



Home Office

Report of a fact-finding mission

Brazil: Organised criminal groups (OCGs)

Conducted between 9 September 2024 and 18 September 2024

Published: December 2024

Contents

| | |
|--|-----------|
| Executive summary | 3 |
| Introduction | 4 |
| Background..... | 4 |
| Purpose of the mission | 4 |
| Research standards..... | 4 |
| Identification of sources | 4 |
| Arranging and conducting interviews | 5 |
| Notes of interviews/meetings | 5 |
| Terms of Reference | 6 |
| List of sources | 8 |
| FFM introductory note | 9 |
| Interview notes | 11 |
| Interview with CNMP (National Council of the Public Prosecutor’s Office) | 11 |
| Interview with United Nations Office for Drugs and Crime (UNODC) | 15 |
| Interview with The National Secretariat of Public Security (SENASP) | 19 |
| Interview with Federal Police, Immigration Department | 22 |
| Interview with Federal Police of Brazil, Serious and Organised Crime Division.... | 23 |
| Interview with Legislative Consultants of the Chamber of Deputies | 29 |
| Interview with Grupo de Novos Ilegalismos da Universidade Federale Fluminense (GENI/UFF) | 34 |
| Interview with Rio de Paz | 40 |
| Interview with Instituto Sou da Paz | 43 |
| Interview with Centre for the Study of Violence (NEV-USP)..... | 47 |
| Interview with Prosecutor Lincoln Gakiya | 53 |
| Interview with Criminal Investigation Department of the Sao Paulo Civil Police ... | 57 |
| Interview with Federal Police of Brazil, São Paulo | 60 |

Executive summary

From 9-18 September 2024, 3 officials from Country Policy and Information Team (CPIT) carried out a Fact Finding Mission (FFM) to Brazil. The purpose of the mission was to gather information from a range of sources about organised criminal groups (OCGs), how the criminal justice system tackles OCGs and the state's willingness and ability to provide protection to victims. Sources indicated the below.

As of 2024, more than 80 OCGs exist in Brazil. The largest are the PCC, based in Sao Paulo, and the CV, based in Rio de Janeiro. Both operate throughout Brazil and internationally. Militias, OCGs with direct connections to state actors, also operate in Rio favelas where they extort populations under their control. The Amazon region, border areas and favelas in urban areas are particularly affected by OCG activity.

Persons most affected by OCGs are generally young, black males from low socio-economic backgrounds who work for the OCGs. Some indigenous people also face displacement and exploitation due to increasing OCG activity in their territories.

Most recruitment to the PCC and CV takes place in prisons. They do not engage in forced recruitment although they reportedly approach people with particular skill sets or positions. Generally, a person could refuse an offer to work for an OCG and could leave the group without repercussion if they have a low-level role. However, for those with a higher role, leaving may be difficult. Those with debts to the group are not able to leave. A person who does leave will be monitored.

The PCC and CV have the means to pursue a person throughout Brazil. They are likely to pursue a person who: has acted as an informant against the group; has stolen from the group; or who owes the group a large debt. What constitutes a large debt would depend on the creditor's perception. They may also pursue a person who has personally disrespected a group leader.

The state-level response to OCGs has included violent raids which have resulted in civilian deaths and affected freedom of movement. Sources reported that people who live in areas dominated by OCGs are unlikely to report a threat to police due to fear of police corruption or fear of being labelled as an informant by the OCG.

Internal relocation is generally possible but some areas of, for example, Rio de Janeiro and Sao Paulo, experience higher crime rates than, for example, Brasilia. People most affected by OCG activity may not have the financial means to relocate.

Corruption exists at all levels of the criminal justice system and those in strategic positions are vulnerable to exploitation by OCGs. However, law enforcement expressed a desire and willingness to combat OCGs and corruption. The state engages in international cooperation and actively conducts operations against OCGs. Most OCG leaders are isolated and segregated in federal penitentiaries.

Witnesses protection programmes exist and are managed at both state and federal levels but reportedly have insufficient resources to protect the volume of persons who need them. Witnesses against corruption and militias are particularly at risk of retribution as these actors are connected to state agents. High-profile targets, for example officials who investigate OCGs, would likely receive protection.

[Back to Contents](#)

Introduction

Background

This report contains the (approved) notes of interviews with sources during a fact-finding mission (FFM) to Brazil.

The FFM was conducted in Brazil between 9 September 2024 and 18 September 2024 by 3 officials from Country Policy and Information Team (CPIT), with support from the Foreign, Commonwealth and Development Office (FCDO). The team visited Brasilia, Rio de Janeiro and Sao Paulo.

It does **not** provide advice on handling particular types of protection claims. For this, see the [Brazil: Country Policy and Information Notes](#).

[Back to Contents](#)

Purpose of the mission

The purpose of the mission was to gather accurate and up-to-date information from a range of sources about organised criminal groups (OCGs), primarily the Primeiro Comando da Capital (PCC) and the Comando Vermelho (CV), and how they operate. Additionally, the mission sought to gather accurate and up-to-date information from a range of sources about how the criminal justice system tackles these groups and the state's willingness and ability to provide protection to victims.

See the [Terms of Reference](#) for topics that were identified as relevant to explore.

[Back to Contents](#)

Research standards

The FFM was undertaken with reference to the [EU \[European Union\] common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010 (EU Guidelines 2010), and CPIT's internal guidelines for conducting FFMs.

[Back to Contents](#)

Identification of sources

The FFM team sought to interview a wide range of informed sources (interlocutors), including members of non-government organisations, western embassy officials, government officials, and academics. Sources were identified primarily by desk-based research and in consultation with the FCDO.

The sources contacted and interviewed are those that the FFM team were able to identify as relevant to the mission's ToR. But, as with any FFM, factors including time constraints and availability of sources mean that the list of sources consulted and information provided are not exhaustive.

That a particular source was interviewed and the notes of the interview have been included should not be taken as endorsement of that source or the information provided. Rather, all sources and information provided need to be critically assessed and considered against other publicly available material.

See [List of sources](#).

[Back to Contents](#)

Arranging and conducting interviews

The FFM team met 15 sources, consisting of 37 people in 14 face-to-face interviews, and 1 source (consisting of 1 person) interviewed over Microsoft Teams.

Some interviews with sources were conducted in Brazilian Portuguese (with an interpreter). Others were conducted in English.

At the start of each interview the FFM team explained the purpose of the mission, including that the notes of the interview may be published in a report on the GOV.UK website and the sources would be able to review the notes before publication.

See [FFM introductory note](#).

[Back to Contents](#)

Notes of interviews/meetings

The FFM team took notes of all meetings, which were then sent by email to the sources for review and approval. This email explained that if a source did not respond within a specific deadline, then CPIT would assume that the source was content with the notes as sent to them.

Of the 15 sources, 9 approved the notes with a number making amendments to the original drafts. 4 did not respond. 2 did not agree to publication of the notes.

All sources are described / referred to according to their preference.

[Back to Contents](#)

Terms of Reference

A 'Terms of Reference' (ToR) is an outline of what the FFM seeks to cover. Prior to the FFM, the following topics were identified as relevant areas to explore:

- Prevalence of organised crime
- Organised criminal groups
 - Number of gangs/militias
 - Profiles of distinct groups
 - Leadership, structure, hierarchy, size of group
 - Recruitment methods: voluntary/forced, who is typically recruited
 - Repercussions: eg if refusing to join, (perceived) disobedience, if there is an attempt to leave the group
 - Reach/areas of influence
 - Capability, any specific criminal activities
 - Inter-gang rivalry
 - Gangs in prison
- Nature of organised crime
 - Drug-related crime
 - Other criminal activity
 - Targets/typical victim profile (if there is one)
- Government response (state and federal levels)
 - Acts/laws
 - Policies/initiatives
- State protection
 - Willingness and ability to tackle organised crime
 - Law enforcement
 - independence and effectiveness
 - statistics on arrests and detention
 - examples of major incidents
 - Judiciary
 - independence and effectiveness
 - statistics on prosecutions and convictions
 - examples of major cases
 - Victims
 - Access to protection/justice

- Statistics on reporting of crimes. If there is thought to be under-reporting, reasons behind this
 - Treatment of victims by law enforcement when they report a crime
 - Witness Protection Programmes
- NGOs
 - Examples of civil society organisations working to tackle gang violence/organised crime at societal level
 - What work they are doing
 - What support they provide to victims/residents of gang-occupied areas
- Freedom of movement
 - Extent to which a victim of gang violence could relocate in Brazil without consequence from the criminal group

[Back to Contents](#)

List of sources

Conselho Nacional do Ministerio Publico (CNMP, National Council of the Public Prosecutor's Office)

United Nations Office for Drugs and Crime (UNODC)

National Secretariat of Public Security (SENASP)

Federal Police of Brazil, Immigration Department

Federal Police of Brazil, Serious and Organised Crime Division

Legislative Consultants of the Chamber of Deputies

Grupo de Novos Illegalismos da Universidade Federale Fluminense (GENI/UFF)

Rio de Paz

Instituto Sou da Paz

Centre for the Study of Violence (NEV-USP)

Prosecutor Lincoln Gakiya

Criminal Investigation Department of the Sao Paulo Civil Police

Federal Police of Brazil, São Paulo

[Back to Contents](#)

FFM introductory note

Aim of the fact-finding mission

The purpose of our visit is to obtain accurate and up-to-date information on organised criminal groups and how they operate, how the criminal justice system tackle these groups and their willingness and ability to provide protection to victims. We would like to meet with you to fill gaps in our knowledge on this subject.

The fact-finding mission team will be made up of 3 officials from the Country Policy and Information Team (CPIT).

About CPIT

CPIT is part of the UK Home Office, the government department responsible for immigration and asylum. We collect country information through both desk-based research and in-country visits.

The reports CPIT produce are published online. They are used primarily to assist UK immigration officials and judges involved in the asylum and human rights decision-making process.

More information about the CPIT's range of products, including reports of other Fact-Finding Missions, can be found on our website: [Country policy and information notes -GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/country-policy-and-information-notes).

Format of the fact-finding mission

During our visit we will be meeting a range of sources who can provide an informed view on the issues of interest.

We intend to take notes of the meetings. These notes may be made publicly available on the GOV.UK website and/or used in litigation proceedings.

However, we will not publish any information you provide if you do not consent. If you prefer that the information is not made publicly available, this will be respected.

We will provide you with an opportunity to review/amend the meeting notes to ensure they are an accurate reflection of our discussions. We will also ask you how you wish to be cited in our final report. If you are not willing to be named individually, you can choose to be identified in more general terms. Examples include: by the name of your organisation or department ('an official from the Department of Health'), or by your occupation (an 'academic' or 'journalist').

Areas of interest

- Prevalence of organised crime
- Organised criminal groups
- Nature of organised crime
- Government response (state and federal levels)
- State protection

- Judiciary
- NGOs
- Freedom of movement

[Back to Contents](#)

Interview notes

Interview with CNMP (National Council of the Public Prosecutor's Office)

Date: 9 September 2024

Location: CNMP Brasilia

Present: Jaime de Cassio Miranda, President of the Prison System Commission External Control of Police Activity and Public Security; Auxiliary Members - André Epifanio Martins (Prosecutor from Amazonas State); Fernanda Balbinot (Prosecutor from Goiás State); 3 CPIT officials; 1 British Embassy official; 1 interpreter

Presentation on the CNMP, it's aims and objectives:

CNMP's role is the external administrative, budgetary and disciplinary control of public prosecutor's offices. It was created in 2005 under the premise that society in general should have control over the administrative, budgetary and disciplinary aspects of judiciary and prosecutor's offices. 2 councils were created: the National Council of Justice and the National Council of the Prosecutor's Office.

The CNMP deals with 3 specific areas – administrative control, budgetary control, and the conduct of members of prosecutor's offices around Brazil. This pertains to the administrative side of things not the criminal side.

The CNMP also has commissions on thematic areas (10 in total). For example, the commission on external control of police activity, the prison system and public security. They also have commissions handling human rights, the environment, and health, as well as internal affairs, an ombudsman's office and a national training unit.

An important aspect of their role is to guide prosecutor's offices in performing their role. For example, the commission on external control of police activity, the prison system and public security disseminates best practices, contributing to the enhancement of the prison system and to the conformation of the conduct of police to the standards of the law. The Inter-American Court on Human Rights has raised issues regarding the external control of police activities and the Brazilian prison system. According to that court, there are conditions within the prison system that are unconstitutional.

The CNMP are also involved in fostering integration between public prosecutor's offices and other agencies of justice and the security system, as well as social entities, so they can put together policies promoting public security.

When there are specific public security crises in specific states, the CNMP also assesses actions of prosecutor's offices as an agency of external control, assessing whether they can adequately solve the crises they face.

The CNMP is also responsible for institutional coordination between other agencies of the criminal justice system.

The National Council of Justice provides similar contributions in the scope of the judiciary.

CNMP also produces statistics on public security: they have data about all prisons in Brazil and control the quality of the data. The data is reliable because it is obtained by prosecutors on direct visits to prison units and police units. Prosecutors go personally to units and check conditions, then fill in a form which gets sent to CNMP.

This is then made publicly available online.

CNMP issue Resolutions which are hard law, impose conditions of conduct on prosecutor's offices, give recommendations and handle non-compliance.

CNMP has a record of deaths stemming from police intervention – this is sent by prosecutor's offices with specific data on victim profiles. They have knowledge of police actions in all federal units of Brazil: Rio de Janeiro has the highest number of deaths as a result of police interventions, followed by Sao Paulo.

Relevant norms include Resolution No. 181/2017: this covers proceedings for police investigation. The Inter-American Court of Human Rights has said that the prosecutor's office is responsible for investigating deaths stemming from police activity.

Resolution No. 243/2021 is a policy on victim protection. Based on this we have a national victim defence movement, including units that receive victims with technical multidisciplinary teams.

Resolution 292/2024 relates to the intelligence system of the prosecutor's office: they have intelligence units relevant to the prison environment.

We also have technical cooperation agreements, including a national system for locating missing persons. Disappearances relating to organised crime as well as clandestine burial sites are common.

This [website](#) has information relevant to victims who may need help.

Each state has a GAECO [Grupo de Atuação Especial de Combate ao Crime Organizado, Special Action Group to Combat Organized Crime], which are organised into a national group. They meet and discuss joint actions and coordinate actions of the prosecutor's office. Each acts in their own state according to that state's challenges.

In terms of the Public Prosecutor's Office handling of cases involving organised criminal groups, do you have any specific aims or objectives?

We have specific coordinated actions by state prosecutor's offices themselves; we are an external agency guiding the actions of prosecutor's offices across Brazil. CNMP defines strategies and actions to fight organised crime. We have established protocols between prosecutor's offices to increase action in the North, where there are extensive border areas, to fight organised crime. We seek to coordinate with other public security agencies so that in a joint and integrated manner we can effectively and efficiently fight organised crime. Actions are taken by specific prosecutor's offices.

CNMP does not act in the end activities of prosecutor's offices, we don't establish objectives and targets and we don't create policies. Instead, we provide guidance and produce recommendations for policies within our scope. Those who execute policies are prosecutor's offices themselves, each state has one and there are additionally 4 more (30 in total). 29/30 handle criminal issues including organised crime. Only the labour prosecutor's office doesn't handle criminal issues.

The current president of the CNMP has prioritised fostering action against organised crime and defending children and teens. The prosecutor's office as a whole is very concerned with the fight against organised crime.

Main operations are done through GAECOs together with civil police forces - prosecutor's offices are always behind these large main actions.

There are mechanisms in place to obtain and protect information that pertains to criminal organisations - this sort of information is stored and mapped to feed into data on organised criminal groups.

Rio de Janeiro has an institutional culture of gathering data to fight organised crime.

Could you describe the judicial process of prosecuting members of organised criminal groups?

There is a criminal process code: specific legislation that establishes trial by collegiate bodies to ensure the safety of judges due to the dangers involved. There's also an institutional security policy to protect members of prosecutor's offices. Many have to be escorted everywhere and protected due to their actions in the field.

There is specific legislation to enable the prosecution of numerous crimes, including money laundering, homicide, human trafficking, drugs trafficking, weapons trafficking. There are also specific laws regarding OCGs, including the organised crime law and money laundering law. The legal system ensures we can prosecute. The fact an individual is associated with a criminal organisation is itself a crime.

Law 12,850 of 2013 contains special investigation techniques specific to organised crime, for example wire-tapping.

Can you outline any barriers the public prosecutor's offices face in the context of prosecuting organised criminal groups?

The problem is very large and complex. The PCC is very well known, it is the largest or one of the largest factions. It started in Sao Paulo in 1993 with 8 people. It currently has 20-30 thousand members who are found throughout the whole of Brazil.

Rio de Janeiro has the CV and Comando Vermelho Puro. It is not something small. There is not a simple answer to that question. What we do is an intense, constant fight.

One of the main difficulties we have in prosecuting these criminal organisations is the transnational character of the organisations and the dimensions of the country itself.

In the past few years, we have been investigating how to prevent organised crime from infiltrating spheres of power, especially state and municipal governments. When this happens, it creates a protection systems for OCGs. This a big challenge with aspects of personnel, hierarchy, and the diversification of organised crime. This has been fought intensively and we would say successfully.

OCGs perform many activities, such as drug and weapons trafficking, stealing cargo, and money laundering through owning legitimate businesses like gas stations.

Brazil has 10 thousand miles of land borders as well as sea borders, presenting a logistical challenge.

It's not a simple fight.

Can you tell us about the protections available to victims during the judicial process?

Through Resolution 243 we have a national institutional policy for prosecutor's offices to support and protect victims. The CNMP fostered this initiative and change in approach, establishing and disseminating base rules so that local prosecutor's offices can provide services to victims and incentivise victims to report crimes. Victims are given social and psychological assistance, made to feel welcomed and heard, and receive the correct advice – this is all done on a local level.

To reach this point, we observed that historically Brazil was only concerned with victims up to the point of the crime happening. After the crime took place, the interest was no longer the victim but the criminal, in terms of prosecuting them and protecting their rights. Hence this movement to give victims visibility and a voice.

Some prosecutor's offices have interesting projects, for example in Minas Gerais they opened Casa Lilian (Lilian House) which is a physical structure with a multi-disciplinary team acting to care for victims. This can be accessed through Minas Gerais prosecutor's office.

There are other witness protection programs for people who face a high degree of risk, which involves changing their names and addresses. The executive branch manages these.

Is this assistance open to any victim?

In theory yes, but practice doesn't always follow. We can't always handle the volume of persons who need it, but all can seek it. There is no barrier or legal exclusion of certain victims from protection systems. What exists are structural limitations, such as budgetary ones.

Can the CNMP handle complaints against public prosecutor's offices on behalf of citizens? If so, can you outline the procedure?

Yes, and it's routine. We have an Ombudsman's office.

In all public prosecutor's offices, there is an Ombudsman's office. They all receive complaints.

Any citizen can seek this office when they have complaints regarding public prosecutor's offices. This commission has responded several times to such complaints.

As well as the Ombudsman's office, the internal affairs office receives these. All offices have an internal affairs office, and are financially independent. Citizens can seek their local internal affairs office or the federal internal affairs office. There is therefore a double layer of tools to investigate actions of public prosecutor's offices.

Have you given any specific recommendations regarding victims of organised crime?

Nothing specific - the Resolution [243] is very complete and encompasses all victims.

There is specific legislation in cases where there is a danger to life and these people can be included in this, it's called PROVITA [Programa de Proteção a Vítimas e Testemunhas Ameaçadas, Program for the Protection of Threatened Victims and Witnesses]. We have victims of organised crime that come to us, and ones that don't get to us because they are executed.

A police chief from Rio de Janeiro made an interesting presentation on organised

crime in Rio. He is responsible for the specific coordination office for fighting organised crime in Rio. We can provide his contact. He showed us how crime has become organised in the state of Rio de Janeiro in favelas, how difficult it is to go into favelas, how the gangs treat their victims. Organised crime in Rio has peculiar characteristics. The domination of territory and division thereof between OCGs is something you don't see as clearly in Sao Paulo – they have other forms of domination there. In Sao Paulo there is only the PCC. In Rio there are several OCGs, including militias, which don't exist in Sao Paulo, at least not in the same dimensions as in Rio. There is no way to establish territory in Sao Paulo because theoretically there is only the one OCG. In Rio there are at least 4, plus militias. The main OCGs are the CV and PCC, and they have an influence over prison systems in other states. They create wars and violence within prison systems, through struggles for power. Riots and killings in prisons are usually an extension of OCG wars.

We are aware that OCGs were born in and are active in prisons. What have the CNMP recommended to address that?

We recently published Resolution 277/2023 regarding prison system inspections by the prosecutors. It's within the scope of the public prosecutor's office to oversee and coordinate with agencies to articulate measures to fight organised crime. Prosecutor's offices look to do monthly oversight activities within prisons. This Resolution is for the prison system as whole, not specifically to fight organised crime therein. It is a strategy of the Ministry of Justice and Public Security.

Currently, we have 5 federal penitentiaries. These isolate and segregate leaders of OCGs. There is one in Brasilia. It has space for 208 inmates, but currently only has 55. They have individual cells. They seek to isolate people to see if this can reduce their intellectual influence and leadership.

Would you say this is effective?

Yes, very effective. Overcrowding in prisons has been greatly reduced. OCG leaders issue directions from prisons, so when you isolate them you reduce and hinder this communication. It hasn't solved the problem, but has reduced it. Organised crime is such that if you cut off one head 2 more will grow. Isolation of leaders like Beira Mar and Marcola has been effective. Intelligence has established through intercepted communications that it's had an effect.

[Back to Contents](#)

Interview with United Nations Office for Drugs and Crime (UNODC)

Date: 9 September 2024

Location: British Embassy, Brasilia

Present: UNODC Brazil; 3 CPIT officials; 1 British Embassy official

Can you give us an overview of the work the UNODC are doing in Brazil in relation to organised criminal groups?

We work in three different areas – technical assistance and capacity building, field research and project statistical data. We have a framework of cooperation. Brazil has ratified relevant UNODC treaties in relation to serious and organised crime: the UN Treaty on Corruption and the UN Treaty on Transnational Organised Crime.

The different thematic areas we work in include drugs (prevention but also demand

and supply research), environmental crimes, illicit trafficking (drugs, people and weapons), corruption and integrity – we work with governments on these issues. We assist state governments to implement projects on drug trafficking prevention. Across these thematics, we supply training, equipment and support, including software solutions, mutual legal assistance tools and the production of scientific knowledge with the aim of offering technical assistance to UN member states. There is always a regional or transnational component to our work.

UNODC also works in criminal justice – including the classification of prisoners in the context of our PRIS-COOP project.

What do you believe are the main barriers to tackling organised criminal groups in Brazil?

One of the main difficulties is co-operation between entities at federal and state levels, as well as between municipalities. Crime here is organised which is challenging to law enforcement.

In the Amazon region it is complex to make policies, as it is a huge region with a lack of communications and a lack of technology, as well as borders with the main cocaine producing areas of the world. The convergence of crimes and how organised crime is increasing its scope is a challenge. Maybe a few years ago it was more concentrated in a few areas, like Rio de Janeiro and Sao Paulo, now it is spreading across Brazil, including into the Amazon. Regarding convergence of crimes, OCGs may be venturing into illegal mining, people trafficking, drug trafficking, into many activities. The population is vulnerable in these areas – inequalities are very high, and this makes it a good place for organised crime to increase. Some remote areas have less government presence, which allows organised crime to flourish.

Lack of human resources is an issue in every institution, some more than others. The Federal Police have a huge mandate but limited human resource. Cooperation between institutions is therefore tricky. In the Amazon, we have a lot of these crimes and very few public servants, helicopters, equipment. The territory is so vast and there are highly specialised criminal factions who know all the routes around it. The river is like an ocean and there is very little monitoring or systemic inspection of it. This poses a huge challenge. Belem has a big international port, and areas controlled by organised crime.

Another issue is the extent of Brazil's land borders – Brazil borders almost every other country in South America and alongside that, there is a huge coastline making it very difficult for law enforcement to monitor. OCGs are becoming more powerful and connected with OCGs in other countries, including in Europe, which is facilitating drug trafficking and in turn makes it more difficult to combat. It's a dynamic situation – there are many challenges.

In terms of drugs, production increased in Colombia so they are flooding the transport links – if one shipment gets caught there are loads of others going through.

Cocaine production rose 3 times in the last approximately 10 years. Brazil is a massive transit country and the 2nd highest consumer of cocaine in absolute numbers. However, putting the numbers in the perspective of the population size, it is not.

Would you say there is a difference in approach between the Bolsonaro and

Lula administrations in tackling organised criminal groups?

Rhetorically, there has been an increased interest in environmental crime.

Are you aware of any pending legislation or initiatives to tackle organised crime?

There is one bill looking at illegal mining but it seems to be stalled.

The legislation regarding freezing the assets of crime is being updated. Brazil can confiscate or freeze assets before the judge finalises the sentence. They can then sell these assets before they lose value and use the money for public work.

Are you aware or able to estimate what percentage of homicides (and / or violent crimes) are attributed to organised crime in Brazil?

Not currently – would need to check the data.

Are you able to tell us categories or profiles of ‘typical’ victims of organised crime?

What we have is data regarding violent deaths, which may or may not be related to organised crime.

In the North region, victims are normally male youths. We work with the FBSP [Forum Brasileiro de Seguranca Publica, Brazilian Forum on Public Security], which are our main source of info. They provide the data, but again it is about violent deaths in general.

Could you tell us about your work on CRIMJUST? Specifically, how do UNODC work to enhance the capacity of criminal justice actors in practice in relation to organised crime?

CRIMJUST has existed since 2016. It is a global programme funded by the European Union and some projects are funded by the United States. We try to bring together origin and transit destination law enforcement and prosecution authorities where otherwise there would be parallel investigations in different countries. We try to bring the right people to the table, for example to create Joint Investigation Teams (JITs) and strategise. We try to work with border control and law enforcement.

Recently, there was a case with police cooperation in Rio De Janeiro, on migrant smuggling. Police exchanged information leading to falsified passports and the liberation of smuggling victims. Regarding cocaine trafficking, we brought together Ecuadorian and Gambian prosecutors. We are supporting law enforcement agencies that want to disrupt Venezuelan crime group Tren de Aragua. Other JITs have the same dynamics.

Ultimately, CRIMJUST works to support governments in dismantling the different arms of organised criminal groups in a variety of countries.

We can share some more of the results, press releases etc., to highlight successes of the programme so far.

Does the UNODC CRIMJUST project work with state/civil police or only federal police?

We only work with federal police and the prosecution service.

How does UNODC CRIMJUST work to improve human-rights and gender-based considerations in investigations of organised criminal activity?

This is our third pillar, trying to establish legislation with main counterparts and work on capacities that need to be strengthened. However this is not currently done in Brazil.

To also note: CRIMJUST is not just focused on prosecution and investigation, there's also a research and analysis component, which is partly funded by the UK.

Could you tell us about your work on PRIS-COOP?

We will share the relevant lead's email with you, and they can answer your questions on PRIS-COOP.

In terms of security and prison intelligence, there is a partnership between Paraguay and Brazil. The state and federal levels work together to establish best practice.

Who is affected by organised criminal groups and in what way?

The North region is not stable – in a recent analysis over the past few years, the state of Amazonas in Brazil showed that every year the dominant group changes. This increases violence so it affects people more. In the Southeast it is more stable, there are less disputes between OCGs so it doesn't affect people as much.

People normally move internally, but also cross borders. Indigenous people are more and more vulnerable, their social structures are affected. The youth are more involved with the OCGs. We work with indigenous people strengthening social residents' organisations, working with them to find other economic solutions. It is a huge territory with different groups, and attitudes are divided between them.

Riverine communities are important and many people are living there. They are further from urban centres so law enforcement has difficulties reaching them. Since rivers are so important for cocaine trafficking, OCGs go and threaten communities and tell them they need to store weapons and drugs. The Yanomami indigenous area had a health crisis, including mercury poisoning from contamination. There were approximately 20,000 illegal miners there who had very sophisticated operations including illegal landing strips and supplies. There are still approximately 10,000 illegal miners there. The Ministry of Defence has just published information on which indigenous territories have the most illegal mining and environmental crime. It shows that if you try to stop them in one place they'll come out in another. The people involved aren't making millions, so social support is important.

People have a feeling of insecurity. It's not only something people feel, but is evident in their routines. People that go to UK are probably different from Amazonian populations, where they suffer more internal displacement. Land conflicts are strong around this region in Goias. There is environmental crime there too.

Social support is really important. People in Sao Paulo and Rio de Janeiro would have a feeling of insecurity. There may be situations with family or friends that lead people to need to find another place to live.

[Back to Contents](#)

Interview with The National Secretariat of Public Security (SENASP)

Date: 10 September 2024

Location: British Embassy, Brasilia

Present: Dr. Vanessa Fusco Nogueira Simões, Director of Information Management and Integration; 4 SENASP colleagues; 3 CPIT officials; 2 British Embassy officials;

1 interpreter

Background

SINESP [Sistema Nacional de Informacoes de Seguranca Publica, National Information System for Public Security], is a technological platform, a macro system of data received from states to inform public policies – however we also supply information in a transparency portal. We produce panels and dashboards on public security data pertaining to some crime types, and 28 indicators including levels of homicide, theft, robbery, violent crimes. We say indicators because they also include seizures (numbers and types) of drugs and also list the number of suicides of officers on duty. You can get a snapshot of the police forces in Brazil. We list the police units of all forces in the country: military, firefighter, civil etc, and you can look through the numbers of personnel. We also have a national database of arrest warrants. This is open data which is transparent for the population. We also produce statistics regarding missing and located persons, which are available online. Our mission is to produce these data to inform public policies and offer technical solutions that security agents can use in their work. That's one directorate of SENASP.

Then we have a directorate handling intelligence operations. They have their own channels. It seeks to foster policies relating to the action of military and civil police forces in the states. We also have a general coordination office to fight organised crime. Integrated intelligence operations seek to foster the relationship between civil and state police in this fight. It is a robust directorate and much more operational.

We're aware that SENASP develop policies, guidelines, and actions for public security in the country. Please could you give us an overview of key examples in relation to organised crime?

That is not our specific area of expertise in this directorate. Our mission relates to creating statistics and returning them to the states in the form of data and technological tools. This allows states to better deploy their forces and establish their own public policies. We also aid in the fight against crime by offering technological solutions.

SENASP is a very robust institution: each directorate has a different profile in supporting the states. A lot of the time, states don't have the capability to record their own data. We are forging best practice in this.

Regarding the intelligence directorate, state police forces often don't have the capability to operate in other states, so criminals often flee to other states to elude police forces. Efforts are being made to try and to improve communications and intelligence exchange, and conduct joint operations with specific aims – for example more protection in border areas and using more modern technology tools – there is an operational side and technological side.

Can you tell us a little more about the types of crimes and statistics you record?

We collect 28 dynamic indicators.

We are facing a very high number of, for example, femicides. This is very clear in the media and can also be seen in figures. We have had some specific reductions in numbers in some places. It's hard to talk about Brazil as a whole without having the data in hand.

Cargo theft is common in several states where organised crime operates - but there has been some reduction in the amount of this theft.

We have a dashboard called SINESP Legal Amazon. It handles only data regarding the Amazon. This contains data showing that, since 2019, there has been an almost 200% increase in the number of seizures of drugs. This shows us that there is an increase in drug trafficking but also an increase in efficiency on the part of the police in conducting seizures

Do you record statistics on detentions and convictions or only arrests?

We do not work on data regarding custody, that is the role of SENAPPEN [Secretaria Nacional de Políticas Penais, National Secretariat of Penal Policies]. We only have access to the wanted persons database, which the judiciary is in charge of.

Do you disaggregate any data or statistics by the actor of the offence?

Regarding public data, among those 28 indicators on lethal violent crime (including homicide, theft followed by death, battery followed by death) we have disaggregation by municipality and state. We are now working to use the national database to extract data regarding age, race and ethnicity. The idea is to disaggregate data more to assist with public policies. In SINESP PPE [Procedimentos Policiais Eletrônicos, Electronic Police Procedures] which is used by 13 states, there is a standardisation of data and a specific field they can fill in to indicate whether an individual is a member of an OCG. However, these data are not validated for intelligence purposes and might not be reliable/substantiated. This is information that police officers get when they take a police report. This sort of information is usually collected by the civil police and is not widely disseminated. A larger problem we have is that many OCGs are specific to each state, region and municipality.

To what extent do you think that everyday people are affected by serious and organised crime in Brazil?

In many ways, unfortunately. From my perspective – I was a prosecutor for 34 years and one of the biggest impacts is on people's right to come and go, particularly for people who live and work in areas dominated by OCGs. There are barricades and prohibitions, for example you can't go to certain places if you're not sympathetic to one OCG or another. This isn't based on cases I've tried, but there are fees charged for gas cylinders, which are much more expensive in communities run by OCGs because they profit from this type of transaction.

Fundamental social rights are also affected by organised crime. In my opinion, organised crime affects everyone in society in a broad way. Territorial domination happens frequently. They also operate in cargo theft, are involved in banking fees and banking fraud, and act in cyberspace, and this is not exclusive to Brazil. Prices of commodities are impacted due to theft of items, banking fees increase due to fraud, and cyberspace crime impacts society in a general way.

In which areas are Brazilian nationals most likely to be impacted by the violent impacts of organised criminal groups in Brazil?

The freedom of movement of vulnerable communities is affected and there are issues of survival. Where this is organised crime, they often don't have the right to come and go. Transportation and services, for example utilities and internet, are often controlled by OCGs. Certain services like uber won't reach these communities.

Are you aware of any specific groups or profiles of people that OCGs target and for what reason?

In terms of recruitment, it begins from 10-17 years of age. Then they continue in a criminal career.

We haven't drawn a profile yet. However, some states have targeted OCG leadership in repression activities.

There is a project called Stay Alive, to encourage young people to avoid getting involved in OCG activity, trying to show them that they risk dying young. However, you cannot argue with the fact that they will be in a better financial position/situation if they do join. It is a complex phenomenon.

I worked a lot with prevention, to try and discourage teenagers from joining OCGs. You can see there is a part of them that wants a dignified life, to be police officers, to have ambition.

Impunity unfortunately still exists in our country, so they remain in crime because nothing will happen to them. You need to disincentivise it, make the criminal market unattractive to them. We have to give them alternatives. It is different here to Colombia, El Salvador, Honduras. Here it is more like mafia.

Can you share any information on PROVITA?

This is not in the scope of SENASP, but I can talk about my experience of PROVITA and [PPCAAM](#) [Programa de Proteção a Crianças e Adolescentes Ameaçados de Morte, Program for the Protection of Children and Adolescents Threatened with Death]. We realise that chances are getting smaller and smaller to have willing witnesses – either because they do not survive or because technology is replacing some of the needs which would be met by witness protection.

People who give statements in courts are sometimes also criminals who have plea bargains. They cannot be part of witness protection. Plea bargains bring a lot of risk. Our agency does not have data on that.

There is also a programme focused on youth, under 17s – it contains socio-educational measures. Children and youth involved in organised crime are included in this.

[Back to Contents](#)

Interview with Federal Police, Immigration Department

Date: 11 September 2024

Location: Federal Police Immigration Department, Brasilia

Present: 2 Federal Police Commissioners, 3 CPIT officials, 1 British Embassy official, 1 interpreter

Background

We work in migration intelligence and are active in information exchange with other countries. We have a centre for cooperation and migration control which is essential in preventing illegal migration and crimes relating to migration. We are responsible for issuing all passports and maintain records of immigrants and refugees. There is an ordinance which prevents a person coming to Brazil and requesting asylum when they have committed certain crimes including being involved in organised crime.

Can you give us a brief overview of how the police system in Brazil is organised and structured?

Brazil is divided into 27 states. We have civil police, military police and federal police. The military police are responsible for extensive repression and preventative work. The civil police investigate crimes. These are limited to the state they are in. The federal police have jurisdiction over the whole country, but we have a limited number of officers for 27 states. State police are therefore closer to what happens on the ground. We establish agreements with them so that we can exchange information and act in more than one state. Until recently we had challenges with sharing information. Many police attaches report similar issues - having many institutions responsible for similar subjects, and challenges with sharing information between them. Overcoming this barrier is a challenge in fighting organised crime because, for example, the leaders of the criminal factions are present in Southern states but are running activities in the Northern states.

We have all sorts of criminal organisations here, I think we have more than 80 now, and new ones arising every day. Society as a whole is trying to create solutions to this. When we talk about organised crime we are talking about structure, and crimes that do not just have an inter-state character but an international one. Sometimes people are in other countries committing digital crimes in Brazil.

We are trying to establish cooperation agreements with foreign governments, to exchange information that can be used in court against members of the criminal factions.

What are the main roles and responsibilities of the immigration department?

Here we represent the general coordination for immigration police. Our office is responsible for managing the issuing of passports. We have several points of data collection, but we manage that nationally. We also manage migratory control within the country, airports and ports. We have a huge land border, which to us is a great challenge, because it facilitates the illegal entrance and exit of people. There are not enough resources to police the whole border. We also manage asylum and requests to live permanently in the country, as well as an intelligence function which gathers information on new migratory flows. As a central agency, we manage actions and establish rules and norms for procedures, as well as training and capacity building.

Can you tell us about the work you do in relation to monitoring the travel patterns of Brazilian citizens leaving the country for purposes of organised crime?

We work a lot with the support of other countries. If we're aware of illicit conduct, we can prevent a person from leaving and we can monitor them.

This includes activities like drug and people trafficking into and out of Brazil. Brazil is often a transit country for people smuggling on the way to the US and Canada. We also work with Interpol on the intelligence side and regarding using evidence in legal cases. We are trying today to prevent illegal migratory movement which often is fostered by people smugglers. We are trying to prevent people from boarding flights to Brazil with forged Brazilian visas - they then leave through the North. We need integration with other countries so they can report illegal activity and thereafter we can monitor it.

Could you explain how this work impacts on crime committed within Brazil?

We have a directorate, DICOR, which is the directorate to fight organised crime. Generally speaking, our work here does have repercussions in preventing people from leaving Brazil with an arrest warrant – someone that wants to evade justice or someone who is carrying narcotics. We are able to identify these people and inform other units who can detain them. We promote arrests, recover assets, hinder transnational criminal operations.

When deciding an asylum claim, a consideration is made to whether or not someone could relocate internally within a country in order to escape whatever risk they're facing. If someone was to move within Brazil, are there any processes they need to go through when they arrive, for example registering with the local authorities etc?

They all go through migration control. If they're Brazilian, they are free to enter and circulate internally. There's no restriction within the territory but there's a record of them entering the country. If there are suspicions about them, there will be an interview, we can search their luggage. There are open and closed information sources we can use to track where people are, for example state voting records, social media, but Brazilians are free to travel within Brazil.

[Back to Contents](#)

Interview with Federal Police of Brazil, Serious and Organised Crime Division

Date: 11 September 2024

Location: Federal Police Serious and Organised Crime department, Brasilia

Present: Cristiano de Souza Eloi, Federal Police Commissioner; 1 Federal Police Commissioner; 3 CPIT officials; 1 British Embassy official; 1 interpreter

[Each commissioner was responsible for tackling different crimes, therefore each discussed his own subject and experience]

Background

We oversee human trafficking cases nationwide. We try to understand the issues and how we can improve on our weaknesses – we do this alongside other countries.

We have an office in each state in Brazil, with lots of intelligence officers in large cities where criminal factions preside, and other intel bases at strategic points such as borders.

We coordinate investigations. We have a maritime traffic unit which looks at ports - international relations are very strong here especially regarding containers. There is an air traffic side monitoring planes across South America, especially small planes. We have operations with Peru (regarding drug laboratories) and Paraguay (regarding drug trafficking) and exchange information.

We also have directives to tackle money laundering and arrest leaders that facilitate crime. We carry out drug and weapons seizures.

Regarding prisons – our intelligence section is always in contact with the Penitentiary department at the Ministry of Justice.

Leaders of the main gangs are practically all in prison, including the leaders of the PCC and the CV.

Can you tell us about the work you're doing to combat serious and organised

crime in Brazil?

The federal police are the main unit responsible for tackling it. We have an office in each of the 27 states as well as 20 intelligence bases. Officers in the Federal police have more training, are more prepared, handle bigger cases and use specific investigation techniques such as wiretapping, internet tracking, drones and accessing banking records. There is a financial intelligence unit which we have a strong relationship with. We follow directives to investigate leaders. Local offices also conduct local and regional investigations.

We have one central anti human trafficking office and 27 more around the country - one in each Brazilian state, to carry out investigations. We provide victim assistance – first we need to know the name of the victim and find information about them, and if they are abroad, we try and rescue them and bring them back to Brazil (if they want to return). There is a lot of international cooperation and contact – the victims are our number one concern.

Human trafficking is hard to prove and investigate – compared to voluntary economic migrants, there are usually worse results for those who are being involuntarily trafficked. We only use the term ‘victim’ for those who have been trafficked.

We look to take money from the organisation responsible. International cooperation is important.

What are the main challenges you experience when it comes to dealing with organised crime at the federal level?

Ultimately it is the size of Brazil – it is the size of a continent. Our borders are very hard to patrol and to monitor. There are 16,000km of land border with only 13,000 federal police officers. It is a huge task to keep the borders secure, it is basically impossible. We also have a large population of 220 million people.

There is also the geo-political issue: Brazil is one of the main players in global drug trafficking. We are neighbours to large drug producers – Colombia, Peru, Bolivia and Paraguay. These countries produce cannabis and cocaine, which then enters Brazil. Brazil is an exit point on drug routes to Europe, Australia and even China. There is also large-scale drug consumption in Brazil.

There are 27 states all with their own state police forces, but only 1 Federal police – the Federal police have several different responsibilities but only a small amount of personnel.

Another challenge is the country’s economic situation – drug trafficking moves a lot of money so it’s an attractive business – it’s a social issue as well.

How big is the criminal population in relation to the general population?

There are currently 600,000 people in prison for offences related to organised crime. I don’t know how many people are connected to OCGs outside of jail, but we know it is a lot.

To what extent do you think that everyday people are affected by organised criminal groups in Brazil?

They are directly affected, especially the poor - they feel the effects of violence, up close and personal. Brazil is a record breaker in relation to the number of homicides. There is armed robbery on the streets, especially on the peripheries of larger cities.

When police operations take place in Rio [de Janeiro], transport shuts down. It all affects peoples' psychology and economic lives everywhere.

Brasilia is very safe, but in Sao Paulo and Rio de Janeiro, people have to change their mindset and be alert.

Communities can be controlled by militias and organised criminal groups. For example, in some favela communities people can only get goods and services – such as propane gas for cooking and cable TV – from the criminal groups.

In the past in Rio de Janeiro, they tried to take communities from the hands of criminals but after some years, it didn't work out – this was maybe due to lack of funds, or lack of will.

In some places, the organised criminal groups take the place of the government, especially in the Rio favelas.

These effects are felt more in the bigger cities and in the urban peripheries, and less in rural areas.

Are you aware of any specific groups or profiles of people that OCGs target and for what reason?

We have several different OCGs in Brazil. There are local, regional, national and international groups. The two largest are the CV and PCC.

The CV's territory is in Rio, but their actions are national. They have made allegiances with local groups and with groups in Paraguay and Bolivia, and have contacts in Europe and Africa.

The PCC are the most well-organised and structured – they are highly funded and they all have well-defined roles. Their leader is in Brasilia federal prison, but he continues to run the organisation by passing messages through his lawyers during visitations. They have expanded from prisons to different countries on our borders and they dominate the Port of Santos in Sao Paulo which is a route for cocaine. They are also connected with other groups.

Could you tell us more about the federal prison system?

There are 5 federal prisons in Brazil. They have fewer inmates and there is no overcrowding unlike in state prisons. The most dangerous criminals are placed in federal prisons and spread out in prisons across the national territory. We have a different regime for these prisoners – they cannot have conjugal visits, there are cameras watching them 24/7, their visitations are different.

They work well. The problem is that 600,000 other inmates are in state facilities which are not so rigorous.

Prisoners in federal prisons can be moved around based on intelligence. Inmates from different groups remain separate otherwise they would get killed. Not just rival groups, but sometimes members from the same groups are separated due to internal power struggles within the groups.

Under Brazilian law, an inmate can talk with their lawyer. They can't leave, but they can talk about anything. Leaders can get messages out and continue their operations in that way.

We do have recordings of conversations – we record those between lawyers and inmates which means they have to speak in code. Prisoners also talk to other

inmates who pass on their messages. No system is perfect - they all have their loopholes, and it makes it more difficult.

Separating them usually helps from a psychological aspect - when some prisoners are in isolation, they lose some of their power when they can't communicate as easily with others. This is a strategy to try and reduce their power and influence.

In your opinion, could someone affected by OCG activity relocate to another part of Brazil to avoid the gang?

People trafficked inside the country usually end up working on farms and doing manual labour. More than 60% of these people will end up in slave conditions again after being rescued.

If they want to relocate it might not be enough for them. Anyone can go wherever they want – but they like to go back to where they're from. In Rio [de Janeiro], many people want to leave but can't.

Can you tell us about the witness protection programme?

People under federal protection get new identities, new address, new jobs, new lives. This is for witnesses, not victims.

It is expensive.

There are state witness protection programmes, and we don't have detailed knowledge of those. The federal witness protection programme is a lot smaller. There are very few people who are interested in it because they are afraid of being isolated and giving up family and friends, and they are scared about what they want to say.

Would family also be protected or is it only the direct witness?

Usually they come with their family. Just witnesses (informants), not victims.

In the case of human trafficking victims, the Ministry of Justice has programmes and partners and there are NGOs who will provide assistance and protection to trafficking victims. NGOs are better and quicker than the state.

Do the PCC or CV target any particular demographic?

If someone doesn't follow the rules of the group, or if they want to leave the group, the group will hold a court – it is dangerous, and they could be killed.

They don't just go after random people. People that go against the group might be targeted. People fighting against environmental crimes can be targeted. It's a huge place, if you fight hard against them then you may be on their list.

In large cities, the militias offer protection on the street, and the entire street has to pay a fee. They provide cable TV and sell gas for cooking – the people in those areas have to pay to use these services at extortionate prices.

Would someone be able to internally relocate in Brazil to escape an organised criminal group?

If an individual is not working for a gang, they would be able to move. However, if an individual was outspoken against the gang, there may be a problem.

If a person who was working with them wanted to leave, would they be at risk?

Depends on their role - if they are higher up, more than a 'medium role' – they would

not let them go. Lower level, sometimes, though probably better not to try. If the person moves far away, remains quiet, they would be ok.

Would someone be able to receive protection from the police against OCGs?

The state cannot protect all of the people, it's a very big population. People with political importance might be protected.

What is the threshold for risk – is anyone who speaks out against the OCGs in danger?

No, we have newspapers reporting on these groups, people being interviewed about them saying crime isn't a good thing, and they're ok. That would be more of a risk for local people, people living there, not those researching or journalists. We did have one case, around 30 years ago, of a journalist who was killed but he went into the favela and lied about who he was. He was doing a special report, people didn't know who he was as he was undercover, and when they found out, they killed him.

What kind of infraction would make the PCC or CV want to track someone across the country?

Stealing their money, or stealing their drugs, it doesn't matter what level you are if you do that. Could also be going after the wife of the head of the group. But it is especially money, there is a rule of trust within the groups – they have written rules.

There would also be penalties for becoming an informant for another group or the police.

If someone owed money, would they be a target that got followed?

Yes they would - sometimes they are made to work to pay off the debt or they may get killed.

Do the PCC or CV target any particular demographic for the purposes of recruitment?

They are usually young, poor, black, non-educated males.

Sometimes the groups pay people to study and become a judge. They also recruit IT guys, they are really diversifying their activities so often they need specialised people, financial advisors for example. They also pay people to become candidates through several levels of public positions – city councillors and sometimes higher levels – we try to track them but it is sometimes difficult to do so.

They need corrupt people in airports/ports – they need people who know the procedures for loading cargo into shipping containers. Luggage handlers too. We have carried out several investigations into shipping employees and airplane workers.

Truck drivers even can be asked to traffic drugs, and women or elderly people are asked to transport drugs.

These people who are bribed or corrupted, do the gang then count them as part of the organisation, or are they able to stop working for them?

It depends on the level of competence or the connections they have. We had a case of a road patrol officer who was killed on the border of Paraguay. He was very bold. He crossed the border to demand money from a trafficker, saying if they didn't give it to him he would work harder against them. Ultimately they tortured and killed him.

When you decide to work for these organisations, government or not, it will be complicated. It makes everything harder to go back.

There was a famous case of an employee who supervised luggage handling. He found out they were trafficking drugs and he said he would report it and he was killed.

Where is corruption most prevalent?

In big cities and at borders. Opportunities present themselves in these areas. Sometimes it may be a one-time thing. A continuing situation of corruption is much more complicated. The Federal police work as hard as possible against it - we carry out lots of investigations and seizures but then the organisations will just migrate elsewhere. There are lots of ports that can be used.

If you set up a checkpoint, you'll come across or seize something in the first hour. After that, nothing. Organised criminal groups are constantly moving and they are dynamic.

[Back to Contents](#)

Interview with Legislative Consultants of the Chamber of Deputies

Date: 12 September 2024

Location: Congress, Brasilia

Present: Sergio Fernando Senna Pires, Legislative Consultant; Acauã Lucas Leotta, Legislative Consultant; Rodrigo Cerveira Cittadino, Legislative Consultant; 3 CPIT officials; 3 British Embassy officials; 1 interpreter

[Please note that the views expressed are the independent opinions of the legislative consultants and do not represent those of the organisation they are affiliated with nor the Brazilian government]

We are aware that there has been congressional discussion around organised crime – please can you describe your involvement in combatting organised criminal groups?

This topic is of societal importance – there are indicators of armed conflict. I worked in Central America during the wars in the 1980s. The violence I see here now is the same as the end of the armed conflicts in Central America. Congress has always been concerned with the issue, every day we approve new criminal laws, we have a culture of changing and it is a daily discussion. We work with public security; we are some of the most in-demand people in the technical team.

Could you tell us if there is any pending legislation or policy on tackling organised criminal groups in Brazil?

We have laws that are inspired by the laws in the United States – we are inspired by other countries' legislation. But we forget to adapt them to fit Brazil.

Brazil is a country with a lot of violence for people on the streets. The people in the favelas (we call them communities) are subjected to abuse every day. How does a culture deal with these abuses? It creates assurances in legislation. However, this legislation applies to everyone - the same protections and assurances that are offered to people who are suffering abuse are also offered to dangerous criminals.

We are coming up with a new strategy where we will try to ensure that the rights of

those who are subjected to abuse are protected, while the rights of those who are dangerous and commit crimes are restricted. This would be a huge advance in fighting organised crime.

We also want to stop copying other peoples' law. In our current law, witness evidence is not worth anything. You can have 10 witnesses, but it would amount to nothing – we are trying to change this.

In organised crime, the head of a group establishes intermediaries between themselves and the criminal act in question. There are a series of people that you have to investigate before reaching them and often you can't get to them, so they walk free.

We have a prison population of 800,000 people. One of our ideas is to take transporting out of trafficking. For example, a drug mule makes 500BRL to move a kilo of cocaine worth 20-30,000BRL: the mule does not profit from this activity. If you put a million mules in prison for this, there are a million people waiting to take over – there is not enough prison space. We would punish these mules in other ways, rather than giving them 15-17 years in prison.

We need to carry out closer analyses of the cases – how are these people coerced into crime? Usually they have health or financial problems – sometimes they are tricked into carrying backpacks full of drugs and they have no idea what's inside. Corruption also plays a part - the police need to be seen to be seizing drugs, so sometimes the organised groups tell the police about a mule so they can arrest them.

Monitoring the cost of drugs is important as it illustrates what's happening. One dose of cocaine costs 10BRL – this has been the same price for the last 10 years. Despite all of the seizures, it has had no impact on the supply – as when the supply is restricted, the price goes up. A rock of crack cocaine costs 3BRL – this has been the same for 15 years.

We need to look at criminal activities as business activities – that same kilo of cocaine that costs 20-30,000BRL in Brazil, in Australia costs 100,000USD – in Indonesia it's 120,000USD.

We have intelligence, and we can see what we can draft to tackle certain problems. Groups are creating companies to be fronts for their illegal activities. Organised crime often has one side of it that is legitimate and one side that is illegal – a lie will always get found out, but a lie mixed with truth will last longer.

Is there a specific profile of persons who are involved with gangs or organised criminal groups?

Everyone tries to draw a criminal profile. You have a whole tree of people involved, from the very top all the way down to those with medical conditions – sometimes if someone has medical conditions they may work for a group in order to get money to pay for treatment.

Addiction is a serious problem – it is the basis of criminal activities – some people commit crimes in exchange for drugs. There is a multitude of people who want to live in an alternative state of reality at a certain point in time – after they become addicted, they become a target for criminal groups.

Do OCGs approach people to recruit them or do people approach the groups

to join?

It is bi-directional – they sometimes actively search for new members, but people also seek the organisation for a number of reasons.

Some people want power. Some people feel that in a particular region, if you're associated with a group you are respected because people fear you and you have a whole organisation backing you up.

I have been to places where I've had to ask for permission to be there. When they allowed me to enter, I never felt so safe, because I was with someone and they allowed me to enter.

The process of building a criminal organisation can only be tackled if the layer that runs things is made visible – we're fighting the more fragile people, not the real criminals who are getting rich.

We need to make a clear distinction when punishing people. Those who end up in jail may be forced to join an organisation – in prison you have to pick a side. You may end up going to jail for a menial crime and end up in a gang.

Prisons are split by organised criminal groups - the capabilities that these organisations have to corrupt people is huge. They threaten honest people and their family, initially they try and buy a person out and then if that doesn't work they do things through fear and then people give up and submit. A new strategy we are trying to implement is looking at what protection we can give to public agents. There are people that are honest and have courage but we need to make them feel empowered. There are honest people, but they are made to feel scared and fragile by the organised criminal groups.

There is also an issue of corruption and we discuss it frequently. In the current municipal elections, the PCC have been awarded a number of contracts for public services and as a result of investigations many mayors have been arrested. We are trying to find out who is connected to these groups.

We have to create a system that opposes it – we cannot be naïve. Imagine a competition of smarts – the smartest, ie the person who knows how to manipulate people, will win. We're allowing that to happen.

Is corruption common across Brazil?

Not just here in Brazil but across Latin America and in Europe as a whole. When we create a law, our role is to think about and work out how people can find loopholes to that legislation. That is one of the main stages of creating new legislation - trying to see how people can take advantage of the new laws and then close those loopholes.

What would happen if someone was approached by an organised criminal gang and that person refused to cooperate/work with them?

They'd die, simple as that. The same thing happens across North America in prisons there, it's been studied. It's the same here but it has just not been studied. You can't choose, you're obligated to do join.

If someone was part of an organised criminal group and wanted to leave, would they be able to?

Not possible. At all.

Would somebody be able to internally relocate within Brazil in order to escape

the threat of an organised criminal group?

If someone wanted to leave, they would have to disappear and become somebody else. Being a large country helps, as they would have to move somewhere where nobody knows them.

Brazil has witness protection legislation which is combined with plea bargain legislation. Former members, or people who want to leave, can contribute to justice with facts – however, they know that they'll be targeted by leaders and other members. The legislation states that protection needs to be provided but practically, providing that protection is difficult.

In the Brazilian Constitution, anyone who is accused of a crime has the right to have their accuser there in the courtroom - they have to testify in the presence of the accused. This makes it easy to follow and eliminate the accuser. We are trying to change this legislation, however it is a fundamental right and one that can only be changed when we write a whole new constitution. We cannot untie the knot.

Brazil has a lot of difficulty in criminal cases. It is easier to give evidence electronically, but judges find it difficult to accept virtual hearings. There are rules that allow for these hearings to take place, but it is all still a bit murky. We want to create a hybrid system where we can ensure that all people have their rights respected, but if you are the head of a criminal organisation, the principles of the Criminal Law of Risk are applied. These are the same as in terrorism cases. Terrorists are not entitled to constitutional protections.

I would not use the witness protection programme. I would prefer to handle the situation myself. We have legal proceedings that end up identifying people and where they are. There is legislation that says you can hide, and protects the witness, but also legislation saying that you can't hide the accuser. They are often found and murdered.

If somebody was a member of the PCC in Sao Paulo but then left, would the PCC be able to track them? If so, what sort of profile would they need to have for the PCC to want to track them?

When you have an affiliation with a territorial organisation, you do not accept that someone can escape. If people start fleeing, the other people in the organisation who may also want to leave can see a way out too. When you join one of these groups there is therefore no way out - if you leave you are going to die. The stability of membership is based on fear.

It's important to note that many people who are recruited and contribute informally to these groups come from poor, low socio-economic backgrounds. Moving and leaving your family, and beginning a new life, is very difficult. Even moving only small distances is difficult. Even within Rio [de Janeiro], moving small areas is difficult. Some areas are dominated by gangs and others by militias – there are agreements that certain areas belong to one group and vice versa. It's difficult for people moving between these areas, it can cause conflict between the two groups.

Do different factions of the same organised group communicate with each other?

Yes, as they are the same organisation. This is a way in which organised crime has evolved.

Collectivity is the best way to give muscle and substance to new ideas. Our legislation is currently stuck in the 1980s. We are treating organised criminal groups as companies – however, they are more like a network. We need legislation that understands that criminal organisations work as a network.

Each faction across the country maintains its individuality, but they are connected as part of a whole. In RICO [Racketeer Influenced and Corrupt Organisations] law, there are certain conditions which you must prove to convict someone – for example, there must be a structure, a head of the group and other defined roles. Networks don't necessarily have all of those things and this only helps the defence. We need a new law fit for even the 22nd century. There needs to be one condition and that is if a network is profiting.

Are protections available for victims of organised crime, or only witnesses?

In theory - it's the same law. We talk about witnesses but also victims.

Note that we are not talking about street crime, we are talking about the crime of organising a network. The federal prison population is approximately 1,000 people – and they are the most dangerous criminals. Some people in state prisons want to go to federal prison so they are seen as bigger people.

We think that hybrid programmes should be developed – we should not handle all witnesses the same way. This happens with criminals. The current witness protection programme is very primitive – I would not join it.

A big question is, how do we create a person without a history – this is a very serious problem with police infiltration too. How do you create a new profile for an undercover officer if they don't have any background on the internet to back it up – normally you can Google someone and you can see that they've done this and that.

Witness protection programmes need money – hiding someone is expensive – but they have insufficient resources, so the policy won't work. Things like this only work in US movies – this is why we need to limit the scope of our investigations to hit the top of the chain. For this, we need international cooperation and then we'll advance.

Is there any particular person or group that would be most at risk of being targeted by the PCC or CV, who they would actively want to harm?

I don't think there is such a person – all organised crime is a business, they only interfere with your life if you interfere with them.

There was a time when these groups were growing their drugs business and established areas territorially. Within those areas they paid for cooking stuff, they bought medical supplies and won over the local population. The way that someone would end up being punished by them is by standing up to them. For people who are a risk of being corrupted, first they try and buy you out. If that doesn't work they will threaten you and rule you by fear. If they have a specific interest in a person they will act; if someone simply lives in their territory they won't.

Organised criminal groups are always expected to grow and invest in regular activities – if you begin recruiting mules, you'll expect to one day corrupt civil servants too. Police intelligence capabilities is the core of our investment – we need new technologies, we're never going to have enough personnel, no government in the world would. We need super computers and need to use artificial intelligence in police work, for example facial recognition. We also need intelligent people to

consider how artificial intelligence can be prevented from being used in a negative way.

Human agents can do the intellectual work but people are anxious to tackle crime. If you are rushing a process that takes time, it will mean errors and those errors mean things go backwards. We need to use artificial intelligence to amplify our own intelligence.

[Back to Contents](#)

Interview with Grupo de Novos Ilegalismos da Universidade Federale Fluminense (GENI/UFF)

Date: 13 September 2024

Location: British Consulate, Rio de Janeiro

Present: Professor Carolina Grillo; 3 CPIT officials; 1 British Embassy official

Please could you tell us about the specific areas of work your organisation does in relation to organised criminal groups in Brazil?

Our research group and the Fogo Cruzado Institute created the Historical Map of Armed Groups, a multidisciplinary project with geographers, journalists, sociologists and data scientists. The map shows where the armed groups are based in the metropolitan region of Rio de Janeiro, and it shows whether militias, the CV and other OCGs are growing. For constructing the map, we used data from the call centre Disque Denúncia which people who do not trust the police can call. People can report crimes anonymously this way. Disque Denuncia collects intelligence, analyses it, and passes it to police. They protect the caller's identity. After establishing an agreement with Disque Denúncia, we had access to their database of complaints that refer specifically to organised criminal groups (OCGs). We received 740,000 very descriptive complaints. We then used algorithms and machine learning to develop an analysis model for big data that allowed us to determine the areas controlled by each armed group.

We have been approached by people who are claiming to be persecuted by criminal groups and they are trying to get a permanent visa in the US and the UK. We do not get involved with this or with individual court cases because we work on collective causes. We help with some cases in the Supreme Court and Inter-American Court of Human Rights relating to police violence.

We are part of some national research networks but don't have a lot of knowledge of what is happening in states outside of Sao Paulo and Rio De Janeiro.

Usually the problems that arise are localised in specific favelas – between a person who lives there and the drug dealer who operates there.

Regarding witnesses, the witness protection program is very poor. People go through a lot of difficulties because they have no protection from the government when they witness a crime. You might easily be found elsewhere in the country, especially if you have witnessed police violence. The police can access people's records and have more resources. Witnesses against corruption and militias are particularly at risk for these reasons, as these are people with power who can search national databases. Also at risk are witnesses against the jogo de bicho (illegal games market), the organisers of these markets are very much like mafias. The regular gangs and militias are not.

In places controlled by CV or Third Command, people are subject to a lot of violence and are sometimes expelled from their homes. They will lose their homes because they've violated some rules or are suspected of treason, or have disrespected the wife of a dealer. People are often killed, beaten or expelled. These people can live elsewhere in the metropolitan region of Rio de Janeiro. Depending on what happened, however, they might not be safe in the metropolitan region of Rio de Janeiro – but they might be safe elsewhere in Brazil.

Witnesses, however, would not be safe in Brazil. The Witness Protection Program is not at all effective.

Does the Witness Protection Program protect only witnesses or also their family?

No, only witnesses. Maybe direct family, like if they are married or have children, but not their parents or siblings for example.

Is it in the nature of the PCC or CV to target family members?

Not usually, no. I've never heard of it, but it is possible. If I were the sibling of a witness, however, I wouldn't stay living in the same place; I'd feel much safer far away from it.

I've heard of siblings being killed by the police, but not by the CV or PCC. Their codes of honour are strict in that people are held accountable for their own actions but not the actions of those they know or their siblings.

In the case of siblings, sometimes they are attacked by police for intimidation. It happened in one favela, 6 people were killed by police, including the brother of one witness, to intimidate him.

Please could you tell us more about what life is like for people living in areas controlled by organised criminal groups?

If they have a business in the favela, for example working with informal transportation, they'll be forced to pay tax. But they usually won't have to pay tax just because they live in a favela controlled by the CV. However, the CV has conquered some territories that were previously controlled by the militias, and they kept the taxes and charges the militias imposed. This is new for them.

The Tercero Comando Puro [TCP, Pure Third Command] came to an agreement with the militias whereby they control the drug trafficking activities and the militias offer them protection. In these areas its very common for inhabitants to be forced to pay fees.

It's more unusual in areas controlled by the CV that people have to pay security fees, but sometimes if there's a funk party in the street and you want to sell beer in front of your house, you'll have to pay something to them. It's more common for business owners to be forced to pay traffickers.

Is there a particular group or demographic (relating to age, gender, ethnicity, job role) of person who would be targeted by the PCC or the CV?

Members of the PCC and CV are mostly poor and male. The poorest people in Brazil are non-white. The composition of people in prisons, living in favelas, being members of gangs also follows these patterns. Brazil is a racist country, these patterns have persisted. I don't think the PCC or CV are racist though; the police are

very racist but not the PCC or CV. The balance also isn't gender-oriented - men are more commonly targeted as they are more commonly members.

Would you say these OCGs actively recruit or do they have enough willing participants?

They have enough willing participants. In favelas, it's very hard for people to raise children as parents go out to work and most of the time kids are alone or at home. It's hard for people to ensure their kids are not exposed to traffickers as they might be recruited. Not in a forced sense - they won't be forced, but they might be attracted to it when they see teens with gold jewellery and assault rifles. Poor teenagers usually have no money and no allowance, so they don't have any recreational activities available to them as they are not affordable. When you're 13 or 14, if you start working for trafficking groups you won't be rich but you might earn some money that you wouldn't if you weren't working for them.

It's not safe to let kids play outside, not just due to OCGs but also to the police. They raid favelas and you don't know when it's going to happen. People, including children, are often caught in the crossfire and killed. When you live there, you're always concerned that your family members will be shot for no reason, for simply passing by existing. Even outside their homes they might be shot. Bullets from assault rifles can pierce the walls of their homes. It's unsafe to live in favelas controlled by these organisations.

If a teen boy decided to start working for an OCG, would he later be able to leave the group?

Yes.

Would he suffer retribution for this?

Not for leaving, unless he left with a debt.

What about when they're higher in the group?

Depends how much information he has. If he knows too much it might be more difficult. But normal people, footsoldiers or sellers, they can leave when they want to unless they have a debt.

If either of these groups approached someone they wanted in their organisation, could the person say no?

They can say no. I've met people who live in favelas who have declined to work for an OCG, for example a young boy who was studying chemical engineering and did not want to be involved.

We heard about the PCC sponsoring students to go to university. Could those people leave the group?

In this case, they owe them something as they have paid for their education. That's a debt, that's different. They have to pay the debt before leaving.

The PCC is different to the CV. Regarding the PCC, you are not forced to become a brother, but you have to pay to become a brother. A lot of people are considered cousins, not brothers. The cousins run along with PCC but are not members. Karina Biondi's book discusses this. Cousins follow the PCC's ethics and business practices but don't need to be full members. When you do become a member, you have more responsibilities and there are more expectations. You need to pay a monthly

contribution, which is kind of expensive, approximately 2000 BRL per month.

When you're a brother of the PCC it is not as simple to leave as when you're in the CV. Drugs are not the main business of PCC, nowadays they have gas stations and lots of legal businesses conducted by the brothers.

If someone had a debt, and they moved say from Rio de Janeiro to somewhere North, would the PCC have the means or desire to track them?

It depends on the debt. If it's large then yes, they have the means. If you owe 3,000 BRL then no, no-one's going to try to track you for that, it won't happen. These are national organisations and they have connections in all the states. Groups are local, conflicts are local, but if they wanted to track someone they could.

What sort of figure is a large debt?

I don't know, it depends to whom you are indebted. Their sense of what is small and large will change.

Generally, are people less likely to be pursued for smaller debts?

Yes.

What kind of infraction would cause an armed gang to pursue someone? What would warrant what response?

If someone is accused of being an informant, of going out with someone's wife, or of hitting on the big guy's wife. This would get someone beaten, killed, or expelled from the territory.

Market disputes about land - because traffickers and militias conduct land grabbing, they might accuse you of anything to force you out and take your home, or destroy it so they can put real estate on it. This is a great business for them right now.

Particularly in the case of militias, unpaid extortion tax.

The CV is now diversifying. Before, it was unusual for the CV to extort people but now they are acting more like militias, so they are charging dwellers security taxes and they are overtaxing. To park a car in front of your house you have to pay the OCGs, and people are often punished for not paying illegal tax.

Some other behaviours are considered unacceptable, for example 2 women fighting over a man during a funk ball can be punished or have their hair cut off.

It's very arbitrary the informal law, the informal tribunals that are set up in the favelas. People can be punished for many different reasons. The most serious infractions are related to people who take part in the organisation, for example stealing drugs or money, telling the police where they hide firearms. Being informants. They are more prone to this situation than those who simply live in the territories but are not closely connected to them.

It might happen that if you live in a favela and your son becomes a police officer, and you don't leave, you might be accused of being an informant even if you have no information at all. Its like accusations of witchcraft, they don't need to have empirical evidence to accuse someone of something.

Are there standard punishments in the informal tribunals?

No, they're not standardised.

Rio de Janeiro and Sao Paulo differ on this.

In Rio de Janeiro, factions are decentralised in that there's a hill owner commanding drug trafficking activities and other cultural activities in that territory. There is no hierarchy above the hill owners in the CV. There is a network of solidarity between them. Some are more prominent as have more money and more firearms. They don't interfere with another hill owner's local issues.

Hill owners will decide how to conduct the tribunals. They do have moral and ethical standards, but no written law about what is reasonable. If you live in a favela controlled by the CV and have nothing to do with drug trafficking, but you get into trouble, you might need someone from the CV to stand for you in the "tribunal". There is no judge. People present their case and if you are accused you should have someone to stand for you as a common citizen does not know the criminal language. They have some specific moral standards and dialect and way of formulating things. In most cases no-one is punished. If it happens that you live in a favela where a hill owner is very arbitrary, the conflict will more likely result in violent punishment – but usually most do not.

Could you tell us about militias and how they fit into the landscape of armed groups?

The militias used to be led by police officers. Nowadays, police officers and other government officials, like elected members of city council, are often allies to the militias or part of their staff, but are no longer the leaders.

In 2008, there was a parliamentary inquiry into this. Police officers, deputies, city councillors, state assembly people, dozens of government officials were arrested, and hundreds were indicted. Militias then became more discreet. Their bosses were no longer public figures. Before, it was ok for you to be a politician and a militia boss. It's no longer like that. In some specific cases, for example in Baixada de Fluminense, some militia bosses are still a police deputy or a politician but not in most cases.

However, they have direct connections; their security officials are off-duty police. When they're not on duty they're working for militias, a lot of public servants participate.

It's not like that with the drug trafficking factions – they hate the government. They bribe the police or are extorted by them, but they don't hire police to work for them.

Militias are more dangerous as police can intervene in investigations and shut them down. They have access to the new identities of people who are in the witness protection program. They have penetration into the state and so they are very dangerous, way more dangerous than the drug factions.

When we look at homicide rates, these are higher in areas controlled by militias as they are more arbitrary with the population. If you interview people living in militia areas they say it's calmer because the police are not conducting raids in the territory - they don't have shootouts, therefore in that sense they speak of tranquility. But homicide rates are higher as militias kill inhabitants more often.

What are the goals of the militias?

To make money.

Not drug trafficking?

No, they do that too. In the '90s they would sell themselves as an alternative to drug factions but very soon they expanded and now also sell drugs. However, they have other sources of income that are more important, such as security fees, extorting business owners and people living in the neighbourhoods, and real estate markets.

They don't conquer territories - what they did was expand territories that were never under anyone else's control by coordinating the urbanisation process. This is why areas such as the West region of Rio de Janeiro and Baixada de Fluminense are places where militias expanded most of their territories. They would land grab, especially land belonging to the federal government or land under environmental protection. They'd parcel it and sell or build and conduct a lot of real estate enterprises on it. This is one of their most important sources of income.

They extort every source of income, overtaxing everything in the neighbourhood such as water, gas, electricity, internet, cable TV. You are forced to hire from their enterprises, you can't get these things from formal enterprises. This happens now in drug faction territories too. They get money from all essential services.

To what extent are the state effective in combatting organised criminal groups?

The state has been very ineffective. This why we are establishing connections to build intelligence and databases with the justice system, as they have none at all. For the most part, their idea of fighting it is conducting police operations which produce a lot of casualties and collateral damage and contribute to the continued poverty of those who are already poor as health facilities and schools cannot function, and people can't go to work so they get fired. It's ineffective as traffickers stop selling drugs for a few hours and then resume, same with militias.

You conduct an operation and you arrest someone, but the organisation is still there because there is no intelligent strategy regarding the economic base of the market. For example, they don't think to regulate and control real estate markets in these areas. When you raise a building, it is a visible structure - someone in the government is getting money or is very afraid of taking down the building. Same with gas - we have some regulatory agencies responsible for controlling who can sell it, not anyone can do that. Prices are controlled, but in militia areas this control is not applied. There are ways to deal with it that don't necessarily involve police, for example through the agencies responsible for these markets. It would be interesting if they could follow the money.

GAECO have conducted some interesting investigations, as have the federal police, using data from regulatory agencies. Sometimes they are able to trace money and establish the OCG's connection with legal markets. In the last couple years there have been some initiatives that are more intelligence-led but they aren't yet structured.

If someone owed money to an OCG and were threatened, what would happen if they went to police?

They would probably be arrested. If you owe money to these groups you'd be tortured to give information regarding their business. The police might be interested in getting part of the money and taking part of the business. We are talking about corrupt state civil and military police - they are not all corrupt but there are several corrupt people in these agencies.

If someone was threatened because of flirting with a gang member's partner, would the police help then?

The police won't do anything. They would say 'Why don't you move?'. They won't protect you. They might register the complaint. But nobody goes to the police. You would get into more trouble by doing that – first, you're accused of the thing that got you threatened and then you'd be accused of being an informant, which is much more serious. I wouldn't go to the police. People wouldn't.

Are there any other forms of support available to people threatened by gangs, for example NGOs?

No. Sometimes there is support available from evangelical churches. Sometimes people get help from preachers who might intervene and talk to the dealers. Sometimes the traffickers are religious too.

Are militias present elsewhere in Brazil?

There are copies of the system in Rio [de Janeiro] in many other places. Militias are very connected to Brazilian clientelism, something rooted in our social political formation. For example, in rural areas we have landowners who have armed men working for them. Militias made this more profitable and other groups take the same model. It is common in North and North-East.

Is the state effective in combatting corruption? Is there an appetite to bring corrupt people to justice?

In Rio de Janeiro, no.

In the federal government, yes, but they don't have the means. You need the police to investigate the police and with no grassroots contact it is harder to conduct investigations.

In the civil police, everyone knows who is corrupt and who isn't. They won't mess with someone else's business as it's too dangerous. If you tried to investigate, you and your family would be in trouble and should flee. Some police deputies have investigated criminal organisations involving other police officers, but they had protection all the time. Other trusted police officers follow them and their wives and children as they are not safe. When you're someone important and are investigating organised crime, you actually get the protection you need. But even so, certain politicians (for example Marcelo Freixo) had to move away from Brazil for some periods due to being threatened as they were investigating organised crime inside the police. But they can come back, as they have access to armed protection.

[Back to Contents](#)

Interview with Rio de Paz

Date: 13 September 2024

Location: British Consulate, Rio de Janeiro

Present: Antonio Carlos Costa, founder of Rio de Paz; Antonio's daughter; 3 CPIT officials; 1 British Consulate official; 2x interpreters

Can you tell me about your organisation and the work that you do?

We defend human rights in a non-selective way. We work with the purpose of putting pressure on the government to implement policies.

Rio de Janeiro is a state where 500 people disappear every month. We don't know for sure if they're dead but some definitely are. We need a special police authority in finding these missing people. We know police execute people and disappear bodies. We know there are illegal graves and cemeteries. People are killed using the microwave method: placing the victim inside a tyre and burning them. Bodies are thrown in the bay.

There are disgraceful conditions in favelas. We have different types of social projects inside the favelas including medical assistance from university doctors through remote consultations, training courses for various professions and we distribute food.

Our office has been shot at many times and the criminal groups stop us from publishing this.

Many children are victims of stray bullets, during shootouts between different OCGs or between OCGs and the police. Sometimes police operations happen during school hours. It is part of Brazilian culture to not respect human life. Mainly it's poor and black people who die, who are living in slums.

Do you do any work which is specifically related to gangs or organised criminal groups?

Police are profoundly involved in violence - they provide ammunition and guns to criminal groups and get money from them. Militias are worse than drug traffickers; they are current or former police officers who receive a lot of money from internet commerce and from selling cooking gas.

The main barrier to reform is culture itself, which is governed by the slogan that a good bad guy is one that is dead.

A police officer was killed near our headquarters and a minute later forces arrived and stayed there for 11 days shooting people. I was threatened, people were told not to let their kids go out with my kids as they may be a target.

Can you tell me some of the ways in which people's everyday lives are affected by gangs/criminal groups?

It's a mega social tragedy. There are 60,000 violent deaths in Brazil per year and there is underreporting - plus, a very large amount of people who go missing.

Young people from 17 or 18, up to 25 or 27 get involved with gangs. They are poor. Most of them are black. These are young people looking for visibility - if they're driving a bike to deliver something, they aren't seen by girls but if they're in a community holding a gun they are visible. They get money to buy clothes they wouldn't otherwise afford. They get power and are respected, they have friends. The majority of young people don't get involved.

If you don't respect the codes, death is certain but never quick. For example, if you pass on information to the police, the police will pass this information to the traffickers and you will be killed. But before you die you'll suffer.

There are social codes: be careful if you're with a woman who could be with the head of a gang. Do not post anything that will expose dealers.

A lot of people die from being in the wrong place at the wrong time.

In all favelas you have people who will allow space in their home for storing ammunition and drugs.

It is impossible to be a political candidate without asking permission, they already have decided who will win. They bought out the executive, the judiciary, judges, lawyers. It has permeated the whole system.

We would need structural change, for example in the police. No one is ready to do this. Civil and military police (civil police do the investigating and military police are in the streets) hate each other. They will not help each other. So clarifying crimes is something that happens to a minimum degree. Killers know they won't be punished. Murderers are never caught, except in high profile cases like Marielle Franco. That was an exception.

Society doesn't enjoy the right to go back and forth.

Today we have militias, which are getting close to drug trafficking. Dealers know they can make clean money through internet services and forcing people to buy from them only. Militias had the approval of Bolsonaro and politicians. They were at first doing what the police weren't doing but now it's different. Here in Rio, you have the Pure 3rd Command, the CV, and militias and they fight.

Are there any people who are particularly at risk of harm from gangs/organised criminal groups? For example relating to their age, gender, ethnicity, socio-economic group?

Today, gangs buy gas stations and do money laundering. Organised crime can only flourish if they can rely on the police. Those in favelas see the police going in and getting money from drug lords. Criminals also pay off politicians. Organised crime has spread out into various sections of society. OCGs are involved in services, have agents in the 3 branches of power (executive, legislature and judiciary). There is a huge consumer market for drugs. If there's no potential to reduce consumption, we think legalising would be a way.

Now the extreme right is rising because of the mistakes made by the left who got involved in corruption. The population is not ready to deal with the values the left was advocating for. There were two huge scandals involving Lula – one involving a monthly payment to buy off legislators, and one where money from the main oil company was being channelled through corruption to labour campaigns. Then the extreme right came in with an imported law and order narrative, saying they'd clamp down on crime – people want rid of violence. A governor was elected by saying he would shoot all criminals in the head. He was also involved in corruption so had to resign. The left is resistant to discuss public security. Lula's administration has no national policy for this. In this vacuum, the extreme right are arming the police and becoming stricter, without having any government programme that will deal with the root causes. People are convinced by armed discourse which doesn't come with policies to reduce lethality. NGOs often receive no attention from Brazilian authorities. Bolsonaro made publicly offensive comments, voicing things which were thought by members of society.

Can you tell me some of the reasons why gangs would target an individual?

When they don't respect the rules of the drug lords. There are lots of killings between different OCGs. There is no ideological difference between the OCGs, it's all about sex, money and power.

We found out that 60% of firearms used in crimes against life were sold legally by 6 stores in Rio de Janeiro. Weapons also come through the borders because there's

no national security plan, no interaction between various police forces. There is absolutely no penalty for arms trafficking. Crimes perpetrated are very violent, barbarian. Victims come from the same environment and had the same difficulties as perpetrators.

What's making it difficult to solve crimes is that the left minimise personal responsibility because of corruption. The right is the opposite – placing too much emphasis on personal responsibility and not considering corruption. Public money is poured into things like soccer stadiums rather than helping poor people.

Can you tell us anything about how gangs recruit people? Do they target any particular types of person? Relating for example to age, gender, ethnicity?

90% of young people in favelas do not get involved with trafficking. Luckily, it's a minority but still a lot of people. There are about 1000 favelas in the metropolitan region of Rio de Janeiro.

Rent in a favela is 400-500BRL per month.

We have lines of young men ready to join crime, given the benefits that a life of crime can give them. Criminals get in a week what others get in a month. Culturally, human life doesn't have value.

Churches have a fundamental role in favelas. Whenever someone dies, there's a minister helping. Criminals respect those who leave crime to join church. They can leave crime to join church any time they want, there is a very deep respect for this. All churches in Rio de Janeiro have members who are former criminals.

[Back to Contents](#)

Interview with Instituto Sou da Paz

Date: 16 September 2024

Location: British Consulate, Sao Paulo

Present: Carolina Ricardo, Executive Director; Cristina Neme, Project Coordinator; 3 CPIT officials; 1 British Consulate official; 2 interpreters

Can you tell me about your organisation and the work that you do?

We work with data and analysis of violence.

Victims of gun violence have a very specific profile – black, male, young adults (including teens), low income, living on the outskirts of the city. A lot of lethal violence impacts low-income communities. More than 76% of homicides are caused by gun violence.

When gangs migrate, new conflicts arise – hence, homicides increase when they fight for power. They fight for territory and a larger market share, and have more presence in the life of the city.

In 2017, we saw a big increase in gun violence in the North and North East regions of Brazil.

Between 2019 and 2022, Bolsonaro created pieces of legislation enabling easier access to firearms. By the end of 2022, nearly 3 million firearms were legally registered to civilians. 70% of all guns seized in Brazil are Brazilian, stolen from private security companies, or bought and resold on the black market. More assault weapons and pistols are being seized now because these were easier for society to

purchase – this is seen as fuelling organised crime. Other arms are imported, through international smuggling. An operation by the Federal Police and the Federal Public Prosecutor's Office in Bahia uncovered a gang smuggling weapons from Europe to Paraguay and then on to Brazil.

There is an overlap between gun crime and other crime types: drug and arms trafficking and smuggling are always related. OCGs are migrating to new markets, including environmental crime, wildlife crime, gold mining, logging and land grabbing, affecting local populations far from the big cities especially in the North region.

In Sao Paulo, recent law enforcement operations have shown how OCGs are working in other markets to launder money and conceal the illegal origin of their money. Police officers and law enforcement agents are involved – state agents benefit from corruption schemes and bribery, and facilitate this type of criminal action, which affects the local population. The organised crime ecosystem has grown substantially in recent years, especially due to involvement in environmental crime.

State responses are lacking. In Rio de Janeiro, police are heavily armed, cause deaths, and tackle retail traffickers. Abusive use of force gives rise to police corruption; they get involved in militias. This is a deep-rooted problem in Brazilian law enforcement. They kill the retail dealer, but kingpins are still there laundering money. In recent years, police intelligence and investigation efforts have been increasing; they are trying to follow the money. These operations can be expensive. Some determined prosecutors conduct these operations looking at financial transactions, following the money.

The main faction in Sao Paulo is the PCC, which has the monopoly of the drug market here. They are professionalised. In Brazilian prisons, basic rights are not upheld - the PCC controlled prisons in lieu of the state, and grew from there. When you're arrested, the PCC offers you protection in jail. They help your family at home and pay for them to visit you, all the things the public administration don't offer. When you leave jail, you then owe them a lot. They are very professional, like a company, and very violent and powerful.

A recent operation by the Sao Paulo Public Prosecutor's Office showed that two large city bus companies have employees involved with the PCC: they are being investigated. The PCC is infiltrating public services in this way: companies participate in a public call for tenders, and the owner of the company will be in the PCC. They can defraud the system. Organised crime is everywhere and is very pervasive. Public authorities are not prepared to assess the bidders in tenders. There is a shortage and deficit in inspection efforts. In addition, there is an area in downtown Sao Paulo called Cracolandia – very poor people live there: homeless people, drug users, prostitutes, crack addicts. Junkyards there sell spare parts of stolen vehicles and people sell stolen phones. The Public Prosecutor's Office conducted an operation there. Many legal enterprises like bus companies and scrap collectors can be connected to organised crime groups and there is no oversight by public authorities.

Police operations fight users who actually need public healthcare, instead of following the money. The state is failing to give an adequate response to organised crime. We have had some good examples in Sao Paulo but this is not happening nationwide yet. Sao Paulo has a second-hand car store act, aiming to regulate the stores that sell scrap metal, to try control the crime of receiving stolen goods.

It took 5 years to complete an investigation into organised crime conducted by the Sao Paulo Public Prosecutor's Office. Agencies need to put together more intelligent operations without leaking information to criminals, which often happens. Law enforcement agencies don't talk to each other because they don't trust each other.

OCGs have a complex ecosystem: they have administrative resources, are involved in financial operations, and use violence. There is no regulatory capacity to oversee this, due to a lack of state resources. OCGs are also involved with official political parties – candidates are funded, especially in the 2024 municipal elections, for mayors. They work closely with citizens and local services, so it is easy for the criminals to make these connections. They sponsor candidates, community leaders, who when elected will support the criminals. Municipal elections are huge: there are over 5,000 municipalities in Brazil, over 5,000 mayoral candidates, plus council people. The judiciary does not have enough tools to oversee all that – and this is a gap organised crime can fill. Criminals are gaining strength from political connections not just in Sao Paulo, it is happening across the country. This enables OCG leaders to play a leading role across society.

We understand that the PCC are the main organised criminal group that operates in Sao Paulo. Can you tell us about how they operate? Do they operate throughout the city or only in favelas?

It's hard to say, but they operate everywhere not only in favelas. I think they operate across the state of Sao Paulo not just in the city. The PCC are in Cracolândia and have the monopoly of drug trafficking across the city and the state in affluent areas as well as in poor ones. Having a monopoly almost has a good side, because it "pacifies" the violence. There are 86 or 88 criminal organisations recognised by SENAPPEN in 2024. A previous report from 2023 listed 70 criminal organisations. In areas where the number of gangs increases, reality changes – Sao Paulo in some ways is more peaceful because there is only the one gang. They have more of an armed presence in the slums, violence is more concentrated in the outskirts.

Regarding a profile of victims – in Ceara, in 2015 or 2016, violence exploded. If a person resided in one neighbourhood and crossed into another one belonging to an enemy faction, they'd be punished severely or killed on the spot. It had a major impact on people's lives. People had no protection.

People have also disappeared. There has been a big reduction in manslaughter in Brazil since 2018 – we had 60,000 victims in 2017 and now the number has decreased. But in critical areas this could be down to disappearances, and the mystery number of the missing.

The witness protection program has never been enough. Some people do have to leave the country, for example human rights defenders and people who face police brutality. In Sao Paulo this is not as prevalent as it is in other states.

Can you tell me some of the ways in which people's everyday lives are affected by the PCC?

Sociologists and academics can do this. We can give names and contact details. We mainly work with data.

However, it does regulate people's lives fully.

Murder is now an extreme punishment – in the 1990s and 2000s, someone would be killed over anything. Now it's more regulated, meaning violence levels have gone

down. We see regulatory work by the PCC in the outskirts of the city: the PCC doesn't want police there, so there is a pact in the community for peace – but everyone is under their tyranny. People have a curfew **[This information was added after the meeting** this is more frequent in conflagrated communities which have armed groups in conflict – for example Rio de Janeiro, Fortaleza and other cities at different periods], they can't walk around as they fear crime, physical aggression or have problems when withdrawing money from ATMs. People see armed people in their territory. People are afraid of riding public transport. So the fear of crime directly impacts how people live in the city, people are afraid of walking around, there is permanent fear. People constantly feel insecure and unsafe. People don't trust their neighbours, the community bond is lost.

Political candidates promise they will improve the situation, and then create policies that don't address the issue. Repression policies lead to young people getting involved with the PCC because it's appealing when they otherwise have no opportunities.

It is very much a mafia. When someone gets incarcerated, that connects them to the PCC. If you are incarcerated, you are more than likely to be in a prison controlled by them.

14% of people know of some explicit OCG presence in their community.

Are there any people who are particularly at risk of harm from the PCC? For example relating to age, gender, ethnicity, socio-economic group?

The specific group with the highest risk of being murdered is 15-29 year old black men. They are more likely to be involved in organised crime or incarcerated. When you ask about people who leave and seek asylum, these are not the people who are at risk of dying. People who are really at risk cannot leave. Middle- or upper-class people who are fearful of being mugged or being shot or being assaulted, that can happen. They are afraid of violence but not necessarily impacted by the PCC. They can leave the country.

Women are becoming more involved in organised crime. I don't know the numbers but this has grown. Police and public prosecutors can provide this data.

Regarding prisons, the number of prisoners has tripled but the problem only grows.

Those who whistleblow can be at risk, for example human rights defenders. Usually the police are involved with these cases. These people will need asylum because they would likely die.

In the North and Central West regions, indigenous people are impacted. Minorities are highly impacted. Organised crime is in several places connected with the police, for example militias. Young black people always impacted.

Regarding the example of the PCC becoming involved in municipal elections: are there any anti-corruption measures in place to stop this from happening?

No, there is nothing in place yet. What could be done is having stricter control over candidacies and their fundings. Our legal system is not prepared to do that. Our electoral court is also not prepared to do that.

There's often fraud and corruption in services - city hall agents can be corrupt and make these contracts. It depends on local prosecutors and judges, there is no national policy for that. Some bills are being discussed but nothing has been

organised for this year's election. It's very occasional to have initiatives of this kind. Our legal system is very slow – there's a lifetime between pressing charges and a person being sentenced, and in the meantime they can run for office.

Are there police militias in Sao Paulo or just the PCC?

It's not like Para or Rio [de Janeiro] – but we've seen some cases involving the GCM [Guarda Civil Municipal, municipal police] in Cracolândia. They extort local merchants for protection. They were accused of selling guns to local drug dealers. It's the beginnings of a militia.

The military police have always been the most professional – they are violent, but the state police in Sao Paulo are much better than the state police in Rio de Janeiro. There is corruption, but it is not as institutionalised as in Rio de Janeiro. With the new state governor, the police here have become more violent, and they are under more political influence. State police officers are selling protection in the Port of Santos, Latin America's largest seaport. We are beginning to hear of risks of militias growing, we have seen growth trends in that sense. It could be beginning of that taking root, but this is only suspicion at this point.

The state is not yet doing a good job of investigating issues regarding firearms. In Brazil, 2 agencies oversee firearms: the army inspects and oversees law enforcement agencies' guns and CAC's [Colecionador, Atirador Desportivo e Caçador, collector, sports shooter and hunter's] guns. The federal police takes care of guns in the hands of civilians. However, there is no integrated database. If the army seizes a firearm, they can't see the other agency's database. They therefore can't tell if a firearm has been robbed or gone astray. They don't talk to each other. The gun lobby is strong and public policies flawed.

[Back to Contents](#)

Interview with Centre for the Study of Violence (NEV-USP)

Date: 16 September 2024

Location: British Consulate, Sao Paulo

Present: Bruno Paes Manso, Researcher; Professor Marcos Alvarez; 3 CPIT officials; 1 British Consulate official; 2 interpreters

Please could you tell us about the specific areas of work your organisation does in relation to organised criminal groups in Brazil?

Regarding the First Capital Command (the PCC) – the 'capital' part refers to Sao Paulo city. It has been operating here for 30 years, founded in 1993 inside the prison system. It is different from some gangs in other countries because its inception was prison-based. There are 230,000 prisoners in Sao Paulo. The Brazilian prison system expanded exponentially over the years. Prison-based gangs started to be inspired by the PCC model. These groups have a distinct ability to organise themselves and insert themselves into the drug market. Their objective ultimately is to take a piece of the billion-dollar drug market.

The PCC has an incredibly strong connection to the prison system. The prison system in the 1990's allowed the PCC to thrive.

How effective are federal prisons in disrupting the gangs?

Brazil has 1,500 state prisons and 5 federal prisons. There are 500 inmates in

federal prisons and 800,000 in state prisons. What started to happen after 2006 is that more violent prisoners were sent to federal prisons. PCC members would go to federal prisons and would start to exchange information with other prisoners. Soon, there was a surge and recreation of the Sao Paulo gang model across Brazil. This was one of the unwitting side effects. The growth of gangs worsened after these prisoners were able to share this information.

The PCC is not hierarchical. It is very pervasive - it is present in nearly every neighbourhood. Having a few maximum-security prisons is not enough. These groups are now inserted into the formal economy. They now have a very strong connection to formal and legitimate businesses.

Is there a particular group or demographic (such as age, gender, ethnicity, job role) of person who would be targeted or recruited by the PCC?

The PCC recruits mainly inside prisons. That is a strategic place for them to recruit. The main strength of PCC is in prisons – it needs to remain strong in there to remain strong across the country. The PCC usually recruit young males – local drug dealers – there is some room in the community for them. PCC has about 40,000 members of which 12,000 are in Sao Paulo. Most members are scattered about the country and are primarily a network of drug trafficking. PCC markets drugs to local drug dealers. It doesn't really control territories – it makes partnerships and invites people from territories - local leaders - to be part of their criminal network.

In addition, PCC also has strategic leaders, gold miners, pilots, rangers, farmers, air strips, airfields, drug producers, refiners. It is a network that brings many people together. Drugs are brought into Brazil from neighbouring countries, such as Bolivia, Peru, Colombia, etc. To do that, they need planes, pilots, trucks, seaports, teams... it is a network of strategic partnerships to enable the trafficking of drugs. They have contacts with Italian Mafias, and gangs in other countries, to facilitate the international movement of drugs.

They have many capabilities through partnerships. They can hire explosive experts, people who can build tunnels from houses to banks, engineers. They also act as a bank which funds crime. They lend and rent firearms. They bring together explosive experts to create very intricate plans. The PCC has entered into the international finance system through crypto, fintechs, electronic banks, the currency market... this facilitates their moving money, and this is something we are seeing more of. They have a growing involvement with online betting, online gambling.

Their recruiting profile is reflective of the criminal justice system, where they find poor, young, black males. But they try to appeal to all.

Could someone leave the PCC after being a part of the group?

It could be negotiated. You can claim religious reasons to leave. You cannot commit crimes at all, or against the PCC after leaving. If you don't owe them anything, if you are respected, you can negotiate your exit. I know people who have done their time and negotiated out. Leaving is rare though. Usually, it is commitment for life.

There will also be surveillance – these people would be watched over. The PCC will always keep an eye on them. They can use electronic ankle tags. There will be surveillance for the rest of their lives.

If someone had a debt, and they moved from Sao Paulo to elsewhere, would the PCC have the means or desire to track them?

I have been asked that before. If you fear for your life then yes, move to another part of Brazil, but they can hunt you down if they want to. The PCC has a footprint in every state. However, it doesn't seem to be a common problem. If you can move to another state, you can escape your punishment, you can hide there, but I would never say to someone that they would definitely be safe or able to do this. If someone tells me they will be found in another state, I would not disbelieve them.

They would have to change names, change jobs. These people are already poor, already vulnerable, if they move to another state it will be hard for them. If you are being persecuted here, you could move to the Amazon, for example, but that is a punishment, having to leave your life and your family behind.

What would happen if someone refused to join the group?

It is a negotiation, just like an employment negotiation. The force of their authority lies in the fact it isn't imposed. People need to be willing to be a part of the group in order to ensure the success of the group. It needs to make sense to them. People also don't need to be members – they can just be partners.

You can refuse. You can be just a partner. When you become a part of it, it is an issue to then try to get out.

It is not a coercion kind of network. There is a code of ethics. It is well documented that they have trials, court kind of trials. It is not that strict really.

Could you tell us more about their ethical code - what happens if someone commits an infraction?

The PCC started in the '90s. Sao Paulo was one of the most violent cities in the world. The PCC said 'our enemy is the system' and they became the regulators of the crime market. They create rules, and everyone has to respect them. They have a code of conduct. Whoever disrespects their code will be punished. You cannot be deceitful, all contracts must be respected. The code is based on morals. They have ultimately profited from regulating crime.

They created a code of rules. They think of themselves as modern peacekeepers - it is very deeply rooted. Some of their rules even include protecting women against violence.

If someone broke one of the PCC's rules, what would happen?

It depends. It could be death, but penalties vary according to the local authority. I learned about a person who lived in a poor neighbourhood. There were people smoking marijuana near his window. When he complained to them, they slapped him around the face. He then complained to the PCC, and they got everyone into a room, listened to the complaint and then had everyone slap the offending man, but twice each, as a punishment. They do have a moral aspect. When there are inefficiencies in the public state, people go to them.

They say that everyone is equal. No one has more rights than someone else.

We have a saying, "They are on the right side in the wrong life". Catholicism is a very important aspect too – the freedom of theology.

The PCC have taken matters into their own hands. We do not think that the PCC is a positive thing, but we see that it isn't just about crime, it is an issue for society and the state.

What infraction would result in death or serious punishment?

Owing and not repaying a debt, sexual crimes. Child abusers and rapists get very bad punishment – they deserve death according to PCC. Snitches also get a very bad punishment. These are extreme cases. They only give death for extreme cases.

A lot of people claim they fear the PCC because they owe them money. Would this put someone at risk of serious harm?

I am asked this a lot. There is nothing in writing on this, but I wouldn't doubt someone if they said this had happened. They may want to kill someone for this reason. If someone tells me that they are being threatened with death, I wouldn't disbelieve them, because it could be the case, and I wouldn't want to risk their life. There is no standardisation on punishments.

It makes it difficult for us that there is no standardisation on punishment. The PCC is largely horizontal. An example of how the punishments can differ: in state prisons, you can have sexual intercourse with your wife or someone you name as your spouse. On weekends you can have your wife in jail with you, and it is a sacred day. You cannot look at another man's wife in the eye. One case I know of, a prisoner masturbated over another man's wife. Usually, that is punishable by death. However, the person responsible for enforcing the punishment, he didn't want to increase his sentence, so he didn't do it. It can be flexible how they punish.

The PCC own many nightclubs and bars and security teams in Sao Paulo. If, for example, I retired and wanted to open a bar, I'd need to work with the PCC on this. It is like a franchise. For those living on the outskirts they are more of a problem.

To what extent are the state independent and effective in combatting and prosecuting members of the PCC?

The justice system works. We went from 90,000 to 800,000 inmates, it is an incarceration industry. And now, prisons are fully controlled by organised crime. There is a whole system running. We have got to a point where the more people you arrest, the stronger the heads of gangs become because it's easier to control people within the prison system. Ultimately mass incarceration does not give you a safer society.

If, for example, someone went to the police and said they had been threatened by an organised criminal group because they owed them money, what would happen?

It depends. Yes, the police could help them, but at the same time, the police could say sorry, not my problem, I already have enough to do. I understand some people would be afraid to do this, in case the police inform the PCC what they have said. Of course they could help and protect you, but it's hard to say in general terms. I have seen many cases of people seeking asylum claiming to be threatened by the PCC. People ask me about this. As a researcher it's hard for me to say no, this definitely doesn't happen. It could happen, it could not, it is hard to say in general terms.

Police can be effective. One example, Brazil passed the Maria da Penha law. We now have police stations specialised in support for women. If you are assaulted by your husband, you could file for a restraining order. However, whilst the law is good, trust in institutions in practice is low. Law enforcement would possibly say "well, you had it coming" if someone said they owed money to the PCC.

Would the PCC target the families of those they are interested in?

It can happen. I know of one case where the PCC set fire to a person's house and his dad was killed. Another example, a traitor of the PCC – his wife was also killed because he betrayed them. It is rare though, only really in cases of major treachery.

Murder rates have been going down in recent years, but this could be due to economic reasons - because they are stronger and richer, there is less need for violence. Similar to Italy, the mafia controls everything, so they are no longer violent. This is regulated or indicated by the economic situation.

Are people able to receive any form of help or protection from NGOs?

Since the prison system grew exponentially in Brazil, the state didn't provide a lot of help to re-socialise inmates. When they leave prison, there are organisations that can help with this. If you are being threatened by the PCC, you do need to get official help. A Civil Society Organisation could negotiate with the gang, they can act as mediators. If it is not possible, you can join witness protection and vanish. There is an NGO that bridges the gap between criminals and the witness protection service. A specific strategy to erase you, but it is very difficult. You have to be born again, all your family do, so people resist joining it. It would be a very difficult decision to make.

How effective is the Witness Protection Programme?

I think it can be effective but again, it's not a simple thing. All your social bonds are broken. People suffer a lot in this kind of programme. It takes its toll and that hinders its efficacy. I find it hard to think they are effective. Our government agents can be weak – there is a lack of trust.

Are there limits to who can be part of the Witness Protection Programme?

You need to convince the authorities that you are a victim of the PCC. It is not easy to prove you are a victim. You couldn't just walk into a police station and ask to be added into one of these programmes.

In prisons controlled by the PCC, would an inmate have to join them?

No, not really. You don't have to join the PCC at all, but you still must respect their laws and the intrinsic laws of the prison.

Authorities do not control prisons. It is difficult to explain. The yard is controlled by organised crime. I could become an evangelical and not be part of it - but to ensure your safety in prison, you will need their protection. The prison officers say this, everything is mediated by organised crime.

In communities controlled by the PCC, do people need to abide by their rules?

Yes. In poorer neighbourhoods, this control is greater. It is very common. A car crash, dent on a car, husband and wife domestic violence – all mediated by the PCC. I know of one case, a pastor. He was helping a woman whose husband had beaten her three times. She wanted him out of the house. He went to the Public Prosecutor's Office. He threatened to take the issue to the PCC if they didn't take action to help this woman. She tried the justice system and didn't get anywhere. Then the pastor spoke to the PCC and they said, "Ok, the husband is out, now. But, if you take your husband back, we will beat you up". The mediation is chauvinist and macho but they make the decision and that is that. Also, if a girl is under 14 and someone reports that she is being flirted with, that person will be punished. If you are

under the age of 14, it is considered rape. They will punish you. This kind of mediation takes place all the time.

Citizens know where to go, who to go to and for what.

Can anyone access their mediation system?

If you are a resident there, yes. Everyone knows each other. You know who the drug dealer is. I couldn't ask for mediation – you must be part of the local territory context. If you require or ask someone to be killed who abused you or a woman you know, oftentimes the PCC will say “you have to do it, we won't, but we'll give you the gun to do it.”

How much territory is controlled by PCC in Sao Paulo?

In Rio, the criminal business model depends on the territory controlled. Militias sell gas, internet, cable TV, they construct buildings. They invade environmentally protected lands. It is not the same as the PCC. In Sao Paulo, there is a political territorial life, we have pastors, schools, the state, health clinics, community leaders. Crime is different – the main revenue is not necessarily from drugs here. It's actually from wholesale or trade. Territorial control is more about respect. They mediate so no-one needs to call the police. You can stay away from PCC and ask nothing of them. Most people manage to. But still, if you have an issue and need to call the police, you can't - you have to speak to the 'brother' first.

There are PCC prisons – this is their territory. The transfer of prisoners is a major issue. Lincoln Gakiya says 90% of prisons are fully controlled by the PCC. No-one has a map to plot where they are in Sao Paulo generally.

You said they'd have to go to a brother first. What would happen if someone called the police?

They could suffer some kind of punishment. The first time, maybe they'd say “don't call them again, you come to us”. This happens everywhere in a way - for example, in a rich neighbourhood, say your car was stolen. First, you'd speak to the private guard to investigate. We have private security, they have the PCC.

How pervasively is the PCC extending into state or public bodies?

You don't know who is a criminal anymore. Municipal elections are a hot topic now – no-one knows who is corrupted by the PCC or to what extent. Maybe they are involved with a business affiliated with PCC. The PCC are everywhere, they are like water. They are part of the state. They are not there to defend drug trafficking, they are there to facilitate business, to ask favours of judges and prosecutors. It's subtle, but it's truly happening. There needs to be a system of monitoring of election candidates. We want to be able to understand this.

[Back to Contents](#)

Interview with Prosecutor Lincoln Gakiya

Date: 17 September 2024

Location: Sede MPSP, Sao Paulo

Present: Paulo Sérgio de Oliveria Costa – Prosecutor General of São Paulo state; Ivan Francisco Pereira Agostinho – Deputy Prosecutor General for Criminal

Justice; Mylene Comploier – Chief Prosecutor of the Institutional Office of the Prosecutor General's Office; Fábio Ramazini Bechara – Prosecutor of GAECO (Special Action Group to Combat Organized Crime) of the Public Prosecutor's Office of São Paulo; Lincoln Gakiya - Prosecutor of GAECO (Special Action Group to Combat Organized Crime) of the Public Prosecutor's Office of São Paulo; 3 CPIT officials; 2 British Consulate officials; 2 interpreters

We're aware the PCC has diversified its operations and become very organised and sophisticated over the years. How have they diversified, become more organised and sophisticated?

The PCC was founded in 1993. The absence of the state has allowed it to expand. In its first two decades, the state of Sao Paulo failed to stop it.

The PCC is now present in every state of Brazil. Fresh information from January 2024 indicates that the PCC is now present in 26 countries: 12 in South America, 10 in Europe, 1 in the Middle East. It is present in Argentina, Ecuador, Colombia, French Guinea, Peru, Suriname, Venezuela, Mexico, England, Ireland, Japan, Hong Kong, Singapore, Australia and the United States among other places. A member of the PCC was also located in Lebanon. They have 40,000 members. It was neglected and that is why they are everywhere now. We have to hinder their expansion. We welcome your cooperation.

They are still small in Europe - only 15,000 members are known to be outside of Brazil. Organised crime has no borders. For example, a ship was seized by the French Navy last month with 10 tonnes of cocaine travelling from Venezuela to Europe.

There is a tie between the PCC and the Italian mafia. The groups don't work alone – they are working in partnership with other groups, including Albanian gangs.

Today we are signing a memorandum with the World Bank – it is unprecedented. We have been addressing the infiltration of the PCC into transportation companies here in Sao Paulo. Thanks to this investigation, the World Bank decided to fund the replacement fleet of buses, but they wanted to be sure the money was safe, so we are signing a memorandum of understanding. It is up to the prosecutor's office to ensure the money is destined for the right hands.

We are now trying to focus on the economic component of organised crime. It is important to understand that dynamic. There is an international pool of criminal players and this challenges our ability to respond and strategize to disrupt their activities. We need to try to make it more expensive for them. The agreement with the World Bank only came around because of this new perspective. We are not just focusing on a single criminal case, we are trying to be more comprehensive, take a different approach, trying to be more strategic. The more we understand how they work, the better we'll be able to dismantle the groups.

Money laundering and the illicit flow of capital are both part of the problem. They use both laundering and illegal activities to fund the organisation and they turn a profit as well. Capital is reinvested in the organisation. They conduct typical money laundering operations, tax evasion, tax benefits in offshores.

To what extent are every day citizens affected by their operations?

In Brazil there are two classes of citizens. Low income people who don't receive much attention from the state, who have no access to healthcare, education

etcetera. The other class exists in areas where the PCC aren't really present. Those living in ghettos, outskirts, favelas in Sao Paulo and the metropolitan area – their lives are harshly affected. The PCC is part of their every day lives. It is the PCC who act as law enforcement in those areas, they exercise social control. The poor are directly affected. They are not able to call the police – they have to request the help of the dealers themselves. Organised crime groups distribute food, goods, hold parties - they need the sympathy of the poor. Organised crime will establish itself where the state is missing.

Could you tell us more about the PCC acting as law enforcement in these communities?

It is unofficial. It is common to every criminal organisation in the world – not just those in Brazil. It doesn't mean those people are members of the organisation, or like it, or accept it, but they are coerced and have no choice. They have to learn to co-exist. They grow up like this. They grow accustomed to this. Middle class and affluent neighbourhoods are not affected by this. The PCC are very invisible in Sao Paulo. It is increasingly involved with formal businesses. It is different to Rio de Janeiro.

People with no backgrounds in Brazil, no oversight by a central bank. That opened a window of opportunity that has no precedent - the movement of resources has become so easy, to anywhere in the world. There is very low risk of detection. The amounts are impressive. Billions.

How do the PCC enforce their rules?

Enforcement is strict and violent. People who live in low income areas know what they can and cannot do. Usually they cannot call the police. If a crime happens, they will ask a PCC representative or local drug dealer and they run their criminal trials. It's a justice process, a due process, they have to apply their law accordingly. Usually if someone decides to blow the whistle to the police or prosecutor's office, they will have a death sentence. They will die. This is not that common so people may be lying, claiming to be persecuted. They don't have much resource and when they get to another country they will claim they're threatened.

What kind of infraction would result in being killed?

Whistle-blowing. It is like the mafia – no one can be a snitch. It will be punishable by death. This is the most serious crime. There are others – rape, abuse of children, or to steal from their group, embezzle their money.

If someone borrowed money from the PCC and didn't pay it back, what would the punishment be?

PCC don't actually lend money to ordinary citizens. They have funding lines for drugs trafficking for members. They'll offer payment plans. Sometimes the drugs will be seized and then they will have to pay the money back. If they don't pay, they can be excluded from organised crime, or it can be punishable by death. They will recover all their assets.

Does the amount of debt someone owes make a difference to the punishment they face?

If you don't pay, let's say the money belongs to the PCC. In most cases it isn't a loan, most cases are when a member has stolen some money. When you deceive

the organisation you will be punished. Crime money smells of blood.

If someone owed money and didn't pay, could they escape to another part of Brazil?

It is really difficult to protect witnesses. People don't cooperate. I have had two witnesses who were killed – the witness and their family, because they snitched on a PCC operation. We have had cases here, defendants and witnesses protected by the programme and the programme is not efficient enough. When we are speaking of people connected to the PCC and they are sworn to die, they will and can find them. We had a PCC leader who cooperated with us. He was protected and was moved out of Brazil forever because they made an assassination attempt.

Do the PCC often also target the family members of those they're targeting?

No it's not common. It is like the Mafia. They will only go after family if the member had a leadership role. Because of that role, they'd have a lot of information. If they switch sides and inform, and the PCC can't find the actual criminal (due to them being protected or arrested) then they will go for the family. There has been some cases of the wives and daughters of criminals who left and whistle-blowing being murdered. We can't work with bigger protections that award criminals – white collar maybe, but these criminals no.

What would happen if someone went to the state police and said they were being threatened by the PCC?

If someone went to a police station and said they were being threatened, that alone will be dealt with. This person would leave the station with some form of protection if they have some information to give. If they don't, they won't have protection. If someone says they're being threatened – what does that mean, by who? Where do they live?

We try to break the authority over the territory to stop people being blackmailed, etc. The state needs to take the territory back.

Are people allowed to leave the gang? Are there conditions to this? Does it differ based on the person's profile?

No, they don't let members leave. On occasion, exceptionally, people can leave if they decide to leave crime altogether. It is very common to see religious conversion. Once they join the church, they ask to leave, and this is accepted. However, if they go back to crime in any shape or form they will be killed. In prison, a person would be under PCC protection. They then owe the PCC and will have to sell drugs when they leave prison.

Could you explain to us the burden of proof in Brazil; how much evidence is needed to successfully prosecute members of OCGs?

We've changed our strategies, including investigation. We are trying to base more investigations on evidence – data, finance, fiscal data. We do surveillance, controlled surveillance work, and human sources do matter to point us to the right direction of the problem. However, human sources are not determinative to investigations. Today, our entire strategy is supported using technology. If you don't know where you're heading then you'll get lost. We have been working with this, and working a lot with the investigation of assets.

We have also been trying to use other strategies. Regarding businesses that we

know are illegal – we managed to remove all business leaders involved with PCC from the bus companies. We cut their access to public resources.

Another important pillar is cooperation with other agencies. Regarding the case with the bus companies – we cooperated with the internal revenue office, federal police and economic defence office. This interconnection is used to help prosecute.

We're keen to understand how many members of OCGs are arrested and convicted each year in Brazil. Could you share any statistics with us on this?

In Brazil, we have 640,000 people arrested and in prisons. Of those, 202,000 are in the state of Sao Paulo. Out of those, in the state of Sao Paulo, approximately 8,000 are PCC. Out of the PCC's 40,000 members, most of them are in prison. Approximately 30% are actually free.

Could you tell us how many OCG members are prosecuted each year?

Not off the top of my head. The PCC acts in the darkness. No-one says "I am a PCC member". Unless we have evidence that they are involved in organised crime, they will only be arrested for the specific crime they have committed. There is no self-declaration, so numbers aren't that reliable.

[Back to Contents](#)

Interview with Criminal Investigation Department of the Sao Paulo Civil Police

Date: 18 September 2024

Location: DEIC Civil Police, Sao Paulo

Present: 3 members of the Sao Paulo Civil Police; 3 CPIT officials; 1 British Consulate official; 2 interpreters

Background

The goals of the PCC in Brazil are money laundering and trafficking. They also commit assassinations.

The Criminal Investigation Department of the Sao Paulo Civil Police has 4 divisions and 17 precincts fighting organised crime, crimes against property and criminal factions. 6 of the 17 precincts deal with crimes against property and money laundering from organised crime. 3 others work on financial fraud. 4 deal with crimes on the web. 4 deal with vehicle crime.

We used to have double the amount of officers, but in the last 24 years our personnel has been depleted. The Government has stopped investing in investigation police and instead invests in preventive police (the military police). From 2017, the national congress has been seeing more of a need to invest in the civil police.

Every year the penal code is updated so that investigation police can keep up with the dynamics of organised crime. We wish we could do more to combat money laundering by organised criminal groups, but we don't have the necessary human resources. Today, we have 120 ongoing investigations into money laundering – this is a technical job involving other organisations and public departments.

With these investigations, drug crime comes into play – usually we have to deal with large loads of drugs within Brazil and being sent abroad, especially drugs coming from South American countries which use Brazil as a trafficking route through the

Port of Santos. We're also aware that many family members of OCG members live outside Brazil.

There are many smaller criminal factions within Brazil, but they connect with the CV or PCC. They have turf wars for territory throughout Brazil. The state of Goias is not a state where factions are in conflict.

What profile of people do you feel are genuinely at risk from OCGs?

Nowadays, people in the peripheries of the city. The PCC created a parallel justice system in which they represent the people in these areas. The PCC presents itself as a state: motherly, welcoming, sheltering people. But if anyone goes against their rules, these people pay with their lives. One example is sexual assaults in those communities: if someone claims they've been a victim of this in any way, the PCC will be the judges. The people who committed the crime are kidnapped and the PCC create kind of a court in which the victims are face to face with the criminals and the criminals are tried. They have a system with 3 layers of judges. The people accused generally have no way of defending themselves. Regardless of being found guilty or innocent, they are executed. The bodies are not given to police or family. They are buried in shallow graves or sometimes incinerated.

Today we have a situation where the number of missing persons is increasing and the number of homicides is decreasing. The bodies that are found are usually those of informants, or snitches, who work with police. The victims of the PCC today are the people who help the authorities, or criminals within the organisation that cause some harm to the organisation, for example if they steal from it. What concerns police are the people who break the rules imposed by the organisation. These people do not have the necessary funds to leave to another country.

Sao Paulo is a state formed by migrants, so when people who are threatened leave Sao Paulo, they don't go abroad - they go to the Brazilian states they came from.

Could you tell us more about some of the rules imposed on people in these communities?

The PCC's objective is to have the power to rule over people so that people don't require assistance from the actual state.

There's a vacuum of power and they took over with their rules, which are focussed on behaviour. The community does turn to them because they are quick and they can interfere in domestic problems. They settle many issues, usually family or relationship-based crimes. For example, a conflict between husband and wife who are separating, or if someone accuses of someone of abuse, of sexual crimes, of paedophilia. Just the accusation could result in execution, even if it's not true. They won't necessarily hold a trial, sometimes they beat people up or drug them or spike their drinks to get the truth out of them. There is a lot of back and forth. Eventually they find out the truth. People are hardly ever found innocent – if you are found guilty there will be no mercy.

Are the punishments standardised or are they arbitrary? Do they change with each instance?

No, they have a fully standardised code of conduct. It's not dependent on territory, it's fully standardised. They have hierarchy, a chain of command overseeing what happens and what decisions are being made. Usually, the sentence is death. Capital punishment is the preferred sentence.

There's a state-run agency that provides protection to people who approach the state to report the PCC. Many people are coming forward to report the PCC's workings. This is a department created by federal legislation, but is run by the state.

Is that the PROVITA programme?

Yes. I have 2 people under its protection here.

Could you tell us about any more challenges you face in investigating crimes committed by the PCC?

The COAF is the Council for Control of Financial Activities. It is an organ within the federal system that follows the money. There is discussion over whether it should be reporting to the Ministry of Justice.

There are 4 levels of appeal in Brazilian courts, and decisions can change. The judiciary has brought insecurity to Brazil. We have good laws, but the judges are all going in different directions and the Supreme Court that is meant to guide them and set standards is all over the place. So the judiciary is the biggest issue. It's embarrassing to be honest. Andre do Happy – a famous criminal in Brazil – was indicted and convicted, and his assets including a helicopter were seized. He was a shell – just a front for the organisation. The courts reversed the decision and returned his assets to him. This case is major – giving back a criminal's assets after judgement. It took 4 years to get him and his assets and we cooperated with 2 different countries in the investigation.

Was he found guilty or innocent?

From 2014-2019 he was wanted by the police. We arrested him in a different state, in Rio de Janeiro. We managed to seize and block 156 million BRL worth of assets and bank accounts. The money laundering system he used was not very sophisticated.

People are often fronts for organised crime groups - they get people with low incomes who can't afford stuff like boats and register the property to that person. For example, a 20-year-old girl had an expensive property in her name. She said you know it isn't mine, but I fear for my life so I can't tell you why I have it. Then there was a decision in the STJ (Superior Court of Justice) which told us to return all these assets. When the police arrest someone, that person can appeal to many levels, and the judgements can differ and disrupt the whole process.

Why did they make that decision?

The case was tried by one judge. He found that the police acted properly. Then, 3 high justices from the state of Sao Paulo tried the same case again and maintained the previous decision as they found no wrongdoing. 4 years later, the case went to the STJ in Brasilia, which is like a guarantor court. In the proceedings they found one issue and because of that they blocked the whole operation. The issue they found was that the police entered a house without a search warrant but with an arrest warrant. They found 3 wanted criminals in the house. In Brazilian law, if police go to a house and find wanted criminals, they have the prerogative to enter. Even though they can do what they did, and had intelligence indicating there was a wanted person in the house, because of the lack of search warrant they blocked the whole thing. Here, this is systematic.

As far as capacity goes, we are able to do this work and get criminals off the street.

What keeps our peace of mind is that 2 prosecutors and 4 judges claimed it was the right thing to do. We are now working hard to rearrest Andre.

Do you work much with the federal police or state police in other states in Brazil?

Yes. This department welcomes officers from all over Brazil. Commissioners and prosecutors from all 27 states working on organised crime recently came together in Brasilia to discuss these issues.

Do you have statistics on arrests and detentions of OCG members?

Yes, in Sao Paulo we keep a record. Every time a criminal is arrested, we need to enter that information into the system, so we have those numbers.

Would someone fearing the PCC in Sao Paulo be able to internally relocate to escape that risk?

Yes, that's possible. This is actually the most common thing to do.

Would there be any circumstances where the PCC would wish to pursue someone who internally relocated?

Yes, the PCC has a network of cells spread all over the country. For example, if someone fled the PCC in Sao Paulo and they knew the person came from Ceara, they would send Whatsapp messages to the other cell raising that this is a person of interest.

[Back to Contents](#)

Interview with Federal Police of Brazil, São Paulo

Date: 18 September 2024

Location: Federal Police office, São Paulo

Present: 3 members of the Federal Police of Brazil in São Paulo; 3 CPIT officials; 1 British Consulate official; 2 interpreters

Background

In the Foreign Registration Unit, we register a diverse range of people, from people who come to work as CEOs of companies all the way through to refugees. There are 3 main tasks: registering foreign nationals; receiving asylum claims; and processing citizenship requests.

Residency permits and migrant registration requests filed here in Sao Paulo are processed and decided by our unit personnel, but asylum and nationality requests are phased, so the requests are received and processed here and then sent to Brasilia to be decided by Ministry of Justice's Department of Migrations.

Between January and September 2024 we registered 55,000 people. We've also had 6,103 asylum claims this year so far. Last year we had 10,366 asylum claims and 67,611 registered foreign nationals. This is a reflection of Brazil's open arms policy. Immigrants make up 2% of the population, it's not a big problem for us. Most of the time asylum seekers are not people fearing persecution, they are economic migrants. We've seen a big increase in asylum seekers from Angola as they speak the Portuguese language. There is a new specific type of residency permit for people from Portuguese-speaking countries, so people from Angola come to Brazil and ask for asylum in order to get the all papers ready to apply for a residency permit. It is an

advantage having everyone who is here registered with us - if something happens which is out of line, we have a better idea of who is here.

I was the head of the drug enforcement unit in Sao Paulo. We also used to deal with violent crimes, kidnapping, extortion. I am surprised by the increase in asylum claims from Brazilians in the UK. We do know that the PCC is expanding its activities. Gang violence here in Brazil is not the same as it is in countries like Honduras and the Dominican Republic - there it goes right through people's lives. Here it's more territorial, it's more like the Italian mafia. I've never heard of the PCC lending money to anyone, they don't work in that business. When someone says they are threatened by a group, it's because they are or were part of that group. It's not just normal people.

What are some of the challenges facing law enforcement when it comes to combatting organised criminal groups?

The most difficult challenge is concerning the power of the judiciary. It is sometimes difficult to work with, especially the federal judges. Some of them are overly legalistic – they are very finicky – they disregard acts of violence and are more concerned with doing exactly what it says in the law.

Brazilian legislation is not sufficiently strict, it is very lenient.

We know that the PCC and CV have expanded, initially to other countries in South America and then to other continents. All the main leaders are in federal prisons – but these organisations keep growing and growing – the problem is not arresting the leaders.

Furthermore, some segments of the judiciary are also inefficient in providing protection to those who need it. If you need state protection it is hard to get. Some authorities are very slow to respond as they don't have a lot of resources.

If someone is charged with a crime, how much time usually passes between the charge and sentencing?

It depends on the judge and the crime in question. We've had cases of kidnap that had sentences delivered very fast, within 1-2 years. If the crime is very violent the judiciary seem to care a little bit more.

The new constitution and legal system (after the end of the dictatorship) is all about protecting everyone all the way through the legal process. It is important that we do not go back to the way of doing things like we did during the dictatorship. Brazil is an unequal country - although we have some laws like Sweden we have realities like Nigeria.

Another problem is that some segments of the judiciary are politically educated, not professionally educated. They are based on political ideas and not on law. Each judge is completely independent in the way they handle cases.

Are members of the judiciary ever subjected to intimidation?

No, I don't think so.

We've heard that in the federal prison system inmates can pass information through their lawyers to people outside of the prison. Is there anything being done to change or prevent that from happening?

Here in Brazil and in those prisons, lawyers have completely free access to their

clients - the professional rights of lawyers are very well protected. It is difficult to control that. Lawyers can say that the information and messages they have is privileged information between the lawyer and the client.

How does the federal police interact with the state police?

Here in Sao Paulo, we don't usually work with the civil state police. I cannot generalise but they have significant problems with corruption. It's a grey area, we never know if we can trust the person we're talking to, so we prefer to work by ourselves. We work with the military police but only with some specific areas – usually their intelligence departments. The military police are everywhere, if you need a police officer, they are there. We work with a few units of the military police. Federal judges are sometimes difficult to work with but we can also work with state judges and state prosecutors. It is much easier to work with them, as they are more used to violent crimes.

You mentioned corruption within the state police. How does Brazil attempt to combat corruption?

It's complicated – we are federal police and we are not the Civil Police's internal affairs department. We can investigate federal crimes but not the civil police. We investigate federal crimes that involve criminal organisations and sometimes that does involve local police. In general, we have a good relationship with local police, however there are some problems of corruption in specific areas but it's important not to generalise.

If I'm investigating a criminal organisation, if we find out they are working with civil police and we detect they are receiving bribes etc, then we have to act. We then work with the state judges and the state prosecutors. In these cases, it's within our jurisdiction. And we don't share information with civil police agencies, we only let them know when we go to arrest them, not any time before.

What happens when a member of the state police is found to be corrupt and/or working with an organised criminal group?

Judges are usually very strict - that individual will go to jail and will lose their job.

Is it common that corrupt police get brought to justice?

Yes, it's common. But it's easier to talk about our reality and that we are restricted when it comes to combating corruption. It's as hard and slow as investigating any crime, however the judges are stricter when it comes to a police officer being involved in corruption. The processes are all very long.

Are there any oversight mechanisms of the judiciary?

The CNJ is the National Council of Justice, however they often cooperate to protect each other.

[Back to Contents](#)