



Governance and institutional capacities of public security in the Brazilian Amazon

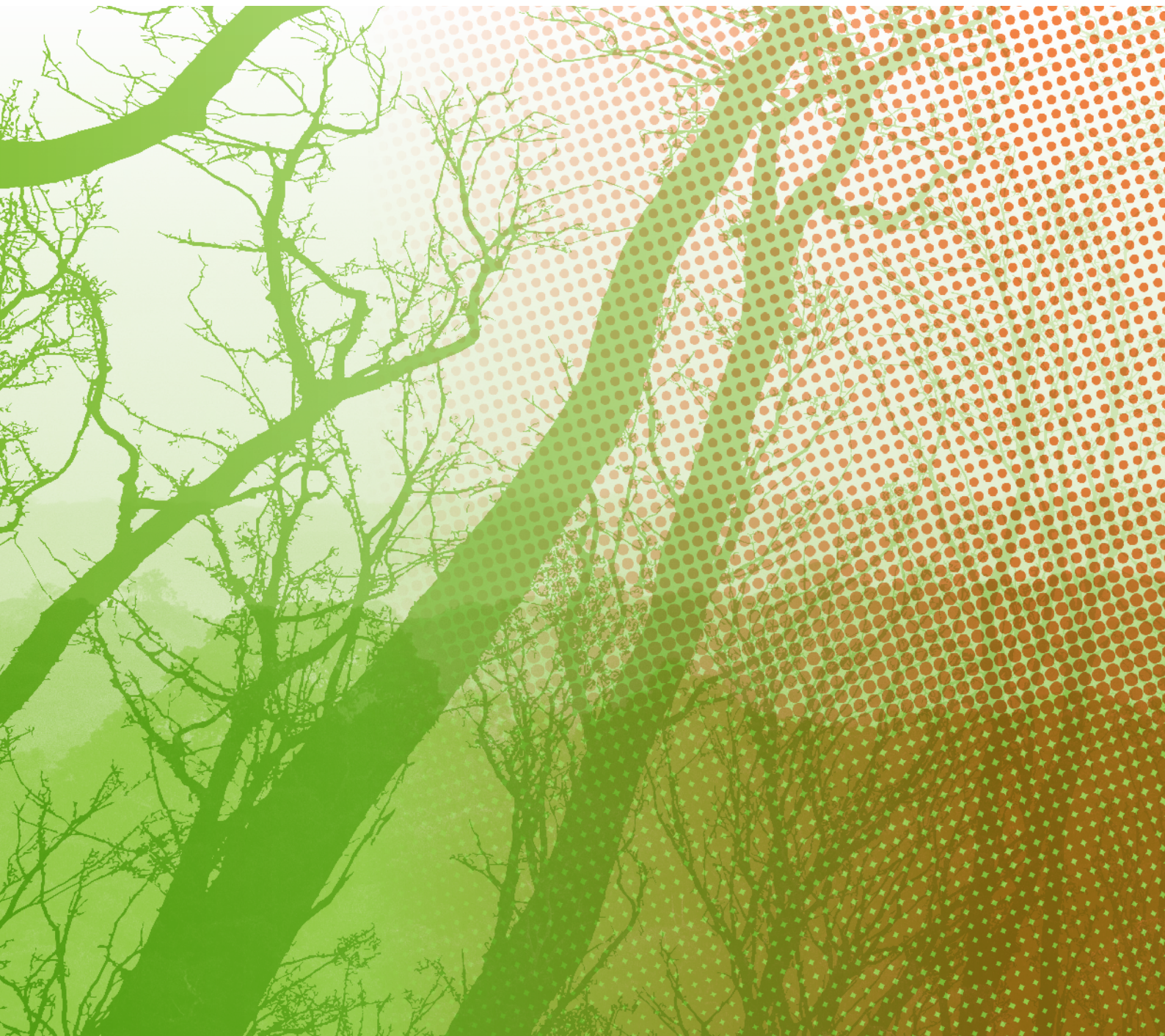
Executive Summary

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Governance and institutional capacities of public security in the **Brazilian Amazon**



Brazilian Forum on Public Safety

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PRESENTATION

From a partnership between the Brazilian Forum on Public Safety (FBSP), the Institute for Climate and Society, the Igarapé Institute and the Sovereignty and Climate Center, the study “Governance and institutional capacities of public security in the Amazon”, published in September 2022, seeks to map the institutional structures and capacities of the components of the Amazon public security system, as well as to identify how (and if) the governance of the main institutions that exercise police power in the region works.

This document summarizes the main findings of the study that, in short, reveal a low efficiency of the Brazilian State in providing governance on Amazon issues, especially in the territories far from large urban centers. The Brazilian State is not able to promote the Rule of Law in the interiors of the region, especially due to the intermittence of its activities. Local complexities, including low population density, extensive frontier, lack of means of access to remote regions and low land title regularization, deepen the difficulties of the State to act territorially and implement policies that reach the most vulnerable areas.

The carried out research had some clippings: of the 9 states that compose the Legal Amazon¹, 6 were selected – Acre, Amapá, Amazonas, Pará, Rondônia and Roraima – that have similar characteristics in relation to the biome as well as being strategical for the international drug trafficking². In the same sense, despite organized crime having several facets and areas of activity, the work essentially focused on prison-based criminal organizations whose main business relates to drug trafficking.

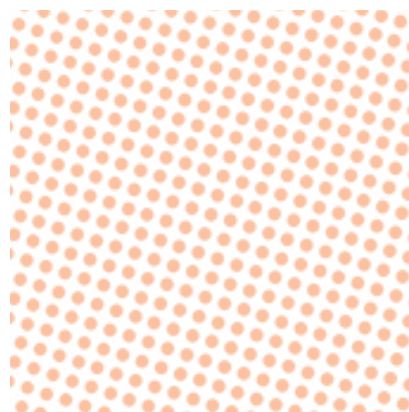
The research involved the acquisition of information available on the Internet and requested by means of the Law on Access to Public Information (LAI) and field visits. The objective was to complement the information through interviews and local observation, create a network of contacts with local actors, seek elements to deepen the analysis concerning the scenario encountered and to identify points of convergence to create proposals to confront illegalities, violent crimes and environmental crimes in the Amazon.

¹ The concept of Legal Amazon was established in 1953 and its territorial limits stem from the need to plan the region's economic development and, therefore, are not limited to the jungle ecosystem. It currently encompasses all eight states (Acre, Amapá, Amazonas, Mato Grosso, Pará, Rondônia, Roraima and Tocantins) and part of the State of Maranhão.

² Mato Grosso is also a strategical state for drug trafficking, however it has completely different dynamics in relation to the others, be it for having an older occupation, a different biome, and for counting on other means of transportation, in addition to having a greater relation with the routes that involve Paraguay.

In synthesis, the diagnosis pointed out that the institutional capacities and the inter-institutional arrangements of the public security forces and environmental surveillance in the Amazon do not yield operational capacity or sufficient levels of integration to face the advance of organized crime that grows in the region, be it in relation to drug trafficking, environmental crimes, or intersections of these two universes.

Based on the analysis of these findings, it is possible to propose the construction of minimum consensus to be shared between the diverse actors involved in the task to guarantee the safety of those who inhabit the Amazon. This consensus must assume as a premise that the socio-environmental commitments and goals related to the Amazon will only be effectively achieved insofar as public security policies include them in the objectives of the police activity (prevention and qualified repression). Likewise, the fundamental right to public security will only be accomplished when environmental crimes become internalized as priority focuses of police institutions and other agencies involved in the enforcement of public security.



GOVERNANCE IN COMPLEX SCENARIOS AND THE ENFORCEMENT OF PUBLIC SECURITY

The United Nations Environment Programme (UNEP), in partnership with INTERPOL, launched in 2016 a report³ that mapped the environmental crime network. According to this study, environmental crimes are the fourth most lucrative illegal activity in the world, second only to the trafficking of weapons, drugs and people. This same research points out that there is a growing link between these illegal activities, since criminal groups that explore other niches began to understand environmental crime as a source of resources due to its high profitability and its low control. As a complementary source of income, environmental crime finances other criminal activities and amplifies money laundering operations, other white-collar crimes and human rights violations.

In the context of the Brazilian Amazon, violence is linked to three of the main illegal activities developed in the region: irregular land occupation, illegal logging and illegal gold mining⁴. In this sense, the Brazilian Forum on Public Safety has already pointed out that the indicators of Intentional⁵ Violent Deaths in the region are increasing, a movement contrary to that of other regions of the country. Thus, even though the dimension of the violence isn't central to the discussion on the Amazon, which bases its agenda on more classical frames (development, defense and environmental preservation), it is possible to affirm that, due to the importance of the theme in the life of the population, this dimension is starting to gain strength.

In addition to the multiple interests involved, regarding aspects concerning public security in the region, the complexity of confronting violence in the region lies:

3 NELLEMAN, Christian et al. The rise of environmental crime: growing threat you natural resources, peace, development and security. United Nations Environment Programme (UNEP), 2016.

4 INSTITUTO IGARAPÉ. **Ecossistema do Crime Ambiental na Amazônia**. Rio de Janeiro, 2022. Available at: <https://igarape.org.br/wp-content/uploads/2022/02/AE-54-O-ecossistema-do-crime-ambiental-na-Amazonia.pdf>

5 The category of Intentional Violent Deaths (MVI) corresponds to the sum of victims of homicide, femicide, armed robbery, bodily injury followed by death, and deaths resulting from police interventions while on or off duty.

- a) in the overlap of crime and violence, with the connection between environmental crimes, the actions of criminal organizations focused on drug trafficking and gray areas in which both activities are controlled by the same actors or through the establishment of partnerships between the criminal groups involved;
- b) in mobility challenges due to the region's geographic particularities, composed of dense forests and extensive and difficult to access watersheds;
- c) in the multiplicity of agencies involved in guaranteeing public order and the right to an ecologically balanced environment, which necessarily involves the preservation of natural resources in the Amazon region;
- d) in the immense difficulty of observing the federal boundaries, both from the territorial point of view and the distribution of competences.

Based on the logic of public governance, this paper approaches the Amazon from the perspective of police enforcement, with a specific focus on arrangements related to environmental protection, defense and public security. *Enforcement* will be used here as the capacity to ensure compliance, even by means of command and control instances, of legitimate political agreements. By command and control instances, it is understood not only the police corporations foreseen in the Federal Constitution, but all institutions that may exercise police power, such as the Armed Forces, environmental inspection agencies, the National Mining Agency (ANM) and the Central Bank of Brazil (Bacen)⁶.

The role of the justice system in combating environmental crimes and organized crime should also be highlighted. The Public Prosecutor's Office, be it at state or federal level, operates both through specialized environmental prosecutors – who have greater expertise in the subject – and through ordinary prosecutors, who are responsible for all lawsuits within a certain territorial limit, including those related to environmental crimes.

The concept of *environmental governance* is used here as an unfolding of the general concept of governance, focused on the appropriate processes and behaviors for maintaining or improving the quality of the environment⁷. The environmental governance in the Brazilian Amazon must seek to reconcile the development of local, indigenous well-being and of local communities with the introduction of sustainable and environmentally responsible measures aimed at extracting resources for the economic growth of the region and its consequent benefits for the inhabitants⁸.

6 See art. 78 of the National Tax Code (Law No. 5,172, of October 25, 1966).

7 BREDARIOL, Thomas; DA VINHA, Valeria G. Instituições e governança ambiental: uma revisão teórica. **REVIBE-C-Revista Iberoamericana de Economía Ecológica**, p. 153-162, 2015.

8 PEREIRA, Leila; PUCCI, Rafael. Tale of gold and blood: The unintended consequences of market regulation on

THE INSTITUTIONAL (IN)CAPACITY OF PUBLIC SECURITY

The indication of legal limits conferred to each institution and their possibilities of action are only a theoretical abstraction that bears little semblance to what was observed in practice, during the research fieldwork. During the daily enforcement of public security, the institutional capacity installed and available is almost always outdated and insufficient to account for a scenario of expansion of environmental and violent crimes, especially in the most recent years. The assessment that there was an increase in the criminal dynamic in recent years in the Amazon region was shared by several consulted interlocutors.

*“There’s more drugs coming down,
more environmental crimes going on”
(Federal Police)*

In order to provide a more objective analysis of the institutional capacities of security forces, the justice system and the Armed Forces, data on the units installed in the states of the Amazon were systematized, when it comes to the state and federal police forces, the public prosecutors’ offices, the state courts and the Armed Forces.

The Civil Police has a very small number of units specialized in the themes related to this work: there are 32 specialized police stations in total, of which only 6 focus on the environment. Only those specialized in drugs are present in all the selected states. On the other hand, ordinary police stations generally have low operational capacity (human resources and specialized training) to deal with environmental crimes or criminal organizations. For instance, in Roraima there are only 56 delegates working in a total of 33 police stations, while in the Amazon, there are only 231 delegates, in 122 police stations.

The ratio of inhabitants per police officer in the states shows a greater precariousness in terms of investigative work force in Pará and Amazonas, which have, respectively, 3,365 and 2,225 inhabitants for each civil police officer.

local. **Working Paper 005.** Rio de Janeiro: Climate Policy Initiative, 2021. Available at: <https://www.climatepolicyinitiative.org/working-papers/a-tale-of-gold-and-blood-the-unintended-consequences-of-market-regulation-on-local-violence/>.

TABLE 01: Number of active personnel in the Civil Police, Technical Expertise and Military Police⁽¹⁾
The Amazon - 2022⁽²⁾

Federative Unit	Civil Police					
	Station Chiefs	Clerks	Investigators	Total		
				Absolute numbers	Ratio of inhabitants per police officer	Ratio of km ² per police officer
Brazil	11,599	20,085	60,242	91,926	2,321	93
The Amazon	1,245	1,699	5,412	8,356	2,070	428
Acre	78	99	735	912	994	180
Amapá	115	196	693	1,004	874	142
Amazonas	231	414	1,274	1,919	2,225	812
Pará	607	586	1,415	2,608	3,365	478
Rondônia ⁽³⁾	158	329	920	1,407	1,290	169
Roraima ⁽⁴⁾	56	75	375	506	1,290	442

Federative Unit	Technical Expertise					
	Medical Examiner	Fingerprint Specialist	Forensic Expert	Total		
				Absolute numbers	Ratio of inhabitants per police officer	Ratio of km ² per police officer
Brazil	2,460	2,988	6,375	11,823	18,043	720
The Amazon	248	339	620	1,207	14,333	2,960
Acre	3	-	37	40	22,672	4,104
Amapá	33	42	4	79	11,109	1,803
Amazonas	33	-	128	161	26,522	9,684
Pará	122	160	329	611	14,365	2,039
Rondônia ⁽³⁾	49	123	91	263	6,902	904
Roraima ⁽⁴⁾	8	14	31	53	12,315	4,220

Federative Unit	Military Police					
	Lower ranks	Officers	Officer candidates	Total		
				Absolute numbers	Ratio of inhabitants per police officer	Ratio of km ² per police officer
Brazil	359,350	32,079	7,553	406,384	525	21
The Amazon	29,878	3,696	3,600	39,241	441	91
Acre	1,941	231	294	2,466	368	67
Amapá	2,291	753	263	3,307	265	43
Amazonas	7,108	1,414	18	8,540	500	183
Pará	13,741	1,001	3,025	17,767	494	70
Rondônia ⁽³⁾	4,797	297	-	5,094	356	47
Roraima ⁽⁴⁾	2,067	316	108

Source: Transparency Portal of the States; Ministry of Justice and Public Security; Civilian Household of Rio de Janeiro; Brazilian Institute of Geography and Statistics - IBGE; Brazilian Forum on Public Safety. (...) Information not available. (-) Non-existent Phenomenon. **(1)** Data from dezembro/2021. **(2)** The states taken into account were Acre, Amapá, Amazonas, Pará Rondônia and Roraima. **(3)** Data from dezembro/2021. **(4)** The data available from the Military Police of Roraima does not allow disaggregation by rank.

Even though the number of civil police officers in the Amazon shows no discrepancy when compared to the country as a whole, when the ratio between the number of police officers and territory is observed the situation changes. If in Brazil there are 93 km² per civil police officer, in the selected states this area rises to 428 km² per police officer, that is, the same number of officers are responsible for a territory four times larger.

Still with regard to investigative work, there's little technical expertise present in the Amazon: there are only 39 technical expertise units in the entire region. In this aspect, Rondônia is the best prepared state, with 19 units. Regarding the workforce, it's striking that there are only 33 professionals to take care of all the legal medical examinations in Amazonas, which only counts with a Legal-Medical Institute the capital. In regard to criminal experts, in Amazonas there are 128 professionals and in Amapá only 4.

In regard to the Military Police, the environmental police battalions are still very scarce. Only nine were identified, and only Pará has more than one battalion. The number of military police officers is much larger than that of the Civil Police. There are 39,241 military police officers and 8,356 civil police officers for the same territory. In terms of police per inhabitant, the lowest proportional presence of the Military Police is noted in Amazonas and Pará, where there are 500 and 494 inhabitants per police officer, respectively. In the selected states, this ratio is of 441, while in Brazil, the value is slightly higher, 525 inhabitants per military police officer.

However, as observed in relation to the Civil Police, it is above all in the ratio of km² per police officer that the fragility of the capacity of public security forces to act in the Amazon is most evident. In the set of the 6 states, there are 91 km² per military police officer, while in the national scenario, this ratio is much lower, only 21 km². In Amazonas, the scene is even more worrying, considering that it has one military policeman for each 183 km².

The access of state public security forces to boats and aircrafts, which are fundamental means of transportation for displacement in the Amazon region, is also precarious. According to information released by the Profile Research of Public Security Institutions (base year 2020), the region's police forces count with only four airplanes and two helicopters. Regarding boats – essential for river patrols – only 34 are available for the Civil Police and 148 for the Military Police. To paint a picture of the fragility of the mobility capacity of policeman in this region, in sum, the Civil and Military Police of São Paulo have 686 boats, 4 airplanes and 28 helicopters⁹.

9 BRAZIL. *Pesquisa Perfil das Instituições de Segurança Pública 2022* (Ano-base 2020). Available at: <https://app.powerbi.com/view?r=eyJrJoiNDdhNTY5MDEtNWRRiNy00Yjc3LTllNWQ4ZWYzNTIhMjcwZDM1IiwidCI6ImVlMDkwNDIwLTQONGMtNDNmNy05MWYyLTJiOGRhNmJmZThlMSJ9>

Finally, it is important to comment on the distribution of the units of the justice system and the federal police. In relation to the specialized public prosecutors' offices of interest, only eleven were identified in the states under analysis, six of which are in Acre¹⁰. The Judiciary, in turn, counts on 256 physical units in the selected states.

With regard to the Federal Police, there are only 40 units – considering police stations, outposts and border posts. For instance, for the whole Amazonas, there are 5 units concentrated in Manaus and Tabatinga. In the case of the Federal Highway Police, there are also few physical units distributed on federal highways: 48 for all 6 states. In the case of the Federal Road Policy, also the distributed physical units in the federal highways are few: the 48 for all 6 states.

TABLE 02: Federal Police and Armed Forces units
The Amazon - 2020 ⁽¹⁾

Federative Unit	Federal police	Highway Police	Armed Forces
	Total of units ⁽²⁾	Total of units ⁽²⁾	Total of Brazilian military bases
Acre	10	4	8
Amapá	5	4	2
Amazonas	5	6	22
Pará	8	16	12
Rondônia	7	16	9
Roraima	5	2	12

Source: Federal Police; Federal Highway Police; Fórum Brazilian Forum on Public Safety.

(1) The states taken into account were Acre, Amapá, Amazonas, Pará, Rondônia and Roraima.

(2) Only physical units were taken into account.

This objective data that informs perennial structural issues in the public security apparatus of the Legal Amazon was reinforced and took on more vivid contours from the reports of the professionals interviewed. The low technical capacity in terms of available personnel was a problem presented by all police institutions, but it gained greater importance in the case of the Federal Police and the Civil Police, precisely the police forces responsible for criminal investigations.

In our interlocutors' evaluation, the shortages in terms of personnel and physical structure have always existed, but the situation has worsened in recent years, therefore some of these bases no longer conduct arrests or act in coordinated operations. The problem of the lack of personnel is not, however, only due to the lack of hirings: there is an aggravating factor that concerns the establishment of personnel in locations that are more distant from the capitals, especially in border regions.

10 It was not possible to access the information of the MP of Amazonas.

Concerning the Military Police, there is a shortage of more than 50% of officers, which is reproduced in the environmental units. In addition, especially in the case of the state police, specialization in the investigation of environmental crimes is only of collateral importance in relation to the other specialized demands of public security.

Another structural factor that gained relevance during the fieldwork concerns the relations of enticement of police officers by private entities aiming at facilitating the commission of illicit acts. The political pressures suffered by police officers – especially, but not only, state police officers – are a constant in all the visited states. To some extent, the distance from the places where they are stationed puts them in situations of greater vulnerability that facilitates deviations.



***“If you have corruption in São Paulo, having corruption in Vale do Javari is much easier”
(Federal Police officer)***

Furthermore, the political and social pressure arising from the repression of environmental crimes places police officers in a situation of discomfort even when they are acting in compliance with their environmental policing mandate. They do not feel supported to carry out their activities of repression of these types of crimes, since they may suffer retaliation or threats.

The geographic difficulties inherent to the region also challenge the traditional *modus operandi* of the police, which is normally based on traveling by vehicle, for example. Another structural obstacle is the geographical location of the units, since most are located in the capital or in nearby cities, leaving few decentralized units to count on.

All these particularities of the institutional capacity of public security agencies in the Amazon pose almost insurmountable barriers to the implementation of a permanent policy of repression of environmental infractions and related crimes, such as organized crime that operates in drug trafficking. The solution has been to act according to the logic of the operations, that is, through punctual actions that demand an enormous state structure – in many cases constituted by the agglutination of the state police, the federal police, the National Force and the Army. Such operations may even bring immediate visible results, such as destruction of equipment, enforcement of arrest warrants and an intense presence of police agents, but they are not capable of establishing government, that is, of providing the perennial exercise of the rule of law in the Amazon.

A more appropriate model would be to opt for a regular presence of security professionals in sensitive and conflict-ridden locations – assisting in greater

surveillance and policing and, consequently, a greater sense of security in these territories. In addition, a frequent presence can address a wider range of issues than those that are the target of planned operations.

The low capacity of public security forces to effectively act in the Amazon region ends up impacting an entire *corpus* of agents involved in the broader task of ensuring the protection of the environment. The federal institutions Ibama, Funai and ICMBio face a dual problem: on one hand, they suffer continuous dismantling of their professional staff and instruments of action in general, and on the other hand, they are faced with public security agents that have little training or interest in joining forces to fight environmental crimes.

Any scenario of improving the repression of environmental crimes necessarily involves increasing the number of Ibama agents. According to an article published in May 2021¹¹, the agency has lost 58.7% of its staff in 20 years, and currently has its lowest number since 2001. There are only 2,480 active statutory public servants to act in all national territory.

Investigative instruments that only the police forces can make use of – with judicial authorization and supervision of the Public Prosecutor's Office – such as wiretaps, are of great value for dismantling a chain of agents linked to environmental degradation. On the other hand, without partnering with Ibama's agents, the police forces have little technical support to start these investigations, and face barriers when it comes to understanding the vocabulary used in the wiretapped conversations, which, in many cases, use environmental terms.

In addition, fines alone are generally not enough to coerce the perpetrators of large-scale crimes, such as gold mining. Only police action that leads to the seizure of assets and the arrest of key actors in this illegal network can generate some kind of deterrent and, consequently, can actually help prevent further crimes. Therefore, it is through the partnership between the Federal Police and Ibama¹² agents, with a focus on dismantling the chains of organized crime, and with logistical assistance from military police from the environmental battalions, when necessary, that the results in the repression of environmental crimes and, in some cases, drug trafficking, will be enhanced.

11 Source: <https://www.metropoles.com/brasil/ibama-perdeu-587-dos-servidores-em-20-anos-e-tem-o-menor-quadro-desde-2001>

12 Ibama is also one of the components of the Brazilian Intelligence System.

THE BARRIERS FOR A BETTER INTERLOCUTION BETWEEN AGENCIES

By observing the different public security institutions, it is possible to perceive that, in the federal sphere, the environmental issue is currently better structured within the Federal Police and the Federal Public Prosecutor's Office. Neither of the institutions has abandoned their previous functions, but they seem to have incorporated and directed their actions towards a more cautious approach to cases involving environmental crimes.

Due to the very nature of its constitutional attributions, the Federal Highway Police does not have units specifically focused on environmental actions. Nevertheless, it has been developing its functions of patrolling federal highways with a focus on the documentary analysis of cargo and, in a still incipient manner, on the construction and dissemination of knowledge of its agents to learn about environmental illegalities. The institution seems to be developing an environmental *expertise*, becoming an important factor in the detection of illegalities in the routes used by offenders for the displacement of goods.

The Federal Highway Police was pointed out as a strategic agent in confronting crimes committed in the region. In addition to the increase in its operational capacity, such as training for document inspection, the Federal Highway Police differs from the Federal Police, for instance, by seeing itself as an uniformed preventive police, which brings the notion of a more expanded permanent territorial coverage. The effect of this is a decentralization policy, with the opening of new highway posts in the interior, which makes the corporation strategic for the actions of other inspection agencies.

Common crimes are much more present in the agenda of state agencies than environmental crimes, which can be explained for two main reasons: a) crimes occurring in the countryside do not mobilize public opinion, which is much more concerned with crimes in capital cities; and b) the existence of a political and economical elite with branches in illegal exploitation of timber and minerals that, by institutional constraints or even by mechanisms of corruption, keep local agencies away from this inspection. The state apparatus of the state police, therefore, is much more focused on combating urban violence in the large cities, where the majority of the population is concentrated.

On the other hand, the geography of the Amazon imposes difficulties in accessing areas where environmental crimes occur, which demands greater logistical and human efforts to act in more remote regions. Policing the Amazon is an undertaking that brings higher budgetary and human costs when compared to policing in urban centers. From the point of view of human resources, greater professional motivation is required, including due to the risks to which police officers are subjected.

Even in the case of corporations that have greater involvement in fighting environmental crimes, such as the Federal Police, the general understanding of professionals is that this topic should not be the institution's main focus, whose main objective would be to combat drug trafficking. In other words, the institutional culture is still not completely convinced that strengthening investigations to repress the occurrence of environmental crimes is, more than ever, a very effective way to combat organized crime itself. Although some connections that follow this direction are already being arranged, there is a general dissonance among those who think that the Federal Police should focus on combating one or another group of criminals.

Thus, the lack of concrete mechanisms of articulation between the agencies that form this universe of factors with police power in the Amazon region directly impacts the efficiency of the fight against organized groups. Intelligence information that is not shared, operations without coordination, investigations occurring in parallel, mutual distrust between institutions, and the insulation of agencies within themselves are barriers that hinder a better provision of public security services in the region.

One of the central impediments to the enforcement of public security in the region is conflict of competence in activities. Because there is not a strict delimitation between what is in fact the duty of each institution, they fail to assume the problem as being their responsibility. This, however, is not supported by the legislation, which allows supplementary action in environmental preservation matters when the competent agency is unable to act.

After the assassination of Bruno Pereira and Dom Phillips in Vale do Javari, Amazonas, the conflict was highlighted above all by the importance of the Vigilance Team of the Union of Indigenous Peoples of Vale do Javari (Univaja) in the

clarification of the crime. In many of the images it was possible to see some men wearing black T-shirts with the words “Vigilância Indígena” (Indigenous Surveillance). If, on one hand, the existence of indigenous surveillance groups is something that cannot be ignored in the provision of security in the Amazon, on the other hand this question raises important controversies in the way the law is applied in national territory.

Therefore, the case of Dom and Bruno highlighted another aspect that should be taken into consideration when we think about a governance model for public security that effectively works in the Amazon: the incorporation of local knowledge – especially indigenous knowledge – in criminal investigations that occur in the vicinity of Indigenous Lands. In addition to the incipient and poorly institutionalized articulation between state bodies, it is necessary to reflect on the role of the local population, that is, if it is feasible to have groups of indigenous people who are responsible for the protection and surveillance of their lands and whether their knowledge of the territory can be shared with the police and how, in the midst of all this, the Brazilian State guarantees the security of those who serve as interlocutors between the public spheres and the natives.

Adjusting different interests, modes of acting and institutional perspectives in search of a practice that combines efforts is less a legislative task or the creation of new structures, and more a matter of convincing.

*“There is no use in wanting to take on this role on the basis of the law. You have to convince the security agencies that it is better for them to have an integration”
(Federal Police).*



GOLD MINING AND THE MANAGERS OF THE AMAZON

The Amazon concentrates 72.5% of the total mining activity in the country, of which 93.7% is gold mining activity alone. This advance of gold mining is also happening in Indigenous Lands, despite the legal impediment. According to the report *Raio-X do Ouro*¹³, from 2015 to 2020, 228,991 kilos of gold with evidence of being illegally mined were traded, almost half of the 487,588 kilos that were sold during this period.


An important point in the dynamics of gold mining is the moral dispute surrounding its practice, even when illegal, since some of the actors who advocate for its legalization point out that it is carried out by workers for their own subsistence, the so-called “artisanal gold miners”. This dispute makes it difficult to have a clear and objective strategy that produces a specific order about what should be done on these issues, both at the state and federal levels, creating gaps for these enterprises to multiply.

According to the report “Yanomami Under Attack”¹⁴ members of the First Command of the Capital (PCC) have been partaking in gold exploitation activities. The trafficking of narcotics and gold mining has allowed the formation of better equipped structures, with weapons and increasingly violent approaches to the indigenous people. The first moment in which the involvement of the PCC in the region was noticed was in an incident that occurred in 2021, the so-called attacks on the communities of the Palimiu¹⁵. The document also describes the case of the Uraricoera River, where the gold mining areas are divided by locally known owners who control the use of trading, logistics and camping structures, in addition to private security services that are provided by groups associated to drug trafficking.

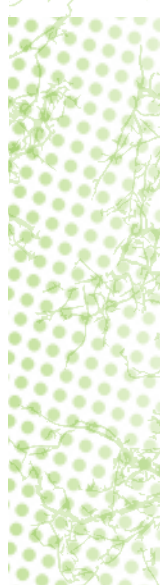
13 INSTITUTO ESCOLHAS. *Raio-X do Ouro*: mais de 200 toneladas podem ser ilegais. São Paulo, 2022. Available at: <https://www.escolhas.org/wp-content/uploads/Ouro-200-toneladas.pdf>

14 Source: <https://acervo.socioambiental.org/sites/default/files/documents/yad00613.pdf>

15 Source: <https://oglobo.globo.com/brasil/seguranca-publica/nos-a-querria-crime-organizado-avanca-sobre-os-garimpos-ilegais-da-amazonia-25260890>




During fieldwork in Roraima, this type of association between the PCC and illegal gold mining was mentioned by several interlocutors. The reports indicate that the traffickers act as managers of social life in the mines, i.e., they are responsible for controlling the small villages called “currutelas”. They also have some control of the inputs that are required for the activity, such as authorization for the transit of tractors, backhoes, boats, but mainly fuel, charging tolls to interested parties to authorize the flow. In addition, the PCC runs the local drug trade, supplies drinks, and administers prostitution, which is very present in the mining areas. To gain control over these territories, they resort to violence with the use of powerful firearms (rifles), be it against rural landowners or indigenous people, while establishing greater obstacles to the actions of state agencies.




The ‘currutelas’ are encampments on riverbanks in precarious conditions, usually in installations made of canvas and wood, where 200 to 20 thousand people live, depending on the size of the mining area in question. In these spaces, all food production, drinks and resources necessary for human subsistence must be brought in from outside, which greatly increases the cost of living. Purchases are usually made using gold itself as currency.

Since there is no electricity, gasoline and diesel are priority subsidies for its operation, which is why police operations aimed at seizing fuel are central to dismantling illegal gold mining. As one of the interlocutors contacted summarized, *“the fuel is what moves everything inside a gold mine”* (Military Police).

The main interest of the PCC in Roraima is in the quest for control of the borders to transport drugs and weapons, in such a way that the activity in the gold mining area occurs more in the idea of controlling said territory, operating as an armed arm of illegal mining. In this sense, one of the observations made is that it is very expensive to extract the gold, which is why the criminal organization prefers to extort, steal and provide security in the area.



Evidently, the presence of the PCC as “managers” of the gold mining areas greatly increases tensions in these locations, which increases the levels of violence, the strength of the weaponry, and, in general, the lack of state control of these territories. Added to this is the fact that, since we are talking about Indigenous Lands, the possibilities for the state police to act are reduced.



*“In a gold mining area, they kill and they bury. It doesn’t reach the ears of the authorities”
(Military Police).*

The criminal organization’s interest in the area stems from the high circulation of cash throughout the gold mining activity. The data collected in the fieldwork tell of mining areas that can move up to R\$ 50 thousand per day. As stated, *“everything that involves a gold mining area involves a lot of money”* (Military Police). The strategy of the drug traffickers, especially the PCC, is to charge “tolls” from the miners to take advantage of an environment unguarded by state forces, where there is a lot of money and gold in circulation.

The lack of control over gold extraction fuels a series of illegalities¹⁶. In addition to concealing the violence committed to extract the metal, it allows new illegal steps to be coupled to the cycle of exploitation that serves as a pathway for money laundering from different illicit activities. This happens because legal companies, which have authorization to extract the gold, can declare, through a valid extraction title, that a certain amount of gold was purchased, even when said gold does not exist. In other words, what is transacted is only paper, in a process similar to that of issuing “cold invoices” to justify expenses. In the case of gold mining, these documents are called “phantom titles”.

The problems in regulating the gold trading chain

The gold laundering chain is centered on the processes that occur at the so-called Gold Purchasing Point (PCO). The PCO is the first buyer of the gold mined in the mines and functions as a branch of the financial institution (IF) located in the vicinity of the deposits, since gold is only allowed to be used as direct purchase currency in the gold mining region¹⁷. When acquired by the PCO, the proper taxes to the operation are collected, the gold is forwarded to the refining process and then becomes a financial asset.

It is only at this point in the production chain of the gold mining that there is a determination to check and store the necessary documentation for the sale of said gold. Given that they are the first buyers of the gold, the PCOs function as an important monitoring institution against illegally mined gold.

¹⁶ See at INSTITUTO IGARAPÉ. O ouro ilegal que mina florestas e vidas na Amazônia. Rio de Janeiro, 2021. https://igarape.org.br/wp-content/uploads/2021/05/AE-53_O-ouro-ilegal.pdf

¹⁷ Source: <https://www.bcb.gov.br/detalhenoticia/57/noticia>

► *Before the effectiveness of Law 12,844/2013, the PCO could even be legally penalized for transacting illegal gold, based on the legislation against money laundering, Law 9,613/1998¹⁸.*

The enactment of Law 12,844/2013 is therefore considered an instrument that has weakened the ability to monitor illegal mining. It is worth noting that the enactment of the law occurred after the conversion of a Provisional Measure (MP) that originally dealt with agricultural subsidies. With strong lobbying by the National Gold Association (ANORO), there was the inclusion of this set of articles in the MP, regulating the transaction of gold between miners and the first buyers¹⁹.

The main change that the law brought was the determination that, after the issuance of the invoice by the PCO, the legality of the gold is presumed. No other document required for the future commercialization chain. In practice, physical blocks of invoices continue to be used to legitimize the circulation of gold. Therefore, enforcement activities presuppose the examination of these physical documents to identify the effective compatibility between inputs and outputs of gold, for example, in a given PCO, which would be more easily verifiable by a system if the models were computerized.

Although deficient and difficult to verify, in the way the legislative structure is currently set, the fiscal instruments for gold control, its registration in structured bases and the consequent cross-checking with data from other bodies such as the ANM and the Central Bank are extremely relevant to better ensure the lawful origin of the gold. At this point, the cross-checking of information between purchase invoices, the registration of sellers and the declaration of gold origin by the PCOs, as well as between the Annual Mining Report and the environmental inspection, for instance, would be essential to avoid the incorporation of illicit gold in the financial market.

The facilities resulting from the very legislation that regulates gold from gold mines create a system with many gaps that favor illegal actions. Without an effective presence of the State, the alliances between narcotics trafficking and illegal gold mining grow stronger in the Amazon region. It is clear, however, that this million-dollar market is not in the hands of men with basic education,

18 PEREIRA, Leila; PUCCI, Rafael. A tale of gold and blood: **The unintended consequences of market regulation on local**. Working Paper 005. Rio de Janeiro: Climate Policy Initiative, 2021. Available at: <https://www.climatepolicyinitiative.org/working-papers/a-tale-of-gold-and-blood-the-unintended-consequences-of-market-regulation-on-local-violence/>.

19 PEREIRA, Leila; PUCCI, Rafael. A tale of gold and blood: **The unintended consequences of market regulation on local**. Working Paper 005. Rio de Janeiro: Climate Policy Initiative, 2021. Available at: <https://www.climatepolicyinitiative.org/working-papers/a-tale-of-gold-and-blood-the-unintended-consequences-of-market-regulation-on-local-violence/>.

isolated in the most inhospitable regions of the country. Even those who claim to be members of the PCC are at best intermediaries in a chain in which those who profit most from the activity do not even need to travel to the mining area.

The information gathered makes it totally clear how far the PCC's presence in the gold mines goes, that is, whether their presence (a) occurs through the group's central command, as a business expansion strategy aimed at competing with the more traditional structures of gold mining and with the objective of carrying out the final activity of illegal gold extraction; (b) whether the PCC, as a group, is acting only in support of the mining activity – seeking to take advantage of the business parallel to mining and establishing itself as “manager” of these regions; or (c) whether the expansion is focused on some members of the organization that saw gold as a business opportunity, which would not necessarily mean an integrated action with the other branches of activity of the PCC.

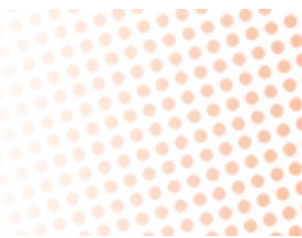
What is clear is that whatever the current level of infiltration of the criminal organization is, the doors have opened more than ever for the illegal governance of gold to be installed in the ways and intensity it deems most strategic for its financial gains. As it has already occurred at other times during the criminal organization's expansion, it is not uncommon for the group to start exploring a new front, initially offering its power of strength and, little by little, conquering the centrality of the business as a whole. Thus, even from a more conservative point of view, all data indicates that there are PCC members operating through the use of violence in the mining areas. Expanding their business until they have the necessary conditions in terms of influence, technique, and organization to actually act in illegal gold extraction – if they are not already doing so – is the next logical step for a criminal group that aims, above all, to increase its financial profits.



ILLEGAL LOGGING AND LAND CONFLICTS

According to a study by the Pastoral Land Commission (CPT), in 2021, 52% of cases were registered in the Legal Amazon and 62% of the families involved in conflicts over land²⁰ in Brazil. Those are, majorly, lands where indigenous and other traditional communities live and are disputed by those who wish to convert those territories into space for extractive capital.


Illegal logging, deforestation and land-grabbing activities are part of a single cycle of exploitation of the same area and involve different criminal groups that operate on each of the fronts. These groups are local, specialized in their activities, sometimes involving generations of the same families or communities that pass the knowledge acquired in a traditional way, teaching the entire exploratory process. Thus, a specific group works on locating the species of trees valued in the timber market, marking them and cutting them in the territories to then transport them to legal or illegal logging companies, which will be responsible for cutting and selling the logs in the national or international market. Not all those involved in the process earn high values with these activities.



*“(those who cut the wood) think that it is natural to sell a tree like that for 50 reais”
(Public Prosecutor).*

After that, the groups linked to the work of land grabbing come in, which are responsible for the process of the deforestation of the remaining trees that do not have a market value in their raw form. These groups clear the area thinking of all the land that will be sold. The felling of the forest happens essentially during the rainy periods. After these periods, the groups start fires to transform the wood into charcoal for commercialization and to finish cleaning the land. They then proceed to transform the land into pasture, placing heads of cattle in an area that has already been fenced in to give the impression that it is being


20 The CPT uses the category to designate actions of resistance and confrontation for the possession, use and ownership of land and access to natural resources.



used. In sequence, they put the land up for sale, the main buyers being grain producers (corn, soybeans and rice).

This form of action serves to increase the price of land, and can increase the amount charged by up to 20 times, even more so if the space exploited is close to public infrastructures or close to receiving them. Real estate speculation thus plays an important role in accelerating deforestation for land grabbing. At the same time, all this infrastructure depends on the connivance of political and private actors who act to “warm up” the land through document fraud and the security of private militias to maintain land ownership.

In this aspect, a recurring narrative was about the role that the lack of land title regularization in the region plays in these conflicts. Legal insecurity increases the conflict for land, opening the way for a series of actors to dispute the space, and leaving the responsibility for settling disputes to the state or federal police forces, even if they themselves are not competent to determine to whom the land actually belongs to. In this imbroglio, it is evident that the actors with the greatest financial resources will come out on top, using their political influence to maintain possession of the land.



One point that seems to hinder the coercion of illegal logging is precisely to distinguish which enterprises are legal and which are not, and when the legalized ones start extracting illegal timber. In the same way, management plans and authorizations for extraction end up being issued by the state institutions that deal with the environment, with procedures that lack transparency.

Some illegalities end up appearing during this moment. The first of these illegalities is obtaining environmental licenses without the proper study and assessment plans. A second problem is to make it possible for fake businesses to be created for later commercialization of credits that facilitate document fraud by lumber companies that buy illegal timber. The third problem is that the lack of control creates a network of corruption that transforms state secretariats into licensing registries, creating a large-scale production line of authorizations that impacts the false sensation of technical control over the activity.

For law enforcement to have real deterrent effects on criminal practice, there is a common point stated by several state actors: the need to strengthen river policing, whether carried out by the police or the Navy. To achieve this goal,

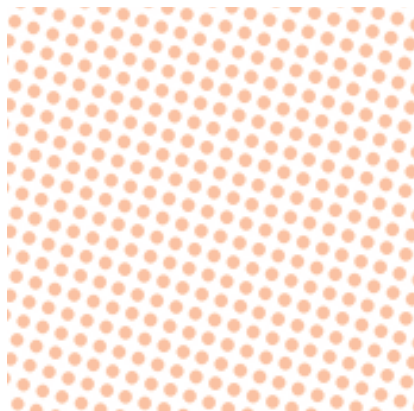
however, the corporations face many challenges. In the case of the Military Police, the main one is the acquisition of vessels, which depends on budget allocations. As already mentioned, in the selected states of the Amazon, the Military Police only has 148 boats. River surveillance is central to the fight against illegal logging given that it is possible to transport a much larger quantity of timber by ferry across the region's hydro-graphic basins and into the ocean than by road, and at a much more cost-effective rate.

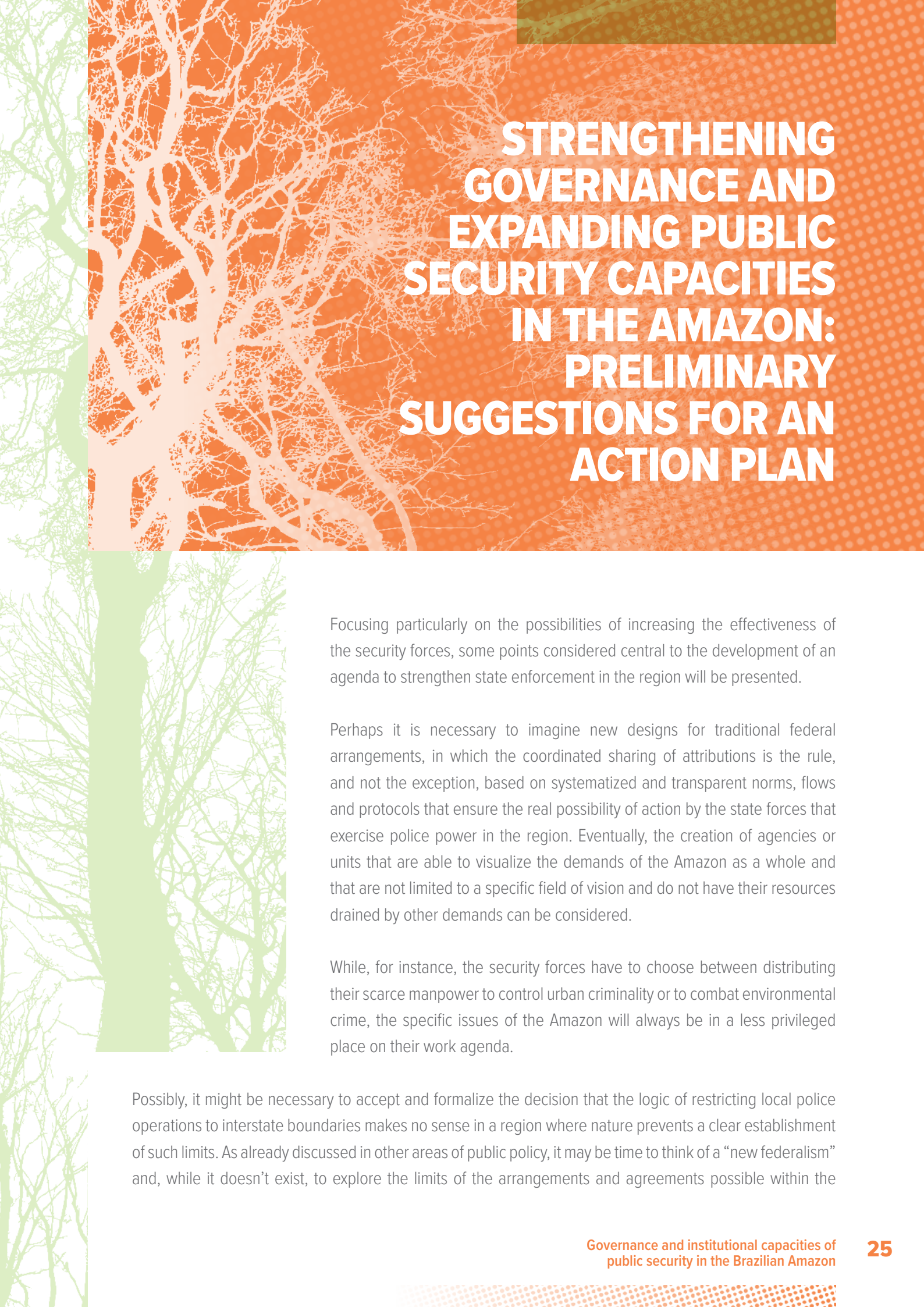
While the Military Police lacks the material conditions to carry out inspections, the Federal Police has a very small number of officers, the Navy, on the other hand, is engaged in patrol activities and naval inspection with a small number of officers and can't be present in all the hydro-graphic basins. The limited action of the institution is criticized by federal agents, who believe that a more active naval patrol could also contribute to the apprehension of drugs.

Reports tell of the use of environmental goods for drug transportation, taking advantage of routes already established by the waterways. Therefore, it is at this point that relations between drug trafficking organizations and illegal logging become clear, in addition to the already mentioned associations between criminals and land grabbing, often through crimes of execution and use of firearms.



The phenomenon of deforestation, illegal logging and land grabbing, as with gold mining, is undergoing a process of infiltration by prison-based criminal organizations that sometimes act as the armed arm of environmental crime, and at other times use the distribution of wood to facilitate the flow of cocaine sold to Europe.





STRENGTHENING GOVERNANCE AND EXPANDING PUBLIC SECURITY CAPACITIES IN THE AMAZON: PRELIMINARY SUGGESTIONS FOR AN ACTION PLAN

Focusing particularly on the possibilities of increasing the effectiveness of the security forces, some points considered central to the development of an agenda to strengthen state enforcement in the region will be presented.

Perhaps it is necessary to imagine new designs for traditional federal arrangements, in which the coordinated sharing of attributions is the rule, and not the exception, based on systematized and transparent norms, flows and protocols that ensure the real possibility of action by the state forces that exercise police power in the region. Eventually, the creation of agencies or units that are able to visualize the demands of the Amazon as a whole and that are not limited to a specific field of vision and do not have their resources drained by other demands can be considered.

While, for instance, the security forces have to choose between distributing their scarce manpower to control urban criminality or to combat environmental crime, the specific issues of the Amazon will always be in a less privileged place on their work agenda.

Possibly, it might be necessary to accept and formalize the decision that the logic of restricting local police operations to interstate boundaries makes no sense in a region where nature prevents a clear establishment of such limits. As already discussed in other areas of public policy, it may be time to think of a “new federalism” and, while it doesn’t exist, to explore the limits of the arrangements and agreements possible within the

present constitutional framework. To this end, it is urgent to strengthen the capacities of the Union, which should also act to induce the development and qualification of state capacities.

It is fundamental to think about governance aspects, which implies taking decisions based on in-depth discussions. However, the improvement of the performance of the forces that exercise police power in the region and, fundamentally, the strengthening of the performance capacity of police institutions can be achieved from the adoption of some concrete measures for a new security agenda focused on the specific demands of the Amazon region:

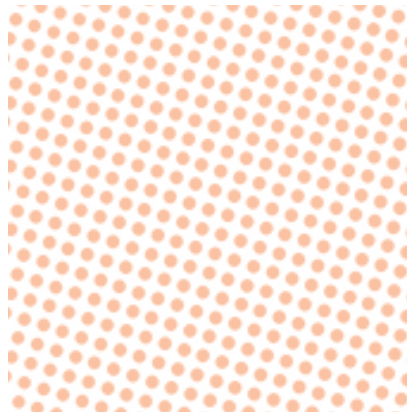
- a) promoting normative changes necessary for integration between the Sole Public Security System (SUSP) and the National Environmental System (SISNAMA);
- b) the creation of an inter-institutional school of advanced studies on Amazonian issues;
- c) the logic based on operations should no longer be central and should coexist, in a balanced manner, with policing models that ensure the presence and visibility of security forces in remote regions;
- d) civil police forces should be strengthened and adopt networking strategies, enabling the permanent exchange of information and the qualification of investigations that involve the interconnections between environmental crimes and organized crime.
- e) specialized units of the civilian and military police forces should be strengthened by assigning professionals with adequate training, equipment and means to act. In the same sense, it is essential to create interstate communications protocols between these units since, as previously mentioned, crime knows no borders or boundaries;
- f) workflows and protocols between the Federal Police and IBAMA need to be institutionalized with a focus on investigating large organizations that operate in environmental crime and drug trafficking;
- g) the system of internal and external control of police forces needs to be strengthened, ensuring its ability to combat police corruption;
- h) short, medium and long-term strategic planning that links the security, defense and police forces should be developed. The monitoring and evaluation of this planning progress must become an institutionalized practice. This is essential for identifying the operational capabilities that must be developed and how equipment, means and structures will be shared.



In addition to the measures that directly involve the security forces, it is also necessary to strengthen the other actors involved in the provision of public security in the Amazon through initiatives such as:

- a) the recognition of the centrality of the enforcement agencies' activities in combating environmental crimes, by ensuring their operational capacity, through the replenishment of their staff, especially with respect to Ibama, and the provision of the necessary budgetary and material resources;
- b) the adoption of strategies for coordination and exchange of information among the various agencies of the Public Prosecutor's Offices, state and from the Union, which operate in the environmental area and in the fight against organized crime;
- c) the review of the legislation on gold trading and the way in which the Central Bank operates in the supervision of this asset;
- d) the implementation of a strategic program to control irregular or illegal roads and aircraft refueling in the Amazon region.

It is necessary to review and clarify which are the attributions of the Armed Forces in the Amazon region and what are their limits, considering that the levels currently reached by organized crime, especially drug trafficking, may be a problem affecting the country's sovereignty, but simultaneously understanding that the main action of the conduction of the public security policies in the region is up to the police forces. These measures are fundamental to (re)taking control of the region and, essentially, to raise the issue of environmental crime – and its ramifications – to a central place in the agenda of public security forces.





Governance and institutional capacities of **public security in the Brazilian Amazon**

Executive Summary

November 2022



FÓRUM BRASILEIRO DE
SEGURANÇA PÚBLICA