

The Federal Police's Systemic Role in Drug Policy



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I am going to attempt to contextualise the national role of the Federal Police within the themes of this session, Public Security and the Problem of Drugs – bearing in mind the comments [in the presentation] by General Uchôa, who is a witness and participant in the process to address “the most pressing challenges that face those responsible for policy and public security and by professionals in the field.”¹ For my purposes, I am going to divide the Federal Police in two: before and after the formation of the National Policy on Drugs.

Before the country developed the well-constructed Policy on Drugs that has been presented here, the Federal Police was the body that dealt with drug-related issues in Brazil. It is the constitutional duty of the Federal Police to repress crime, with jurisdiction across all Brazilian territory. Faced with the lack of a suitable public policy, the Federal Police and policing were the first Brazilian institutions to act on the international stage. The Federal Police benefitted from being the body associated with international agreements. This provided channels for intensive cooperation with foreign organisations and other police agencies across the world, including those in more developed countries, which

¹ See conclusions given by General Paulo Roberto Uchôa

transferred investigative capacity to Brazil. As a result of this capacity-building, the work of the Federal Police is recognised across the country and internationally. In my opinion, the areas that first benefitted from the increase in investigative capacity were crime repression and narcotics. The Federal Police evolved like this, by interacting with nations that had an interest in confronting the problem. The Federal Police always did this within the context of their constitutional duty to repress and prevent crime. As I said, this allowed their investigative capacity to evolve.

Today, in terms of the drug issue, the challenge is to reproduce the experience of the Federal Police across the institutional system. When it comes to narcotics, the Federal Police now has the capacity to carry out financial investigations, allowing us to better understand the criminal organisations behind drug trafficking and repress their activities effectively (previously, our policy was to measure performance by arrests, but this proved counter-productive as it was causing rivalries between different Federal Police units). Financial investigations represented an advance and a level of institutional maturity, leading to systematic police action. This shows that the evolution of the Federal Police, due to international cooperation, filtered down through the institution and today has affected all areas of investigation. Now, in a “post-political” era, where a National System currently known as “Antidrug” has been created, the police have a certain role to play, and they need to understand what that role is. To implement this, we have to deal with some internal problems of institutional culture.

If the Federal Police played the central role in everything before the Policy was

established, we now play a central role in part of the Policy, which was demonstrated with regards to the question of drug offer and the repression of crime. Exactly what does that role entail? It involves training the Federal Police and continuing to interact with international agencies, as well as cooperating with and policing from the perspective of the national agenda. In doing so, the Federal Police evolves and matures as an institution, thus consolidating self-awareness of their role in the system. We could continue to work specifically on the capacity of the Federal Police, achieving great credibility as an institution. However, considering our mission as an institution within a whole system, we need to establish more than this partial competence against the criminal organisations that dedicate themselves to the illicit drug trafficking.

So, our current challenge is to transfer the capacity that we have gained over the years. For a system to exist – and the central role of the Federal Police in this is clear – it implies a strong cooperative relationship with the other spheres of public administration, and particularly with state security forces. I think that we have already achieved this to some extent, but it is a question of evolving the process. Transferring the capacity to fight organised crime has to be carried out in an integrated manner, involving the whole system and all the organisations. The National Antidrug and Public Security Secretariats also help further the role of the Federal Police within the system.

Given the fact that the Federal Police’s role is based on proven operational capacity, the police must also take on a strategic role within the policy. This does not mean simply being up-to-date in terms of technology and investigative capacity, but also being able to

monitor new developments on the world stage. Therefore, the Federal Police is going through a stage of long term strategic planning to address different issues relating to drugs – although not so long in institutional terms, as our goal is 2022. Why am I talking about this? To give an example, part of this strategic planning process takes into account the greater incidence of synthetic drug trafficking. What is the result of this? We, the Federal Police, and the different states would not be able to play the proposed role if we retained current structures with traditional skill levels and training standards. For a while, we would respond with large, high quality operations, but when it came to acting as part of a system, as part of a public policy, our efficiency would certainly be brought into question. The long term strategy will affect: the profile of police officers recruited; the training they receive; and the level of scientific and technical skills we possess. If this is not taken into consideration, on the other hand, we will still be stuck with an outmoded model. This applies to the Federal Police, and certainly to the state planners involved. Today we are concerned with demonstrating to the architects of the scheme, and the authorities in general, that the Federal Police is conscious of its role within the Policy. We could recognise the fundamental role of the Federal Police in this system.

The total number of staff working for the Federal Police is approximately thirteen thousand. The number of police officers varies between 10,500 and 11,000. In reality, this is reduced capacity. We are aiming for a working “system”, and each part of the system has an effect on the administration as a whole. Bearing this in mind, the internal competition for arrest

results in the Federal Police, which I mentioned before, will have to be resolved. We cannot abide a situation in which a specialised state force enters into occasional media disputes with the Federal Police, seeking a public reaction. We must identify our strategy and coordinate responses. Are our borders and economic routes both growing? On the very day that a route is discovered and appears in the press, you can be sure that it will cease to be used. The route, when related to the evolution of trafficking and organised crime, refers to the ability to conceal the transport, financial returns and all other aspects of a criminal activity, within a legal activity.

The growth of the economy and Brazil’s expansion into international markets has provided an opportunity for organised crime. The state and public security institutions must be prepared to track the evolution of organised crime. The border areas, with the possibilities they provide for the transit of people and merchandise, make it necessary to develop the intelligence services to solve these problems. I always say that if we were to implement a containment policy and put one man on every metre of border with their arms linked, the drugs and arms would still pass through in the same way. If we increased physical police presence to inoperable levels or instituted purely bureaucratic measures, the illegal trade and arms trafficking would pass through just the same as always. This is because organised crime will always conceal the entrance of drugs and arms behind a legal activity. So increased police presence alone is not the solution.

Because of this, the number of police officers is supported by an intelligence system that monitors organisations



operating inside Brazil and internationally. It is also important that a solid, flexible and trustworthy channel of communication exists between the three areas, so that any knowledge gathered is fed back into the system as intelligence. This must involve information on supply, transport, finance and distribution, and the other necessary stages, in order to develop capacity to deal with the problem. This is one of the two roles of a Federal Police force that must interact with other national and international institutions in order to operate. These relations are global – involving a relationship between the Federal Police and police forces from every continent.

Yesterday [on the 25th February 2008], the Federal Police adopted a pioneering measure, in partnership with UNODC and the Ministry of Foreign Affairs. Cooperation already existed, but a permanent Federal Police training course was established, to be attended by police officers from South America and Africa. People from Portuguese speaking African countries are coming to Brazil to participate in this course. We have reached the stage where we do not only train Brazilian states, but also provide capacity-building services for countries without Federal Police forces. In some cases we need to decrease our activities for strategic reasons. These

gestures could be interpreted as being for show, but they are structured on policies. The cross-sector policy, which aims to decentralise measures taken to combat drugs, also affects international policies. When police cooperation takes place, we are doing more than just providing training; we are creating a channel for international cooperation where borders are little more than geographical reference points. These relationships compensate for the fragile nature of borders where there is intense international trade. This is one of the fundamental roles of the Federal Police.

Research and development and building relationships with academia play an important role in the evolution of the Federal Police. In terms of knowledge capacity, we are seeing an influx of experts with master's degrees and doctorates into every area in the Federal Police. There is also a lot of research taking place, but it still lacks a suitable internal academic environment. The creation of the Federal Police School of Higher Education has been planned as part of PRONASCI. The previous administration put this item on the programme at the Ministry of Justice. What are we trying to achieve with this school? To carry out applied research and teaching at a specialised level, for the internal benefit of the Federal Police and also for state forces, for the region and for other continents. This is another Federal Police role, given that if the information they accumulate is not shared, it loses meaning and the potential for causing an impact on public policy is wasted. The knowledge is not worth anything if it is not used to fulfil its purpose.

We are, therefore, reviewing the training model, even during the planning stage. We

also have to be careful with what is discussed internally and with the specialised groups, so that no one is isolated within the institution. Our challenge as managers is to strive to create different specialised sectors without losing the institution's character as a system.

The police gained some experience of this when it first began to specialise. Specialist sectors tend to become islands of excellence. Specialisation has to be present in different parts of the system in a decentralised way, and must fulfil the role of transmitting principles and procedures. This maintains the unity of the institution and its characteristic as a system, and also strengthens interaction between parts of the system.

Our challenge today is to meet the demands made on the Federal Police, especially in relation to fighting the drug problem. But the Federal Police has many duties. I would even say that, in relation to the system as a whole, the role of the Federal Police's charter is residual. The text is very specialised. As the awareness of a federation evolves in Brazil, the duties of a body such as our Federal Police increase, and greater demands are made. Today, there are huge demands. We have staff all over the country on regular operations, and all the time we are surprised by incidences. It is unexpected. Just a few days ago, for example, a group of indigenous people held FUNAI technicians and other people hostage for quite a long time. This required a two-day operation that ended in a positive outcome through negotiations. Effectively, our response capacity is reinforced by cooperation with other parts of the system. No one is doing favours for anyone – we are simply fulfilling our roles. The Federal

Police has its duties to perform, but the system responds, and it is responding very quickly.

We are at a good moment in history, and we must not allow this cooperative relationship to move backwards. Intense institutional cooperation between everyone is the solution to all the specific challenges in both the state and federal contexts. We have to understand that we are part of a system. When a certain organisation is said to play a central role – and the law does say this – it does not mean that they “own” what is designated to them as a duty, but rather they are responsible for it. We have to evolve and mature to carry out this fundamental role, to deal with this area of public policy and to strengthen partnerships in the process. This concept is very well described. For someone looking in from the outside, it can very often seem like a slow process, but anyone who is more involved knows that the method used, of building from the base upwards, was the most suitable because it meant a mobilisation and a feeling of belonging to the process.

We are applying this same method to the Federal Police. The relevant superintendents are informed of the role of the Federal Police in order for interaction to take place, to ensure they are aware of the public policies that the institution impacts upon, and to ensure that there is dialogue. The latter, despite the fact that it will result in demands being made, as demands will filter through hierarchical channels, and public policy solutions will have to be created.

As I have said, our director will detail operations in a later session. This is why I would prefer that the debate concentrates on the area that I consider to be fundamental,

that of recognising our roles within the system. It would be a lot easier for us from the Federal Police to make speeches about operations, quantities of drugs seized and significant regional drug traffickers caught on our territory. There is a lot of information exchanged about operations, and we would feel very comfortable making this type of speech. But we want to effectively take on the debate about the role of the Federal Police within the system, and to make it clear that operational capacity does not need to be proved any more, as it is already clear to every Brazilian.