risks to the civilian population.²² As with all forces, Brazil demonstrated the capacity to adapt tactically to the situation.

Politically, Brazil was never comfortable with applying force. Following the 6 July raid, Brazilian General Augusto Heleno Ribeiro, the MINUSTAH commander, stated that Jordanian troops were conducting the bulk of the operation, when the actual after action report states the Jordanian troops had a minor perimeter security role and fired only five percent of the rounds. 23 This, coupled with the sentiments about aversion to casualties mentioned above suggests reluctance for the Brazilian population to read news reports of their soldiers taking combat risks. Further, when General Helena's successor, General Urano Teixeira da Matta Bacellar was found in his apartment dead from a gunshot wound, Brazil declared the death a suicide in spite of theories that he had been assassinated. Dominican President Leonel Fernandez stated that "the Brazilian government is calling the death a suicide in order to protect the mission from domestic criticism. A confirmed assassination would result in calls from the Brazilian populace for withdrawal from Haiti. Success in this mission is vital for President Lula of Brazil, because it is part of his master plan to obtain a permanent seat on the U.N. Security Council."24 Brazil was probably more concerned with domestic politics than mission success.

²² Dorn, 814.

²³ State Department, "Human Rights Groups Dispute Civilian Casualty Numbers from July 6 MINUSTAH Raid." Freedom of Information Act release (2005-05-081) – Cable from US Embassy Port au Prince to State Department Headquarters. July 26, 2005. Cable Number: Port au Prince 001919.

Wikileaks-dokumenter, "17.01.2006: Dominican President Receives State DAS for Caribbean," accessed 18 May 2015. http://www.aftenposten.no/spesial/wikileaksdokumenter/17012006-DOMINICAN-PRESIDENT-RECEIVES-STATE-DAS-FOR-CARIBBEAN-5107311.html

In an effort to institutionalize the lessons from MINUSTAH, the Army founded its peacekeeping training centre in 2005, and the Navy followed suit in 2008. In 2010, these were merged into the *Centro Conjunto de Operações de Paz do Brasil* (CCOPAB), which now trains members of all three military branches as well as civilians, police forces and even some foreign soldiers.²⁵ Further:

In 2013, the Army's General Staff has issued the operational concept of *Operações no Amplo Espectro* (Full Spectrum Operations) that was meant to adjust formal doctrines to the changing reality of deployments abroad and in Brazil. Pacification missions are considered to be a central element of Full Spectrum Operations and will soon be guided by a dedicated Field Manual.²⁶

Such growth in institutionalizing effective doctrine and training in peace support and pacification missions is having a positive impact in executing these missions, but it is significant that such institutions have only been created so recently. Moreover, while the Brazilian role in Haiti was a significant step forward in demonstrating an international presence, certain facts need to be considered. Much of the spotlight on Brazil came from its leadership position in the mission,²⁷ but the total troop commitment was little more than an infantry battalion and an engineer company. Brazil had, and continues to have, challenges in mobilizing, training, deploying and sustaining a larger force in expeditionary operations. This is in part due to its command structure which lacks effective joint headquarters and in part due to a lack of expeditionary doctrine.²⁸

INTERNAL OPERATIONS

²⁵ Harig, 148.

²⁶ Harig, 152-153

²⁷ Similarly, Brazil has had leadership positions in other UN operations in the Middle East and Congo, but have had very few actual forces deployed.

²⁸ Based on conversations between the author and several senior officers from the Brazilian Army Headquarters, 14 May 2015.

While Brazilian forces were in the international spotlight in Haiti, they were aggressively increasing the scope and scale of their domestic operations, particularly under President Dilma. "Decree N° 7,496 of 2011 created the Strategic Border Plan which developed operations Agatha I, II, III, IV and V with the support of SISFRON." The ostensible aim of the Op Agata operations was and is border security, but the post-operation reports suggest considerable internal security activities. The aim appears to be more than simply stopping crime at the border but to break the criminal network at the border crossing, the internal shipment corridors, and the distribution networks in cities.

The aim of Op Agata 7 was to reduce the influence of organized crime along the border region; it involved all branches of the Armed Forces working with municipal, state and federal public security agencies. The operation was noted for ever increasing and improving relations throughout the iterations with the local population in combating criminal activities. Op Agata 8, timed to augment security in the lead up to the FIFA World Cup, involved 30,000 members of the Brazilian Armed Forces, working in conjunction with numerous public security agencies. In addition to seizing 6.2 tonnes of illegal drugs, 10 million packets of illegal cigarettes, 20 million cubic metres of illegally harvested wood and more than 4.5 tonnes of meat and fish of unknown origin, they also conducted 3 million medical consultations, 2 million dental procedures and paved 13 kilometres of roads. It is clear that civil action programs are seen as a critical defence role in conjunction with the role of combating criminal activities. These internal

²⁹ Resdal, "A Comparative Atlas of Defence in Latin America and Caribbean / 2012 Edition, Brazil," accessed 18 May 2015. http://www.resdal.org/ing/atlas/atlas12-ing-12-brazil.pdf

³⁰ Fábio Castro, "A transformação da elite do combate convencional," *Doutrina Militar Terrestre em revista* 5 (Jan – Jun 2014): 12-13.

³¹ Unsigned article, "Vice-presidente e Ministro da Defesa acompanham a Operação Ágata 8," *Folha Militar*, Juhno 2014, 7.

operations are conducted on a scale that dwarfs the MINUSTAH contribution. They have also been increasing in frequency even at a time when defence budgets are shrinking, indicating that they are a government priority.

CONCLUSION

Brazil is one of the largest countries in the world in geography, population and economically. It continues to face significant internal challenges such as unequal distribution of wealth, corruption and crime, and is struggling to reconcile economic growth with environmental protection. Internationally, Brazil focuses primarily on relations with its ten immediate neighbours, many of whom share cross-border criminal and guerrilla threats, but none of whom present conventional military threats. In such an environment, Brazil has been pragmatic in its employment of military force. The government has been incrementally adjusting legal restrictions in order to give themselves and the Armed Forces more flexibility in internal military operations. In the context of a nation that endured decades of repressive military rule, such creeping increases in granting the military police powers is troubling, but must also be weighed against the scope of criminal activities, the complexity of the physical and human terrain, and the existing police resources. By contrast, Brazil has demonstrated a very small capability to project force, and little political appetite to employ force in high threat environments. They are making efforts to develop a more robust expeditionary capability, but their doctrinal and training institutions for operations abroad are very recent creations. Simply comparing the scale of frequency of major internal operations and

external operations demonstrates that Brazil remains a nation whose Armed Forces retain an internal focus.

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