

## Synergy effects between MINUSTAH and public security in Brazil<sup>1</sup>

Christoph Harig<sup>2</sup>

Brazil has constantly provided Force Commanders and is the largest troop contributor to the United Nations Stabilisation Mission in Haiti (MINUSTAH). A fair number of representatives, including a Minister of Defence (Zaverucha, 2008, p. 22) as well as the Army commander (Gazeta do Povo, 2011), expressed their desire to use MINUSTAH for improving internal military operations. This has arguably led to a “Port-au-Prince-Rio-connection” (Hirst & Mattar Nasser, 2014, p. 4): MINUSTAH is understood as origin of Pacification approaches in Rio de Janeiro, in which the military occasionally acts jointly with state police forces. Hence, some suggest that “Armed Forces’ actions in the hills of Rio cannot be comprehended without the prior experience in Haiti” (Marcos Cintra cited in Mateos, 2011). By contrast, a minority view contends that MINUSTAH probably has fewer consequences for public security than the other way round: “Rather than importing new doctrines from overseas (...) Brazilian troops export their conventional policing roles” (Sotomayor, 2014, p. 89). This article will show that both sides of the argument should be seen as complementary, not mutually excluding perspectives.

Probably more important than origins are the results from both types of deployment. This article therefore addresses the close similarity of MINUSTAH and Pacification at operational level. I will argue that these simultaneous deployments create reciprocal learning processes among troops. With the establishment of dedicated

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<sup>2</sup> Phd Student – King’s Brazil Institute – King’s College London

training centres and a considerable amount of practical experience in missions that differ significantly from traditional combat-orientated warfare, soldiers are becoming increasingly familiar with police tasks and frequent interactions with civilians. Based on the considerable extension of the legal framework for allowing domestic military actions that has begun well before the start of MINUSTAH, I will argue that this “police-ization of the military, (...) a growing tendency to look to the armed forces to perform tasks that are, essentially, law enforcement in nature” (Dunlap, 1999, p. 222) probably has more repercussions for internal “Guaranteeing Law and Order” (GLO) missions than for further UN Peace Operations.

The article is structured as follows: firstly, I show in greater detail how Pacification builds on prior military operations as well as attempts of community policing in *favelas*. Then I proceed to an assessment of the military participation in MINUSTAH and GLO operations, in which I point out commonalities at the operational level. This leads to the finding that internal deployments and the participation in MINUSTAH achieve synergy effects in terms of creating soldiers’ skills in non-combat tasks. In the following, I portray the development of the legal framework for GLO operations. Based thereon, I elaborate on my final argument that capacities attained by soldiers are probably going to have more repercussions for internal missions than for future Peace Operations.

### **Origins of the Pacification programme**

Rio de Janeiro’s Pacification programme not only tries to tackle violence and gang rule over poor neighbourhoods, but was also supposed to improve the negative image of law enforcement agencies. The confrontational and often abusive way the Brazilian police is acting like has been widely discussed, and arguably makes them rather a part than an

appropriate solution of the crime problem (for detailed accounts on police violence, see Costa, 2011; Gay, 2009). By contrast, the *Unidades de Polícia Pacificadora* (UPPs) were meant to end structural reasons for crime by permanently establishing positive relations to citizens in formerly neglected areas, e.g. by carrying out social assistance programmes. The actual record of UPPs has been rather dubious so far, which shall not be discussed here at length. Rather, this article aims at the military's role in the programme and its similarities with MINUSTAH. Officialised by decree in 2011 but in practice started as early as 2008, pacifying Rio's *favelas* comprises four stages: (i) tactical intervention, (ii) stabilisation, (iii) implantation of UPPs, and finally (iv) evaluation and monitoring (Estado do Rio de Janeiro, 2011). Eventual joint actions of the military with police forces take place in the first two stages. As will be shown in this chapter, Pacification largely builds on methods that have been tried and tested before, either in Rio or outside of Brazil.

Tactics of conquering and claiming spaces as employed in Rio's Pacification and in Haiti apparently derive from French counterinsurgency doctrines of the 19<sup>th</sup> century. According to these, it was crucial to be permanently present and to display coercive power in contested areas. The French Pacification approach in Madagascar was to gain strongholds deep inside disputed zones from where troops gradually advanced towards peripheral regions (Rid, 2010, p. 750). The Colombian city of Medellín applied similar approaches for bringing slums under governmental control: in 2002, security agencies forcefully entered the Comuna 13 neighbourhood and expelled guerrilla groups. Then, they established a permanent stronghold within this area, from which the ensuing provision of elementary state services was carried out (Röttsch, 2011).

The early stages of MINUSTAH mimicked this strategy with the "progressive occupation" (Aguilar, 2012, p. 231) of one gang-controlled slum in Port-au-Prince after another. A main feature therein has been the establishment of *pontos fortes* (strongholds):

troops tried to conquer strategically and symbolically well situated buildings in gang-controlled neighbourhoods, which they would then use as base for claiming a disputed area by frequent patrols (Dorn, 2009, p. 814). The Brazilian Force Commander General Heleno Pereira introduced the concept in the first year of the mission (Silva, 2014, p. 8) and MINUSTAH's military component regularly started to rely on *pontos fortes* from the beginning of 2007 (Cockayne, 2014, p. 752). Rio's *Polícia Militar* (PMERJ) reportedly sent a delegation to Haiti in order to assess the potential use of *pontos fortes* (C.A. de M. Cavalcanti, 2014a). In Rio's first Pacification effort in 2008, the PMERJ special operations battalion BOPE indeed took over a fortified gang-stronghold in Santa Marta which it then used as base for establishing permanent control over the area (Moulin Aguiar & Ribeiro, 2013, p. 24). Thus, the military's experience in Port-au-Prince could be interpreted as point of origin for tactics used in Rio.

Yet, the Brazilian Armed Forces had experimented with similar concepts and contributed to Rio's public security well before leading the military component of MINUSTAH. During the UN Earth Summit in 1992, troops performed visible police tasks throughout the city. Two years later, approximately 1,500 soldiers invaded and occupied more than 50 *favelas* for two months during *Operação Rio* (Bertazzo, 2012, p. 814). A widely unknown, almost one year-long occupation of the small Parque Roquete Pinto neighbourhood between 1994 and 1995 already employed tactics that are nowadays central elements of Pacification and MINUSTAH. Similar to the *ponto forte* concept, soldiers established a permanent stronghold as base for regular and frequent patrols. Moreover, elementary health and social services were provided to the population. In resemblance to Pacification, the control over the area was later ceremonially handed to PMERJ. According to the current 3<sup>rd</sup> *subchefe* of the Land Operations Command, back then Operations Officer of the involved Battalion, a difference to today was that soldiers had to undergo a learning-by-doing process as

there was no doctrine or prior experience of staying in an area for that long (Glaucio, 2014).

Another central attribute of Pacification, the idea of establishing positive links between police and citizens, is not really an innovation but dates back to times of the military regime. The *Centro Integrado de Policiamento Comunitário*, inaugurated in 1983, has reportedly been the first community policing experience for PMERJ (Ribeiro, 2014, p. 290). At the turn of the century, the undersecretary of public security Luiz Eduardo Soares oversaw the first comprehensive approach of tackling structural problems within Rio's police forces as well as stepping up community policing models. As such, the *Grupamento de Policiamento em Áreas Especiais* (GPAE) carried out joint social assistance actions with the NGO *Viva Rio* (Frühling, 2012, p. 82), something the Brazilian Armed Forces later repeated in Haiti. Being weakly financed and supported half-heartedly by authorities, these attempts did not sustainably alter public security provision in Rio. Fierce resistance among police officers that eventually surmounted to sabotage contributed to the ultimate failure of Soares' reform agenda (Hinton, 2006, p. 144). Current UPPs may not have ended the police forces' unwillingness to reform but crucially differ from their predecessors in two aspects: political support as well as financial resources. The programme is a central element of the state's security campaign in the run-up to major international events such as the Olympic Games 2016. The numbers of participating officers exceeds by far prior attempts. For instance, GPAE initially only had 100 men out of 33,000 state police officers at its disposal (BBC News, 2001). The goal for UPPs was to have 12,000 out of 49,000 officers (Foley, 2014, p. 7). The programme further counts on financial support from PRONASCI, the federal government's flagship programme for higher investments in public security (Macaulay, 2012, p. 825).

In sum, it is exaggerated to speak of MINUSTAH as direct inspiration for Pacification. Strategic and tactical approaches were used at the domestic level before and it seems that the mission in Haiti has rather been an opportunity to apply and refine them on a large scale. In order to find out what this means for current and future missions, I would suggest that it is more important to look at the consequences than the origins of this relationship. Especially for the military, operational similarities between MINUSTAH and Pacification clearly exist. As will be shown in the following chapter, common profiles of missions are creating synergy effects in terms of training, experience, and doctrines.

### **Synergy effects between MINUSTAH and domestic operations**

Contrary to many armies of the Global North, Brazilian troops are used to intense interactions with civilians. They are regularly carrying out so-called civil-social actions (ACISO) in remote parts of the country where the state would otherwise not be able to provide basic health and social services (Cerqueira, 2013, p. 94). A direct transfer of this background to Haiti are the Brazilian Engineering Company BRAENGCOY, which plays a crucial role in Port-au-Prince's infrastructure development, and the numerous ACISO being conducted by the Brazilian Infantry Battalion BRABAT (Aguilar, 2012, p. 231). The dominant role in MINUSTAH is not only deeply related to the military's previous social assistance programmes but also to repeated engagements in public security missions, particularly regarding the experience of dealing with gang violence in poor urban environments (Kenkel, 2010, p. 653). From the start of the mission in 2004, Brazil's Area of Responsibility (AOR) in Haiti fittingly comprised gang-controlled slums in the capital Port-au-Prince, such as Cité Soleil or Cité Militaire. Being experienced with similar challenges and operational surroundings, the Brazilian contingents took their

leadership in MINUSTAH very seriously and did not see themselves in a position of having to learn from fellow troop contributors. They rather thought their abilities of engaging positively with the populace should teach others how to successfully conduct a Peace Operation (Sotomayor, 2014, p. 138). Despite their supposed suitability, Brazilian soldiers had to be additionally prepared for the challenges during MINUSTAH. Likewise, the growing engagement in internal public security required efforts to increase soldiers' skills in non-combat tasks. In this sense, I suggest that both types of deployments created synergy effects in terms of training.

MINUSTAH triggered significant improvements in the professional preparation for multidimensional missions. In 2005, the Army founded its peacekeeping training centre CI Op Paz and the Navy followed suit in 2008. In 2010, these were merged into the *Centro Conjunto de Operações de Paz do Brasil* (CCOPAB), which now trains members of all three military branches as well as civilians, police forces and even some foreign soldiers. The centre now annually hosts between 3,000 and 3,300 officers, who afterwards return to their home units for instructing their respective subordinates. Shortly before being deployed, the entire contingent takes part in a Pre-Deployment Field Exercise, which simulates possible situations in Haiti (Vendramin, 2014). Familiarising with UN principles, rules of engagement and awareness for human rights issues are part of CCOPAB's curriculum. Aside from this, Brazil has considerable leeway in designing practical exercises, as the UN does not issue compulsory guidelines on how to conduct operational training (Sotomayor, 2014, p. 98). There is not much fantasy needed to imagine how the training – stopping and searching cars, collecting evidence at crime scenes, joint patrols with police forces - as well as some of the training grounds (e.g. shacks built on a steep slope) I have witnessed at CCOPAB in February 2014 instill operational capabilities that are equally useful for MINUSTAH or just another mission in Rio's *favelas*.

Almost concurrently with establishing CI Op Paz, the Army founded the *Centro de Instrução de Operações de Garantia da Lei e da Ordem* (CI Op GLO). This institution prepares soldiers for actions in *favelas*, during police strikes and other GLO operations. It follows the principle of training the trainers as used at CCOPAB: sergeants and officers spend one week at CI Op GLO before instructing their subordinates (Stochero, 2012). Its initial instruction manual acknowledges that troops needed specialised training for acting adequately during disturbances of public order. Moreover, it highlights how crucial principles of proportionality and reasonable use of force are (Brasil. Ministério da Defesa, 2005, pp. 1, 6). In terms of doctrine, GLO operations constitute a crucial difference to combat-orientated military missions. Nevertheless, the CI Op GLO commander insisted that “we cannot lose our intrinsic character as an Army. We are not the police.” (Coronel Schubert Ferreira, cited in Stochero 2012). Consequently, CI Op GLO is trying to strike the balance between implementing skills necessary for policing and other GLO tasks without harming competences attained during basic military training. Such a combination of capabilities is commonly regarded as necessary for successful conduct in Peace Operations (Caforio, 2007, p. 90), in which questions of law enforcement are a major challenge for soldiers (Hills, 2001, p. 80). Hence, training for GLO achieves synergy effects in creating capabilities that are equally helpful for UN missions.

Apart from training, the practical experience gained in both missions equally has reciprocal effects. In the early phases of MINUSTAH, soldiers were heavily relying on combat skills in order to end gang rule over various slums of Port-au-Prince. Tactical successes came along with casualties among the civilian population as troops were apparently using inappropriate levels of force. Yet, Force Commanders learnt from these mistakes and subsequently managed to significantly reduce civilian victims (for a detailed overview of military operations between 2004 and 2007, see Cockayne, 2014;



Dorn, 2009; Dziejic & Perito, 2008). After ending gang domination, BRABAT mainly focused on police tasks like patrolling, search-and-seizure operations or establishing checkpoints. Furthermore, inter-agency co-operation with NGOs, police forces and international agencies became increasingly relevant, especially in the aftermath of the earthquake in 2010 (C.A. de M. Cavalcanti, 2014b, p. 12). At times, Brazilian troops ended up being the only security providers in areas such as Cité Soleil, where UN police forces (UNPOL) and the Haitian National Police (PNH) did not dare to enter. In other neighbourhoods where they eventually carried out joint patrols with PNH, soldiers compared the tasks to GLO operations in Brazil (J.B. da Cunha, 2008, p. 86). With the envisaged end of MINUSTAH, Haitian institutions should now gradually be taking charge of public security. Yet, the PNH suffers from a lack of resources, corruption and severe distrust from the populace (Dziejic & Perito, 2008, p. 2). In recent years, a surge in criminal violence as well as allegations of police misconduct massively undermined any advances made in terms of building confidence amongst urban dwellers (Kolbe & Muggah, 2012, p. 6). Despite MINUSTAH currently having the second largest UNPOL-contingent with almost 2,500 officers (UNDPKO, 2014), this multinational force is equally not able to provide the bulk of public security. Haitian citizens have reasonable doubts about their suitability because most officers stem from countries with problematic human rights records. Furthermore, there is a huge language barrier between many UNPOL officers and the local population (Gauthier & Bonin, 2008, p. 9). Officially, UN troops are now only the third resort, after PNH and UNPOL, for rapidly reacting to security incidents (Cerqueira, 2014, p. 19). In practice, however, BRABAT still outnumbered and outperforms these police forces, is being used as first resort in many cases and keeps on doing ostensible policing in its AOR. With the proposed reduction of military personnel, BRABAT is going to be reduced to a Quick Reaction Force and will necessarily have to reduce this scope (Martinelli, 2014). Summing up the experience

gained in Haiti, early BRABAT-contingents underwent remarkable levels of “live-combat training” (Sánchez Nieto, 2012, p. 168) in urban warfare that would help prepare them for similar missions in the future. Later contingents were much more involved in police-style operations and confidence building interactions with the populace than in combat operations. In this sense, MINUSTAH also served as “live-law enforcement training” that would be useful for current domestic deployments.

Members of the Armed Forces repeatedly stress that rules of engagement in Pacification and other GLO operations are much more restricted than in MINUSTAH. Still, they also admit that there is a “grey zone” (C.A. de M. Cavalcanti, 2014a) of similar actions. Therein, the joint intervention of police and military units in Vila Cruzeiro in 2010 is arguably the only episode of Pacification that resembled the intense combat operations of MINUSTAH before 2007. Deplorably, dozens of bystanders were killed during this incursion (Sotomayor, 2014, p. 88). Troops responsible for these initial stages of *Operação Arcanjo* were also deployed in the critical stages of MINUSTAH. The commander, General Sardenberg, took part in the first Brazilian contingent and more than half of the 800 members of the *Brigada de Infantaria Paraquedista* were Haiti veterans (Araújo, 2010a, 2010b). Most parts of Pacification were and are much less combat-orientated and include typical police tasks: during *Operação Arcanjo*, 8,764 Army soldiers carried out 63,489 patrols by foot, 48,142 by vehicle and over 4,000 road blocks between December 2010 and June 2012 (Defesanet, 2012). Similarly to MINUSTAH after 2007, soldiers are heavily engaged in typical police tasks and in frequent contact with the populace. Fittingly, the 11<sup>th</sup> Light Infantry Brigade twice constituted a troop contingent. Several years before the Pacification programme, the Army had already specialised this brigade for GLO operations and altered the unit’s structure and training accordingly (Defesanet, 2005). Members of this brigade took part in MINUSTAH shortly before the mission in Rio (Gazeta do Povo, 2009).

Synergy effects in terms of learning to cope with law enforcement tasks are not uniformly taking place from Haiti to GLO but also the other way round, as confirmed by an Army *Major* who perceived Pacification as intense training for MINUSTAH (Garcia, 2014). A small survey among 23 lower-ranked soldiers that took part in the 8<sup>th</sup> contingent in Haiti (thus after the most coercive phase) and pre-Pacification missions in Rio concluded that the experience in MINUSTAH was helpful for GLO operations, most importantly with regard to preparing for frequent contacts with the population (Oliveira, 2009, p. 27). Due to the Brazilian principle of sending rotating troop contingents from the entire country to MINUSTAH and not to dedicate few brigades as specialists for Peace Operations, the knowledge gained (and thus the synergy effects in terms of capabilities for GLO) is widely disseminated among the Armed Forces. The Army's personnel department has so far not answered my inquiry for exact number of soldiers that have taken part in both types of missions. However, the available literature and media coverage suggest that between sixty (Araújo, 2010a) and up to ninety percent of soldiers (Kenkel, 2013, p. 194) participating in Rio's Pacification also have gained experience in Haiti.

Similarities between missions in Haiti and Rio are finally affecting military doctrine. According to Army members, MINUSTAH requires the same "tactics, techniques and proceedings" as GLO (Pinheiro, 2009, p. 7). The actions of the first six Brazilian MINUSTAH contingents thus followed domestic GLO guidelines for pacifying an area (J.B. da Cunha, 2008, p. 85). Synergy effects arise in the sense that the Brazilian Armed Forces are taking these common requirements into account when developing new doctrines. In 2013, the Army's General Staff has issued the operational concept of *Operações no Amplo Espectro* (Full Spectrum Operations) that was meant to adjust formal doctrines to the changing reality of deployments abroad and in Brazil (do Nascimento, 2013, p. 9). Pacification missions are considered to be a central element of Full Spectrum

Operations (Brasil. Ministério da Defesa, 2014a, 4–18) and will soon be guided by a dedicated Field Manual (Brasil. Ministério da Defesa, 2015). The GLO Manuals of 2013/2014 (Brasil. Ministério da Defesa, 2013, 2014b) further delineate conditions and practices of domestic military actions. In sum, synergy effects arise from training, experience and doctrine development in both types of missions. This is likely going to affect soldiers' capabilities for future deployments, particularly with regard to carrying out non-combat tasks in law enforcement.

### **The expansion of internal military deployments**

The question is where the Brazilian military's capabilities of acting as replacement or supporters of police forces are going to be used. In this chapter, I will show why the synergy effects achieved by MINUSTAH and GLO are going to have significant repercussions for public security provision within Brazil. There, the "willingness to blend police and military functions" (Reames, 2007, p. 73) has been paving the way for a growing use of troops in internal operations.

According to the 1988 Constitution, five institutions have the task of providing public security: the Federal Police, the federal Highway and Railway Polices, the state-level *Polícia Civil* as well as the state-level *Polícia Militar* (and firefighters that are formally attached to the latter). As the *Polícia Federal's* task is mostly concentrated on border control and due to the very restricted responsibility of highway and railroad police, the bulk of work is being done by the investigative *Polícia Civil* and the *Polícia Militar*, which has to perform the visible parts of policing like patrols, arrests and the general control of public order. For readers unfamiliar with this complex system, the connection between Armed Forces and *Polícia Militar* needs to be clarified. The equivalent of what is commonly understood as Military Police is the *Polícia do Exército* in

Brazil, not the *Polícia Militar*. Officers of the latter officially count as reserve and auxiliary troops of the Army (CEEEEx, 2007, p. 16). Nevertheless, their relationship is tense. Some members of the military believe that the popular demand for their internal deployments is rooted in many police officers' bad behaviour, ineffectiveness, and corruption (CEEEEx, 2007, p. 3). Despite the *Polícia Militar* is part of the federal structure of the Army and formally overseen by the military Land Operations Command COTER, these police forces are politically subordinate to their respective state governments, or more precisely the State Secretary of Public Security (Husain, 2009, p. 48). Brazil's federative pact thus establishes single states as main responsible bodies for public security. Hence, when talking about the *Polícia Militar* in Brazil, it needs to be considered that their respective origins, structures and behaviour may vary significantly from state to state.

Consequently, the power of federal governments in public security is constitutionally restricted. By creating the *Força Nacional de Segurança Pública* (FNSP) as an additional federal police force in 2004, the *Partido dos Trabalhadores* (PT) government has attempted to increase the *União's* leeway (Macaulay, 2012). Members of the FNSP are recruited from the *Polícia Militar* and its effectiveness thus depends on the consent of state governments to provide it with officers. Moreover, establishing the FNSP as permanent public security agency to be maintained by the *União* requires a constitutional amendment that is currently being held in Congress (Barros, 2014). In contrast to their reluctance towards police reform and the unwillingness to ask for actions of the FNSP, state governments are frequently requesting federal military assistance in supposed public security crises. Members of the Armed Forces and the Ministry of Defence have criticised that governors are even trivialising these requests for GLO operations (H. Cavalcanti, 2014).

Article 142 of the 1988 Constitution foresees the military's role in the "guarantee of law and order" upon the initiative of any constitutional power (which includes state governments). *Lei Complementar* (LC) 69 of 1991 states that Armed Forces may only be used in GLO if ordinary police forces proved to be incapable of securing order. The amending LC 97 of 1999 substantiated the authority of the executive branch in ordering such deployments (for LC 69, LC 97 and subsequent amendments, see Brasil. Presidência da República, 1999). While it is state governments that are increasingly requesting such use of troops, it ultimately depends on the President whether a GLO operation can take place or not. Hence, eventual criticism regarding an exaggerated use of troops in public security should not spare federal governments, which have constantly widened the scope of GLO regulations since the return to democracy. After the unprecedented level of 51 GLO operations taking place in the years 1999 and 2000 alone (Brasil. Ministério da Defesa, 2005, p. 4), legislation further bolstered this growth. In August 2001, decree no. 3897 entitled the military command to take over the partial or entire operational control of state police forces involved in GLO operations. It also expanded the possibility of invoking a GLO from a means of last resort to situations in which it can be "presumed that a disturbance of public order is possible" (Brasil. Presidência da República, 2001, Art. 5). Moreover, the decree conceded police powers to the Army during GLO operations, which some have interpreted as breach of constitutional rulings on public security (Pereira, 2008, p. 62). Notwithstanding this, President Lula extended these rights to Navy and Air Force shortly before leaving office (Bertazzo, 2012, p. 814).

A further significant episode for understanding current GLO took place in 2008. The Army entered the Morro da Providência in Rio and planned to occupy the area for an entire year. The tactics used were supposed to be the same as in Haiti, with troops providing social services and interacting closely with the populace (O Estado de São

Paulo, 2007). During this operation, a soldier handed alleged criminals over to a rival gang, which finally tortured and killed the three youths. In the aftermath of this incident, it became clear that the mission apparently did not follow prescribed rules for GLO. Parts of the Army tried to declare the mission as case of ACISO, while the president of the *Clube Militar* (an association mostly consisting of retired officers) blamed federal authorities for the lack of legal clarity. By contrast, a parliamentary commission inferred that the military had planned to act as police force from the start (Martins Filho, 2010, p. 294). This led military circles to lament over soldiers' unclear juridical status in public security operations. There are suggestions that the Army only consented to participate in pacifying Rio's *favela*-complexes Alemão and Penha in November 2010 after being assured that possible cases of soldiers' misbehaviour would not be tried by civilian courts again (Amorim Neto, 2014, p. 19). In the aftermath of the incidents in the Morro da Providência, Defence Minister Jobim already proposed that soldiers had to enjoy similar legal protection as during MINUSTAH (Glycerio, 2008). This proposal certainly represented the military's interest, but has problematical connotations. In general, soldiers in UN Peace Operations enjoy a juridical status that makes them almost immune to any criminal prosecutions (Odello, 2010). So far, only five legal proceedings and one conviction in military courts were related to the misconduct of Brazilian soldiers in MINUSTAH (Palma, 2015, p. 32). Yet, some associate this low figure with MINUSTAH's regulations which ensure that civil actions are subject to the Force Commander's approval. As this role is constantly performed by Brazilians, there are suggestions that Force Commanders were willingly not reporting misbehaviour of compatriots in order to protect the Armed Forces' prestige (Sotomayor, 2014, p. 142). Whether these allegations are true or not, they bring to mind that such concentration of powers eventually poses problems of accountability. Still, Article 15, §7 of LC 136, passed in August 2010, ensured that the Military Penal Code was valid

during soldiers' actions in GLO operations (Brasil. Presidência da República, 2010). Hence, all crimes committed by troops during GLO operations – except “malicious crime against human life” – have to be judged by federal military courts. With these legal guarantees in place, the Armed Forces have furthermore made great efforts to prevent soldiers from becoming involved in corruption or other misbehaviour during Rio's Pacification, for instance by frequent troop rotations.

In sum, the legal framework foresees soldiers exercising law enforcement tasks during GLO operations. These are only allowed episodically and have to be carried out in a determined frame of time and space. Yet, the scope of *Operação Arcanjo* clearly marked a change in this regard. Up to this point of time, GLO operations usually ended after two months at the latest (Samset, 2014, p. 13). By contrast, the mission in Alemão and Penha turned out to last more than eighteen months. The ongoing operation in the Complexo da Maré is heading towards a similar scope. Starting in April 2014, it was supposed to end after the Football World Cup but upon request of Rio's state government, the mandate has been extended three times within eight months. The recent prolongation foresees that PMERJ shall be starting to replace soldiers in May 2015 (Portal Brasil, 2015). Although decree 3897 of 2001 restricts GLO operations to the shortest possible duration, the extended length during Pacification shows the wide interpretative leeway for decision-makers. The recent Football World Cup further illustrates the significance of political will: after a minor incident in which the police failed to deter protestors from blocking the bus of Brazil's squad, the government invoked a “preventive” GLO clause for the duration of the tournament. Troops were consequently protecting airports, hotels as well as streets used by football teams, foreign government and FIFA officials (Werneck, 2014).



## Discussion and outlook

The military contribution in Pacification is not only inspired by MINUSTAH but also previous domestic engagements. Nevertheless, the Armed Forces are clearly making use of their leading role in MINUSTAH. I suggest that the engagements in Port-au-Prince and Rio simultaneously serve to refine and improve home-grown doctrines and tactics. As a result, soldiers in both types of missions are increasingly getting used to multidimensional missions, not the least with regard to exercising police tasks. For the near future, I would argue that the gained skills are going to be more important for internal missions than Peace Operations. MINUSTAH is about to end and Brazil is still involved in several UN missions, e.g. as leader of the maritime task force patrolling the Lebanese coastline. Former MINUSTAH Force Commander General Santos Cruz is currently occupying the same position in the UN mission in the DR Congo. Senior officials from the UN Department of Peacekeeping Operations (UNDPKO) highly value the Brazilian approach and have encouraged further significant contributions (Puff, 2014b). Still, the leading role in MINUSTAH was closely related to the foreign policy activism of the Lula administration. By contrast, the re-elected President Rousseff has taken on a decidedly low profile in foreign affairs and even announced massive budget cuts for the Foreign Office *Itamaraty* (Stuenkel, 2014). While Brazil has increased its financial contributions to the UNDPKO for the current budget period (Santos & Cravo, 2014, p. 5), a continuing engagement with troops at the present level is far from certain. *Itamaraty*, the Armed Forces as well as the Ministry of Defence all favour to maintain an important role in Peace Operations, but senior officers of CCOPAB acknowledge that the scope of upcoming contributions to Peace Operations is currently unclear (Vendramin, 2014).

By contrast, there appear to be fewer uncertainties when it comes to the use of troops in GLO operations. Even before the start of MINUSTAH and Rio's Pacification programme, a General suggested that the Army needed to prepare for the upcoming "semi-permanent" (Speech of General Alberto Mendes Cardoso in 2003, cited in Mendes, 2012, p. 19) role in GLO and public security. MINUSTAH as well as Pacification have actually led to such efforts for preserving and sharing the experience in exercising police tasks, e.g. by dedicated training centres and doctrine developments. Moreover, soldiers in GLO operations meanwhile enjoy similar levels of legal protection from criminal prosecutions as they do in UN Peace Operations. This certainly poses limits in terms of accountability, but also has eroded grounds for military resistance to being sent to the domestic arena. It certainly seems counterintuitive that only 30 years after the end of military rule, former opponents and victims of the regime have widened the legal scope of internal military actions. Nevertheless, the presidencies of Fernando Henrique Cardoso (a sociology professor banned from teaching who spent several years in exile), Lula da Silva (a trade union activist, imprisoned for leading a strike campaign) and Dilma Rousseff (arrested and tortured for being member of a guerrilla group) have constantly increased the significance of GLO missions. The populace largely supports internal deployments and intriguingly prefers these over sending soldiers abroad. In a survey carried out while *Operação Arcanjo* was taking place, over 58 percent of the respondents considered "fighting crime jointly with police forces" as a mission the Armed Forces should perform. No other possible answer achieved such high approval. For instance, only 34 percent regarded the participation in Peace Operations as desirable (IPEA, 2011, p. 16). The severity of Brazil's public security problem and the problems of regular police forces, hardly described in this article, probably are further driving factors for the public demand: for 2012, figures indicate 29 intentional homicides per 100,000

Brazilian inhabitants (Waiselfisz, 2014). As a comparison: the annual figures for Haiti oscillate between 5.1 and 6.9 (UNODC, 2012).

Soldiers' increased skills in police tasks, extended legal possibilities, an ongoing public security crisis and the popular support all add up to a situation in which federal and state governments alike pragmatically opt for the arguably fast and effective solution of resorting to soldiers instead of attempting an arduous, albeit necessary process of police reform. In Rio' Pacification, this militarised model of public security has so far hardly achieved sustainable results. The transition from military-backed occupations to the provision of services by regular police forces and state agencies is harder than supporters of the Pacification programme had wished for. Even years after the official ending of *Operação Arcanjo*, the Army still maintained a presence in the area (Hoelscher & Norheim-Martinsen, 2014, p. 965). The Complexo do Alemão is furthermore one of the several already "pacified" zones that are considered for renewed coercive "consolidations" by BOPE and other police forces (V. Cunha, 2014). Significant resistance from local drug gangs has recently led to an increase in the numbers of killed police officers. In Maré, the military suffered the first casualty on home soil since the fight against the Araguaia guerrilla in the 1970s. Conservative commentators have consequently accused the commanders of placing soldiers' lives at risk by accepting arguably far too lenient rules of engagement (Defesanet, 2014). Conversely, members of the "Pacification Force" were supposedly following these very rules of engagement when they shot and hurt the passengers of a car (one of them an Air Force sergeant on holiday) that did not obey an order to stop at a checkpoint (Marinatto, 2015). Despite the experience in MINUSTAH and GLO, striking the right balance between friendly interactions with citizens and acting robustly while exercising police roles is still a contested domain for soldiers.

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