



# CHILDREN OF THE DRUG TRADE

A Case Study  
of Children in  
Organised  
Armed  
Violence in  
Rio de Janeiro

**Luke Dowdney**

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Luke Dowdney

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A CASE STUDY OF CHILDREN IN ORGANISED  
ARMED VIOLENCE IN RIO DE JANEIRO



Rio de Janeiro / 2003

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*This book is dedicated to the people of Rio de Janeiro's favela communities.*

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## PREFACE

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When Luke Dowdney of Viva Rio first approached me about the children in drug gangs in Rio's *favelas* describing them in terms of child soldiers, I was frankly sceptical. As I came to understand the nature, scale and intensity of the problem, I accepted the logic that the nearest equivalent is indeed to the participation of children in armed conflict.

This is true not just because of the external realities – the fact that the children are armed with military style weapons and that the death and injury rates are as high as in many of today's armed conflicts – as the research presented in this book shows. The underlying causes and the internal realities – for the children and their communities – also have much in common with the use of children as soldiers in situations of war.

Mostly children become soldiers because they have so few other options – economically, educationally, in terms of protection and of status. Once they join, they have even fewer other options which will provide them with equivalent security, status and income. The ready availability of lightweight, automatic weapons has enabled children to become involved at an earlier age than was previously possible, and to use lethal force on a par with adults.

At the same time, the international concern to stop children being used as soldiers was not based only on the need to protect children from exposure to injury and death. It also recognised that children are different from adults because they are still in the stage of development – mentally, emotionally and physically. Indoctrinating them into violence, encourag-

ing them to kill and injure others, to commit rape and torture, distorts the developmental process. This affects the individual child, of course, but it also has an impact on the future of the community and of society in general.

Viva Rio and ISER's research shows that although children had been involved around the margins of the drug trade in the *favelas* before, the current situation is qualitatively different and is affecting the relationship with the community. Unless steps are taken now to address the situation, it is hard to see how the increasing in violence and the decrease in the age at which children become involved, will not continue.

Is this then, another manifestation of child soldiering? On the surface, the similarities are startling: armed factions, with military weapons, controlling territory, people and / or resources within the *favelas* and operating within a command structure. However, the answer is no, and it is important to make the distinction for both legal and practical reasons. First, different legal rules apply in armed conflicts – child soldiers because they are soldiers are entitled to act as soldiers and to be treated as soldiers – in other words, in an armed conflict they are entitled to kill other soldiers and also to be killed themselves. Secondly, armed conflicts are exceptional situations (despite the protracted nature of some of them). The exceptional nature of the situation is one of the factors which drives children to join, such as the closure of schools, the lack of protection because family is dead or dispersed, the lack of food because of the disruption of supplies, and so on. Also, one can assume that the armed conflict will come to an end at some point and that life will return to normality. In situations of protracted conflict, in which children have been heavily involved, we are learning that ending the conflict is only the beginning of changing the internal and external realities for the child soldiers – or soldiers who have spent their childhood in this way. Nevertheless, the precondition for change is ending the conflict.

At the same time, the parallels with child soldiers are closer than to the other recognised groupings, such as “youth gangs” or “street children”, and much of the experience (positive and negative) of trying to address the reasons why children become soldiers, and how to demobilise and reintegrate them into society, will be useful in relation to these situations hereby defined as “children in organised armed violence”.

Viva Rio and ISER's research is pioneering in identifying and demonstrating the scope and ramifications of this problem. Unfortunately, my experience with the child soldier issue leads me to believe that the next phase of research will show that the problem of children in organised armed violence is by no means unique to the *favelas* of Rio de Janeiro. This is an important opportunity for the international community to pay attention to, and begin to address, this issue.

*Rachel Brett*  
*Quaker United Nations Office*

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## INTRODUCTION

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This study was conceived following Viva Rio's participation in a number of international seminars and events that dealt with the involvement of children in war and major armed conflict.

Through this participation, Viva Rio became aware that the role of children and adolescents participating in the territorial disputes of drug factions within Rio de Janeiro has more in common with the lives of 'child soldiers' in war situations than with the lives of traditionally defined gang members found in other urban centres around the world. Despite this similarity, and despite the fact that drug faction-related armed disputes are causing firearm-related mortality rates in the city comparable to combat-related casualties in many modern wars, Rio de Janeiro is not in a state of war. Consequently, children and adolescents working in an armed capacity for drug factions in Rio de Janeiro are categorised as juvenile delinquents, criminals or gang members.

Although there may be some similarities between children working for drug factions in Rio de Janeiro and gang youth in other urban cities, Viva Rio felt that categorising child drug faction workers in such a manner does not adequately represent the reality of their situation. Furthermore, Viva Rio felt that if the plight of children and adolescents working in an armed capacity for drug factions in the city was to be recognised, understood and addressed within Brazil and by the international community, the specificity of the situation in Rio de Janeiro merited further investigation.

During the completion of this study, researchers established that the manifestations of the illicit retail drug market in Rio de Janeiro involve levels of armed violence, firearm-related mortality rates, local paramilitary organisation, geographical territorialisation, quasi-political domination of poor communities and the participation of state authorities (principally the Military and Civil Police forces) at a level previously undocumented anywhere else in the world. Researchers also found that understanding these factors was key to understanding the participation of children and adolescents in the territorial disputes of drug factions within the city. Furthermore, that correctly defining this situation—which appears to be insufficiently defined by traditional definitions for either 'war' or 'organised

crime’ — was fundamental to fully comprehending its reality, charting its occurrence elsewhere, and developing the correct strategies to deal with it successfully.

This study therefore aims to:

- 1) Correctly define the armed territorial disputes of drug factions in Rio de Janeiro;
- 2) Correctly define children working in an armed capacity for drug factions in Rio de Janeiro;
- 3) Raise awareness of this situation at both the national and international levels;
- 4) Propose some local solutions for successfully preventing the participation of children in drug faction disputes and for the rehabilitation of those already involved;
- 5) Propose some necessary steps for the international community to recognise and address the problem;
- 6) Open the international debate regarding similar situations elsewhere in the world, so that a cross-cultural criterion may be established and the problem identified, and subsequently addressed, wherever else it is occurring.

## METHODOLOGY

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As explained in the introduction, this study aims to define territorial drug faction disputes in Rio de Janeiro in order to verify whether they are best treated within the traditionally understood definitions of organised crime or armed conflict. In doing so, it aims to establish whether children that participate in these situations are best considered as child soldiers or as criminals and ‘gang members’.

Considerations were made in the design of this study for the need to utilise different techniques for the collection of relevant data. However, it was also accepted that the specificity of the universe to be studied, the difficulty in accessing informants, and problems of security and safety of researchers in a situation that is regulated by a code of silence, meant that representative statistics regarding those interviewed, principally those involved directly in the drug trade, should be limited. Instead, researchers opted for a controlled qualitative study in which the saturation of significant data represents adequate verification.

As suggested by Howard Becker (1970) and other authors that have dealt with such methodological questions, we are able to conclude that, for the objectives of this study, even if unable to verify a theory or hypothesis, if the significant data obtained is sufficient to *describe a situation* and thus compare it with two other situations already well defined by specialised literature – in this case war and criminal gangs – then for the objectives of this study there was sufficient obtained data, that is to say sufficient to *saturate the meaning* of the investigated situation.

It is important to add that when defining the limits of this study, and during its realisation, researchers considered the definitions of the situation being investigated that were held by relevant social actors, in order that they themselves should define the conflicts and tensions that they live daily. Furthermore, that our conclusions – arising from the analyses of this obtained descriptive data – should be considered as conceptual propositions that require further investigation, in order that they be perfected or refuted by other studies.



## DATA SOURCES

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The universe for this case study was designed to focus on children and adolescents working in an armed or unarmed capacity for drug factions in the *favelas* of Rio de Janeiro.

The following relevant qualitative information sources were therefore selected in order to comprehensively investigate this issue: children and adolescents currently working in the drug trade; young adults currently working in the drug trade who had been involved in drug trafficking since childhood or adolescence; ex-drug traffickers active in the 1970s, 1980s and 1990s; youth not involved in drug trafficking but living in *favela* communities dominated by drug factions; adults not involved in drug trafficking but living in *favela* communities dominated by drug factions; adolescents detained in the youth juvenile justice system following arrest for drug related offences; existing social programmes working with 'at risk' youth in *favela* communities; the surgical team at the Souza Aguiar Hospital's emergency unit; relevant press reports from the national and city press; the police.

In order to fully understand the daily functions of children working for drug factions in Rio de Janeiro, a comparative analysis was also carried out between the lives of children in drug faction employment and documented cases of child soldiers working in war situations. This comparative analysis also involved the investigation of relevant international humanitarian law that affords protection to children during hostilities and in war situations.

Data for this study was collected from the following sources between December 2001 and June 2002.

### Qualitative data sources

#### 1) SEMI-STRUCTURED INTERVIEWS WITH CHILDREN, ADOLESCENTS AND YOUNG ADULTS WORKING FOR DRUG FACTIONS

Taped interviews following an open but theme-oriented script were conducted with twenty-five male children, adolescents and young adults currently working for drug factions in *favelas* within the municipality of

Rio de Janeiro. Questions focussed on the following themes: background (including family, school, work and community); recruitment (including first function in drug trafficking); current function (including use of arms, armed conflict and drug use); involvement in drug factions (including police, own drug faction, other drug factions, rules and punishment, death, friends and money); the future (including within drug trafficking, outside of drug trafficking and solutions).

Interviews were carried out in three different *favela* communities selected on the basis of documented histories of drug faction domination. Each of these communities was visited on more than one occasion during the day and at night in order to see the conditions in which *favela*-based drug traffickers work.

Interviews were also carried out in youth correctional facilities. Those interviewed whilst in detention had been arrested for drug trafficking offences and were from diverse communities within Greater Rio de Janeiro.

Data was therefore collected from a diverse number of communities and interviews were conducted in the following three environments:

- In the *favela* during interviewees working hours in the afternoon (between 4:00pm – 7:00pm);
- In the *favela* during interviewees night-time working hours (between 11:00pm – 2:00am);
- In a prison environment with interviewees already apprehended for drug trafficking.

Interviewees were between the ages of 12-23 years old, the average age being 16 years and 5 months old. 55% of those interviewed were black, 40% of mixed race and 5% white. Those above the age of seventeen were selected for interview because they had started working for a drug faction as children or minors: the average age for entering drug trafficking as a full time occupation of all those interviewed was 13 years and 1 month. All interviewees with the exception of three were born and grew up in the community in which they worked.

60% of those interviewed started living alone almost immediately after entering the drug trade. 30% continued to live with a single mother and only 10% with both parents. Three of those interviewed had lost both par-

ents before they became involved in drug trafficking, a further three had lost their fathers. Most of these deaths had been violence or drug-related.

80% of those interviewed that had parents alive said that at least one of their parents had been employed when they started working in drug trafficking. In most cases this was the mother, typically employed in the service industry as a domestic maid, although these were mostly informal working arrangements. 40% of those interviewed claimed to have relatives involved in drug trafficking, always male, ranging from fathers to brothers, cousins and uncles.

55% of interviewees had worked in licit jobs before entering the drug trade, always informally, in all variety of manual labour ranging from street sellers to mechanics assistants. On average, interviewees began working between the age of 12 and 14.

Without exception, all interviewees had left school shortly before or immediately after entering the drug trade. Not a single interviewee had completed primary level education (*primeiro grau*), on average having reached the fourth grade (4ª Série). This means that on average those interviewed had only completed 50% of their primary level education, a level that should be reached by the age of 11 years. The average school-leaving age of interviewed drug traffickers was 13 years and two months.

## 2) SEMI-STRUCTURED INTERVIEWS WITH EX-DRUG TRAFFICKERS AND RELEVANT INFORMANTS

Three ex-drug traffickers from different *favela* communities were interviewed about the history and structure of drug trafficking in Rio de Janeiro. Two of these interviewees had been active in drug trafficking during the 1980s and 1990s. The third had been employed in drug trafficking as a child at the end of the 1970s. A further informant who had a thorough understanding of the drug trade in Rio de Janeiro due to a number of friendships, although he was not involved in drug trafficking in any form whatsoever, was also interviewed regarding the history and structure of the drug trade. Quotes from this informant are cited as being from 'informant 1'.

### 3) GROUP INTERVIEWS WITH YOUTHS FROM THE *FAVELA*.

Group discussions were held on six occasions with two separate groups of adolescents (one group comprised only of males and the other of both sexes) between the ages of 12-23 not involved in drug trafficking but living in two different *favela* communities dominated by drug factions. There was a total of 30 youths in these two groups. These youths participated in social programmes that aimed to offer alternatives to the drug trade and crime for young people. Discussion topics included: violence, the drug trade, fire-arms, the police and future prospects.

### 4) GROUP INTERVIEWS WITH ADULT *FAVELA* RESIDENTS

A total of 120 adult *favela* residents from ten different *favela* communities were interviewed in ten different groups, each pertaining to a different community. These groups consisted of community health workers living in the *favela*. Group interviews were based on the following topics: problems in the community; the situation of children and adolescents in the community; historical changes in the community; firearm related violence in the community; behavioural rules in the community; the future of the community and solutions to the community's problems. Researchers conducting these group interviews did not mention the issue of drug trafficking unless it was brought up in discussion by interviewees. Instead, interviewees were encouraged to talk freely about the above-mentioned issues.

### 5) QUESTIONNAIRES

Twelve young people participating in Viva Rio's educational programme *Zeladores*<sup>1</sup> who were already being trained in the application of surveys, were selected to apply a questionnaire with youths that lived in their *favela* communities. The questionnaire was designed to investigate the opinions *favela* youth have of drug traffickers and the police in terms of violence, treatment, protection and identity. Young people selected to carry out the survey worked with researchers from this study in finalising its design, and

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<sup>1</sup> *Zeladores* institutes primary level education classes and co-ordinates community based voluntary work for 18-24 year olds in *favelas* or poor neighbourhoods within greater Rio de Janeiro.

were then given further training in its application. Training included how to select a cross-section of youths in the community so that results did not represent only the views of specific social groups that may have shared notions of violence, drug trafficking or the police (such as church members from the same church or gang members from the same gang). None of the youths that completed the questionnaires were directly involved in drug trafficking activities. A total of 100 questionnaires were completed in four *favela* communities with youths between 16-24 years of age.

#### 6) THE YOUTH JUVENILE JUSTICE SYSTEM

During this study researchers carried out interviews with detainees, agents and social workers in the following closed and open correctional facilities managed by the General Department for Social and Educational Actions (DEGASE - Departamento Geral de Ações Socio-Educativas):

- Observation facility (Pólo de Liberdade Assistida da Ilha do Governador).
- Semi-detention facilities (CRIAM – Centro de Recursos Integrados de Atendimento ao Menor) at Santa Cruz, Bangu, Ricardo de Albuquerque, Penha e Ilha do Governador;
- Detention facilities (Educandários de Internação): Educandário Santo Expedito (ESA), Escola João Luís Alves (JLA).

Furthermore, during this study a researcher was given permission by Judge Guaracy (presiding judge at the 2<sup>nd</sup> Civil District for Adolescents and Youth / 2<sup>a</sup> Vara da Infância e da Juventude) to accompany the legal process of adolescents apprehended for drug trafficking or related offences and legally processed at the 2<sup>nd</sup> Civil District for Adolescents and Youth. The cases were accompanied from the point at which the adolescent in question was brought into the processing building of the 2<sup>nd</sup> Civil District for Adolescents and Youth until they met with the judge and were given their sentence, which is referred to as a ‘social and educational measure’ (*medida socio-educativa*). Judge Guaracy was also interviewed by researchers, as were social workers at the 2<sup>nd</sup> Civil District for Adolescents and Youth.

#### 7) EXISTING SOCIAL PROGRAMMES

Researchers from this study visited the following relevant social programmes working with primarily 'at risk' children and adolescents and coordinated by non-governmental organisations and foundations: Afroreggae, Aldeias Infantis SOS Brasil, Associação Beneficente Rio Criança Cidadã – ABRCC, Fundação São Martinho, Casa do Menor São Miguel Arcanjo, Fundação Abrapia, Fundação Bento Rubião, FIA – Fundação da Infância e Adolescência, Viva Rio (Tele Salas; Zeladores; Jardineiros do bairro; Criança Esperança; Luta pela Paz).

The following relevant government social programmes that also work with primarily 'at risk' children and adolescents were visited during this study: Projeto Rio Jovem (Secretaria Municipal de Desenvolvimento Social); Vida Nova / Jovens Pela Paz (Secretaria Estadual de Ação Social); Programa – Acompanhamento com pais e responsáveis; PASE – Programa de Acompanhamento Sócio – Educativo (2ª Vara da Infância e Adolescência); Polos de Liberdade Assistida; Centro de Tratamento para Dependentes químicos; Centros Profissionalizantes; Projeto “Nossa Casa”; Projeto Preservida (DEGASE); CMDCA – Conselho Municipal dos Direitos da Criança e do Adolescente; Conselho Tutelar.

#### 8) INTERNATIONAL HUMANITARIAN LAW REGARDING THE RIGHTS OF THE CHILD IN CONFLICT SITUATIONS

International humanitarian law regarding the rights of the child in conflict situations was also researched. In accordance with existing international humanitarian law regarding child protection, any drug trafficker under the age of 18 may be referred to as a 'child trafficker' or 'child combatant' in the following text.

#### 9) THE BRAZILIAN NATIONAL AND CITY PRESS

Content analysis of relevant cuttings regarding the drug trade, armed violence and the police were collected from the following newspapers during the period of this study: O Globo; O Dia; Extra; Jornal do Brasil; O Povo.



#### 10) THE POLICE

A interview was carried out with Major Antonio Carlos Carballo Blanco, of the Military Police, former head of GPAE (Special Areas Police Group / *Grupo de Policiamento de áreas Especiais*), a community policing unit, regarding policing in *favela* communities. Researchers also talked with a Colonel from the Military Police, who requested to remain anonymous.

#### 11) THE SURGICAL TEAM AT THE SOUZA AGUIAR HOSPITAL'S EMERGENCY UNIT

A group interview was held with the surgical team at the Souza Aguiar Hospital's emergency unit regarding the types of firearm-related injuries and the age of patients typically treated at the hospital. This group included Dr. José Alfredo Padilha, Dr. Leonardo, Dr. Josué Kardek and Dr. Martinelli.

#### 12) BIBLIOGRAPHY

Content analysis of relevant research previously carried out regarding the Brazilian drug trade, Brazilian children in drug trafficking and child soldiers in war situations.

### **Quantitative sources**

Secondary data from the following relevant quantitative information sources was analysed in order to further investigate relevant factors relating to children and adolescents working in an armed or unarmed capacity for drug factions in the *favelas* of Rio de Janeiro.

#### 1) PUBLIC HEALTH STATISTICS

All statistics regarding homicide and firearm-related mortality rates of Brazilians in parts 6 and 7 were supplied by DATASUS at the Brazilian Ministry of Health and the Rio de Janeiro State Secretariat for Health (Ministério de Saúde / Secretaria da Saude do Governo do Estado do Rio de Janeiro). All statistics regarding firearm-related mortality rates of United States citizens in California State, Washington State and New York State were supplied by the National Center for Injury Prevention and Control (Centers for Disease Control and Prevention) in the United States.

## 2) CRIME STATISTICS

The 2<sup>nd</sup> Civil District for Adolescents and Youth, of the Public Security Secretariat – Rio de Janeiro State Government (2<sup>a</sup> Vara da Infância e da Adolescência, Secretaria de Segurança Pública - Governo do Estado do Rio de Janeiro) supplied all statistics relating to juvenile criminal offences.

## 3) POLICE STATISTICS

Statistics referring to fatal victims of police actions between 1997-2001 were taken from Civil Police incident reports.

## 4) SMALL ARMS AND LIGHT WEAPONS STATISTICS

Statistics referring to police seizures of firearms in Rio de Janeiro State were taken from DFAE / SSP (Fiscal Department of Firearms and Explosives / Public Security Secretariat – Rio de Janeiro State Government (Departamento de Fiscalização de Armas e Explosivas / Secretaria de Segurança Pública - Governo do Estado do Rio de Janeiro).

## 5) MODERN CONFLICTS

The data in chapter 6.5 referring to estimated battle related mortalities was provided by SIPRI (Stockholm International Peace Research Institute). Data regarding conflict related deaths of minors in Israel and the Palestinian occupied territories was supplied by the Israeli Information Centre for Human Rights in the Occupied Territories.

## PART ONE:

### RIO'S DRUG TRADE – A HISTORICAL PERSPECTIVE

#### RIO'S DRUG TRADE

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The history of drug trafficking in Rio de Janeiro can be traced back to the beginning of the twentieth century (Misse 1999). However, with the arrival of cocaine in large quantities at the end of the 1970s, and most markedly at the beginning of the 1980s, Rio's drugs trade underwent a dramatic transformation. Rio de Janeiro has become an increasingly important transit point for cocaine exports to America, Europe and South Africa. It is also a consumer of the illicit drugs that pass through its docks and airports and although Rio's internal retail market is not as important as that of industrialised countries in the West, it is a relevant and increasingly growing one.

South America is the world's primary producer of cocaine, and an important producer of marijuana. As Rio de Janeiro is a major regional export point for cocaine and marijuana, these drugs almost exclusively make up the city's internal retail market. Heroin, crack,<sup>2</sup> hallucinogens and synthetic drugs including ecstasy and speed are almost totally absent within the city. The Federal Police estimate that around 20% of all cocaine that arrives within Rio de Janeiro is not exported but sold internally (NEPAD & CLAVES 2000:27). How much this actually represents depends on the source of information;<sup>3</sup> however, even taking the largest estimate of 44.4

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<sup>2</sup> Crack, made from cocaine, is very present in São Paulo, however, up until the time of writing this report Rio's drug factions have refused to produce or sell the drug, preferring to sell cocaine to be sniffed or smoked.

<sup>3</sup> In 2000 the Federal Police estimated 7.2 tonnes of cocaine enter the city per year to then be cut and sold at street level. The Civil Police estimated 12 tonnes per year and the DRE (*Delegacia de Prevenção e Repressão a Entorpecente / Police Department for Drug Prevention and Repression*) estimated 44.4 tonnes (NEPAD & CLAVES 2000).

wholesale tonnes or US\$ 171.4 million worth of cocaine entering the city per year to then be cut and sold at street level, it can be seen as a modest market in comparison to the estimated US\$ 6.5 billion worth of cocaine consumed every month within the United States. Yet the local retail market's relevancy within the city is dramatically demonstrated by the fact that estimated monthly cocaine street sales in 2000 amounted to five times that of Rio de Janeiro's State Government's total annual housing budget for the same year (NEPAD & CLAVES 1998:27).

Greatly due to cocaine's instant profitability, Rio's retail drugs market was restructured during the 1980s in terms of its scale, organisation and the use of violence as the accepted tool to advance economic goals and uphold internal discipline. Drug-related violence and territorial disputes between rival factions can be seen as a major causal factor in the almost 140% increase in small arms-related deaths within the municipality between 1979 and 2000.<sup>4</sup>

Today in Rio de Janeiro drug trafficking exists in the form of armed groups, or factions, that submit the city's urban *favela* communities to their political and economic interests via territorial and paramilitary domination (Souza 2001:61). Misse refers to drug trafficking groups, now entrenched within the geographical limits of hundreds of *favelas*, as being territorial, political and military in character ("*territorial-político-militar*" 1999:302). The paramilitarised structure of drug factions and their repressive socio-political domination of *favela* communities in 2002 are discussed in Part 6. Three definitive phases can be identified in the formation of drug factions and their subsequent territorialisation of Rio de Janeiro's *favelas*: 1) Pre-cocaine and pre-*Comando Vermelho*; 2) The 1980s: Cocaine, *Comando Vermelho* and defining territories; 3) The 1990s: the continuation of territorial disputes and the establishment of new factions.

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<sup>4</sup> In 1980 there were 1430 recorded deaths by firearms in the municipality of Rio de Janeiro. In 2000 there were 2649. Small arms deaths peaked in 1998 with a total of 3182 fire arms related homicides. (Datusus, Ministry of Health).

## PRE-COCAINE AND PRE-DRUG FACTIONS

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By the 1950s, Rio de Janeiro's illicit retail drug market was comprised mainly of marijuana sales. Marijuana grown primarily in Brazil's Northeast was consumed in Rio's *favelas*, prisons and a number of established points within the city. Although cocaine imported from Bolivia was available to the middle classes by the 1960s, it was sold on an extremely small scale and its distribution network was totally separate from that of *favela* based marijuana sales (Misse 1999). Marijuana distribution within the city was organised; however, its trafficking was diffuse, not sophisticated in structure and often sold by community members to a small and localised clientele (Souza 2001).

*...marijuana started to be smoked amongst a very small group within the community. In truth marijuana was not sold then [as it is today]. In 1975, for example, [...] marijuana was much more for personal use. People involved in theft and armed robbery started smoking marijuana in order to relax the tension, but then they saw they could sell it. And so little by little [...people within the community] started to buy marijuana. And so it grew until people from outside the community began to come to buy.*

*Ex-drug trafficker active in the 1970s and 1980s*

As part of the local community, local dealers were respectful of community standards, often not letting people smoke marijuana in front of children:

*"[dealers] reprimanded whoever smoked in front of children, they'd beat whoever smoked in front of children, they wouldn't deal in front of children"*

*Ex-drug trafficker active in the 1970s and 1980s*

Although they may have been armed, dealers typically used .38 calibre pistols, keeping them under their shirts and out of view. Dealers armed themselves for protection but did not rely on organised defensive patrols of *favela* territory and sophisticated surveillance systems as utilised by today's factions. In terms of organisation and the levels of violence employed for defensive or offensive purposes, Rio's drug traffickers from this era may be compared more closely with traditional notions of small time street dealers in European and US cities than their counterparts in Rio today.

Despite differences in scale, structure and relevance to the city, the roots for territorially organised drug factions' use of *favelas* as defensible and strategic sales points within the city can be found during this period. Terms still prevalent today originated during this time, such as *boca de fumo*, *olheiro*, *vapozeiro* (later to become *vapor*) and inter-*boca* disputes between rival gangs, although on a scale far smaller than today, were documented in the press during the 1960s (Misse 1999:342-349). Furthermore, due a traditional lack of state actors to uphold law and order in *favela* communities, historically important local figures (mostly armed robbers, *bicheiros*<sup>5</sup> or vigilantes) known as *donos*, have played an important role in community socio-political relations, including the maintenance of order through violence or the threat of violence. This tradition of socio-political dominance was later to become the exclusive domain of traffickers within *favelas* dominated by organised drug factions.

Growing from this less sophisticated base, the following five reasons have been cited for the transformation of Rio's disorganised and small scale drugs market in the 1980s (Misse 1999):

- the growth of demand for illicit drugs;
- the arrival of cocaine and its extreme profitability;
- an increase in violent and repressive policing during the dictatorship;
- the arrival of war grade small arms within the city;
- the establishment and organisation of drug factions.

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<sup>5</sup> *Jogo do Bicho* is a street based gambling racket similar to the numbers game that dominated urban slums in America during the first half of the twentieth century. Those that run the *Jogo do Bicho* are known as "bicheiros".



## THE 1980S: COCAINE, THE *COMANDO VERMELHO* AND DEFINING TERRITORIES

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The systematic organisation of Rio de Janeiro's retail drug market has its roots in prison with the creation of the first and arguably still the most powerful drug faction, the *Comando Vermelho*.

In response to the rising number of bank robberies being carried out by anti-government groups in order to finance revolutionary activities against Brazil's military state apparatus (Amorim 1995), the government introduced by decree article 27 of the National Security Law of 1969 (Lei de Segurança Nacional). As a result, all suspects of armed robbery of banking, financial or credit institutions were tried by a military court. If convicted, perpetrators of these crimes faced between 10-24 years in a maximum security prison, or the death penalty if any fatalities occurred during the robbery. Therefore, between 1969-1976 political and common law prisoners mingled in a number of maximum security prisons including Cândido Mendes on Ilha Grande, three hours West of Rio de Janeiro.

The educational influence of political prisoners on the general prison population and the role this had on the beginnings of the *Comando Vermelho* is disputed (Misse 1999 versus Amorim 1995). However, what is generally accepted is that some common prisoners copied notions of group organisation and mutual reciprocity used by political prisoners to gain certain rights within the prison system. As a result, a number of imprisoned bank robbers formed a group called 'the collective' (*o coletivo*) at the end of the 1970s, which was to become known as the *Falange Vermelha* and later the *Comando Vermelho*.<sup>6</sup> The *Falange Vermelha* originally concerned itself with group protection and domination of the prison population, as well as securing rights within the prison system. However, its real importance within the city's criminal structure came when its members realised that their internal prison organisation could be used to organise crime outside of prison for profitable gain. Being based in prison, the *Comando Vermelho* had power over its

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<sup>6</sup>The name *Comando Vermelho* (Red Command) was originally given to the *Falange Vermelha* (Red Falange) by Rio's press, not by the group itself.

members both within and outside the prison system, as every professional criminal knows that if released they may one day be rearrested and incarcerated again. Failing to fulfil the *Comando Vermelho*'s instructions whilst free, would mean returning to prison as a traitor to be punished by the group.

*"...if we live in a capitalist world then the only way to have power in prison is to have the money to buy your freedom. The only way to guarantee that money comes in from the outside is to organise within the prison system in order to threaten those on the outside...to believe that getting arrested and going to prison would be worse than death, that if they went to prison as a traitor then each day they would have a nail pulled out, an eye gouged out or an ear cut off [before being murdered], and the prison system would permit this as [the collective] had the money to pay to commit such atrocities..."*

*Informant 1*

The *Comando Vermelho* was born in prison and its power remains there to this day. By the end of the 1970s the *Comando Vermelho*'s incarcerated members began to organise criminal activity (primarily bank robberies and kidnappings) within Rio de Janeiro and were subsequently able to buy their freedom with illicit earnings dutifully brought into prison. This coincided with the arrival of cocaine, transported to Rio from Bolivia, Peru and Colombia for export to the West and local sales. Freed bank robbers linked to the *Comando Vermelho* realised the vast profits that could be made from the sale of cocaine. As a result, they carried out a number of bank robberies and kidnappings in order to finance a concerted move into the retail drugs business.

The period of *Comando Vermelho* geographical definition took place between 1983-1986 (Misse 1999). Traditionally *favela*-based and marijuana-oriented *bocas de fumo* were viewed as the ideal distribution base for retail cocaine sales and affiliated members of the *Comando Vermelho* began organising themselves and their *favela* territories within a loose structure of mutual support. In order to monopolise the market, arms and money to buy a first shipment of cocaine would be lent to members to take over established *bocas de fumo* or create new ones, under the collective banner of the *Comando Vermelho* and for a percentage of future profits. Hierarchically structured *quadrilhas* were established within *favelas* in order to defend sales points and the surrounding communities from police invasion or

attack from ‘neutrals’<sup>7</sup> and between 1984-1986 the first *soldados do tráfico* began to appear.<sup>8</sup>

Replicated almost identically in different *favela* territories, local organisation was based on military needs for defence and invasion and simple division of labour for the bagging and sales of drugs. This structure has remained quintessentially unchanged until today. During this period drug trafficking became known as ‘*o movimento*’ and the role of community *dono* became the almost exclusive position of drug traffickers, as opposed to *bicheiros* and important criminals or vigilantes as seen previously.<sup>9</sup> Each *dono* was in accord with other *donos* also pertaining to the *Comando Vermelho* and, therefore, in its origin the *Comando Vermelho* can be seen as a network of affiliated independent actors rather than a strictly hierarchical organisation with a single head figure (Souza 2001). Although the hierarchy found within the *quadrilha* was not reflected above the rank of *dono*, the *Comando Vermelho* was not without some degree of leadership. This was often provided by a particularly strong and respected *dono* that could oversee the settling of internal disputes and the taking of decisions of mutual importance. In the *Comando Vermelho*’s earlier stages it has been claimed that this role was played Rogério Lengruber, known as *Bagulhão*.

“...it wasn’t that *Bagulhão* was the *dono* of the *Comando Vermelho*, he was a great leader because he was respected and seen as a reference point, but even then he didn’t control all of the *Comando Vermelho*’s *favelas*, but he organised and centralised some [of the organisation’s] decisions, in truth he didn’t control other *favelas* [other than his own] or the money made within them...even at this period [each *favela*] was already independent.”

Informant 1

The organisational structure of the *Comando Vermelho* was fundamental in:

- the transformation of Rio’s drug trade;

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<sup>7</sup> ‘neutrals’ or ‘*neutros*’ refer to *favela* based armed groups that control drug trafficking within their community but have no allegiance to the *Comando Vermelho* or other factions.

<sup>8</sup> Armed ‘soldiers’ (direct translation of *soldado*) are paid a fixed salary by a local *dono* to defend his *favela* territory.

<sup>9</sup> There still exist communities that are controlled by vigilante groups, often made up of ex-policemen, that through the use of force defend their communities from the entrance of drug traffickers. Such communities are now in the minority.

- the establishment of territorially based paramilitary organised armed *quadrilhas* in *favelas*;
- the insertion of drug trafficking *donos* as a locally recognised socio-political force and the upholders of social order within the community.

The arrival of cocaine, its profitability and the nature of the drug was also fundamental to the establishment and structure of these armed groups and the high levels of violence associated with them from the mid 1980s.

“[... with] *marijuana*...no one was killed for wanting to smoke more [without paying], you might receive a gun shot to the hand or a beating, but not death. No one was killed for that. But when cocaine arrived it was different [...] It's the nature of the drug which is so completely different. I know because I used. [...] cocaine completely changes your personality...if you want to be violent you'll be ten times more violent, more scared, more anxious...everything is multiplied [...] so if you abuse the use of cocaine you end up becoming a bad soldado. You become a risk to the boca [...] there was this one case where a guy sniffed all his cocaine and asked to use more and the boss let him [...] and the guy got so paranoid that he shot another [trafficker] in the head, thinking he was a policemen. Afterwards of course he was killed. [...] so like I said, cocaine is a dangerous business.”

*Ex-drug trafficker active in the 1980s*

The profitability of cocaine resulted in the excessive militarisation of armed groups to control and defend the *bocas* and subsequently the communities in which they were placed. Although money generated by drug sales has become an important source of income that stimulates local economic development within *favela* communities, the vast majority of the profit leaves the community and goes to the *dono*, who usually lives outside the *favela*.

“...the profit always left [the favela...] because for example from fifty thousand, generally five thousand [10%] would be passed over to us [the lower ranks such as soldados, vapores, olheiros], ten thousand [20%] the gerente geral took for himself, and the other thirty-five thousand would be kept in some place until the next day and you'd never see it again”.

*Ex-drug trafficker active in the 1980s*

## THE 1990s: THE CONTINUATION OF TERRITORIAL DISPUTES AND THE ESTABLISHMENT OF NEW FACTIONS

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The death of some important members of the *Comando Vermelho* in the second half of the 1980s led to growing distrust and rivalry between its leaders. From 1986 onwards, the *Comando Vermelho* began to fragment internally and disputes for territorial control between *donos* became commonplace and increasingly violent. The increase of deadly conflicts during the second phase of drug trafficking marked the growing decomposition of an organisation founded on the reciprocal trust that had prevailed during the first phase. The social network implanted from the prison system still continues, but it has become dismantled by ever younger traffickers in a continual conflict to occupy new territories or to take over from older *donos* (Misse 1999). By the mid 1990s other factions had been established as *donos* pertaining to the *Comando Vermelho* began to have unreconcilable differences. During this period three other factions were established: *Terceiro Comando*, *Comando Vermelho Jovem* and *Amigos dos Amigos*.

The establishment of the *Terceiro Comando* as a strictly business-oriented faction anticipated the purely economic sentiment of the now established *movimento*. The growth of these factions that now dominate Rio de Janeiro's retail drugs trade and subsequently the city's *favelas* has led to:

- increased territorial disputes between armed groups that dominate different *favela* communities;
- increased militarisation of these armed groups including import and use of war-grade weapons;
- use of technological surveillance devices for defence purposes (radios, walkie-talkies etc.);
- increasingly advanced administrative and management structures;
- increasingly violent and repressive policing strategies in *favelas*;
- increased use of children and youths in armed combat.

(Souza 2000)

As a result, a militarised sub-culture has been established within Rio de Janeiro's *favelas* with heavily armed groups in intermittent but regular

conflict. Armed confrontations between rival factions or the police have become commonplace and armed groups now “...have an arsenal sufficient to make any terrorist group or legitimate security force jealous. All of this apparatus is in the hands of inexperienced youths, mostly adolescent, many of whom can barely handle the weight of such firearms” (DRE police report as cited in NEPAD & CLAVES 2000:44).

## CHANGES WITHIN THE COMMUNITY

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Increasing armed violence and the changes in scale and structure of Rio's drug trade that came with the arrival of cocaine, the formation of drug factions and the territorialisation of *favelas* have had a very detrimental affect on *favela* communities.

When reflecting on the transformation of Rio's illicit drugs market, interviewed community residents saw a clear difference in how dealers behaved within the community during the 1970s and how today's more organised and heavily-armed traffickers behave now. Community residents in different communities saw these changes as occurring at different times from the beginning of the 1980s to the early 1990s. This reflects the fact that faction domination of *favela* communities has happened in different degrees and at different times in different communities as it is not a uniform movement. When talking about “how it used to be” before the arrival of cocaine and faction formation, *favela* residents commented that:

- DEALERS USED TO RESPECT RESIDENTS  
AND FAMILY VALUES MORE THAN TODAY

Even today, respecting community residents is a fundamental part of the relations between faction employees and community residents. However, older community residents felt that previously, dealers were older, more mature and more respectful of residents and family values.

*Previously there existed respect.*

*No matter how much power a trafficker had, he didn't have the courage to disrespect a code of honour that said 'respect the family'.*

*Before there were these groups [...trafficking] wasn't dominated by adolescents. It was older people [...] it was people who respected local residents, they didn't permit strangers to enter the community and nobody caused disturbances. The residents were respected.*

- DEALERS WOULD SELL DRUGS IN A HIDDEN AND SECRETIVE WAY

Dealers would make a concerted effort to hide their activities from community residents, not openly selling or letting people use drugs within the community.

*Previously trafficking was hidden...*

*It used to exist, but if you were involved it was only you, nobody knew [...] today no, they make sure you know.*

*Previously they used to be embarrassed by the smell of marijuana, in case it caused a problem for anyone*

- DEALERS WERE NOT OPENLY ARMED WITHIN THE COMMUNITY

Dealers would also conceal their weapons from view, not openly carrying guns within the *favela*.

*Previously they'd keep their revolvers in the bushes, hidden [...] today they walk around with them, wanting to be seen.*

*Previously [guns] were hidden. Now you see them on every corner.*

- DEALERS WOULDN'T USE DRUGS OR LET CONSUMERS USE DRUGS IN FRONT OF COMMUNITY RESIDENTS

The stigma attached to using drugs openly within the community was sufficient in this period for traffickers to conceal their drug use.

*30 years ago, they didn't walk around armed, let alone smoke marijuana in the community*

*I remember that 20 years ago they didn't smoke marijuana in the street, or if they did smoke, when an elderly person walked past, whoever was smoking would hide it.*

- DEALERS WOULDN'T LET CHILDREN GET INVOLVED IN DRUG TRAFFICKING, OR IF THEY DID EMPLOY CHILDREN IT WAS NEVER IN AN ARMED CAPACITY

In the pre-faction period children and young adolescents were either kept out of drug trafficking altogether by adult traffickers, or if employed, they were not armed.<sup>10</sup>

*I once saw the head of the boca de fumo smack a child that asked if he could work there.*

*I think children have always been involved [...] but it used to be calmer.*

*Previously adolescents and children were aviãozinhos.<sup>11</sup> They weren't so involved [...] not now, now they're armed.*

When reflecting on today's traffickers, *favela* residents said that a new culture of drug trafficking in the community has been established since the 1980s in which drugs are sold openly, traffickers are a constant and openly armed presence within the *favela*, and in which famous traffickers have become idols for *favela* youth. Since the domination of *favela* communities by drug factions *favela* residents commented that:

- TRAFFICKERS ARE NOW OPENLY AND MORE HEAVILY ARMED

There has been a considerable increase in the firepower employed by traffickers since the early 1980s and guns are now openly displayed by traffickers within the community. More lethal light arms (such as Kalshnikov AK47, Colt AR-15, H&K G3 and hand grenades) are now employed whereas previously traffickers used primarily handguns, such as calibre .38 pistols.

*Today the weapons are really heavy. [...] They're army weapons, like grenades...*

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<sup>10</sup> Researchers interviewed an ex-trafficker who had been employed as a child look-out (*olheiro*) at the end of the 1970s. He had been given a .22 calibre pistol by the dealers he was working for when he was thirteen years old. However, this was for him to resolve a case of bullying at a school he was attending at the time and not for functional usage as part of his employment.

<sup>11</sup> Children given the task of carrying messages or drugs to other traffickers or clients.



- TRAFFICKERS ARE MORE ORGANISED

The increased organisation of traffickers post-faction, as discussed above, has also been noted by the community.

*Before [drug trafficking] was more dispersed. Today trafficking is more concentrated. It is organised like a sector within a company.*

- TRAFFICKERS ARE INCREASINGLY VIOLENT

The increasing use of violence by drug traffickers against other traffickers and community residents was also noted. Traffickers are more feared by the community now than during the pre-faction period, and their use of violence was cited as responsible for affecting youth culture.

*I think what has changed is the cruelty [...] the proliferation of violence and guns, because [when I was young] I would fist fight, today the kids at the baile funk<sup>12</sup> shoot each other.*

- TRAFFICKERS COME IN FROM OUTSIDE THE COMMUNITY

Although this phenomenon is not present in all *favela* communities, there has been a marked post-faction increase of traffickers coming in from outside of the community. Due to faction allegiances between *donos* that control trafficking in different *favelas*, traffickers from other faction-aligned *favela* communities are increasingly employed in positions such as *soldados* or even as the *gerente geral*. Before, local dealers would only be from within the *favela* communities in which they worked. The growing number of traffickers from outside the community makes many community members unsettled as they feel that with traffickers from other *favelas* there are no extended kinship ties as are typically found between traffickers from the community and community residents. A lack of such relations makes many community members feel as though they are under occupation by an external force that has less restraint in its dealings with residents. Community resident / trafficker relations are discussed in chapter 6.2.

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<sup>12</sup> *baile funk* is a party usually held within the *favela* where *funk* music is played. These parties may be sponsored by the drug traffickers as a way of stimulating drug sales.

*...because they're coming from outside. They don't know the local residents. So they are doing whatever they want because there's no one to confront them*

- TRAFFICKERS ARE YOUNGER

As discussed above, there has been a perceived increase in the number of children and adolescents employed by drug factions since the 1970s and the pre-faction period. Not only are more children involved, but they are becoming involved at a younger age and are now increasingly employed in an armed capacity which was previously not the case. This development is discussed in more depth in Part 3.

- CHILDREN ARE NO LONGER PROTECTED

The increasing involvement of children and adolescents in an armed capacity has affected notions of children as a distinct group that deserve protection from violence. Pre-faction dealers were more considerate to the needs of protecting children from seeing people use drugs or being near situations of danger.

*I never saw any of the old traffickers sniffing [cocaine] or with guns, I didn't see any of that. Quite the opposite, when they were going to fight with someone they would warn us. They'd come up to our doors: "put the kids inside, there's going to be a fight, there's going to be a shoot out." Today there's none of that. They're in the street and so are kids of 3 and 4 years of age and, unfortunately, the kids are going to see them die.*

Despite the extreme changes in the nature of drug trafficker / resident relations as perceived by community residents, faction dominance of the community has only been possible because it is based on pre-existing structures of social control and protection.

## PART TWO:

### FACTION DOMINATION – THE SPECIFICITY OF THE DRUG TRADE IN RIO DE JANEIRO

#### THE INTERNAL STRUCTURE OF THE DRUG TRADE IN RIO DE JANEIRO

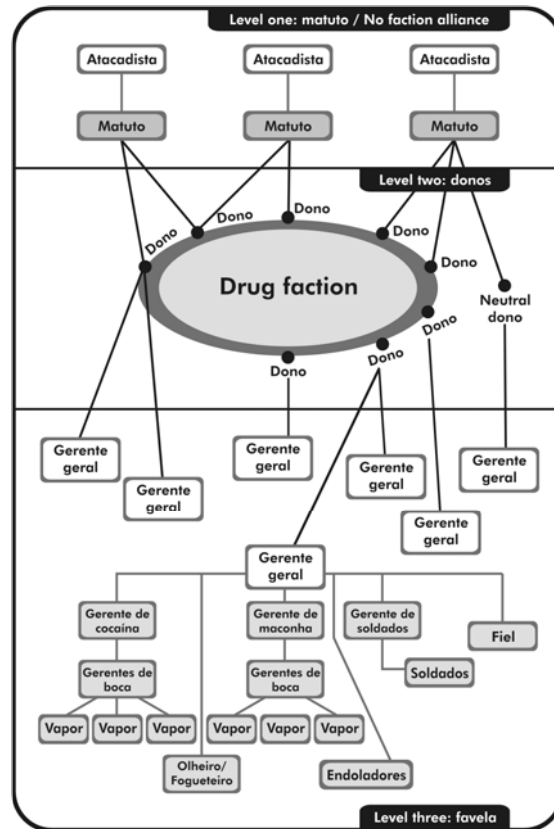
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What distinguishes the illicit retail drug market within Rio de Janeiro from other Brazilian cities and cities world-wide is its relatively organised structure at the local level, its quasi-political pretensions, and its capacity to constitute a horizontal network of mutual protection (Misse 2001). Rio de Janeiro's illicit retail drug market is dominated by three city wide drug factions<sup>13</sup> and there also exists a number of armed groups not aligned to a faction: they are known as 'neutrals' (*neutros*) and are also based within *favela* communities. Factions are not structured as a traditionally understood *cartel* or *mafia*, with a single head figure that makes the final decision on all group activity, but are best viewed as a network of affiliated independent actors (*donos*) that offer each other mutual support for defensive and offensive purposes. Despite their independence, *donos* act within a structure that operates at three levels. These three levels are displayed in **Diagram 2a** below.

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<sup>13</sup> *Comando Vermelho*, *Terceiro Comando* and *Amigos dos Amigos*. In 2002 the *Comando Vermelho Jovem*, a break away group from the *Comando Vermelho* established in the mid to late 1990's, seems to have been reabsorbed into the *Comando Vermelho* and no longer exists as an independent group.

DIAGRAM 2A



### Level 1: *Atacadistas* and *Matutos*

Both the press and the police within Brazil have traditionally overemphasised the importance of *favela*-level drug traffickers. *Favela*-based *donos* have been presented by the press as being the key actors within the Brazilian drug market and they are hunted by the police accordingly. Rio's public are acutely aware of the names of Rio de Janeiro's *donos* and the *favela* communities they control, yet are largely ignorant of the fact that these same *donos* would be unable to function without the '*atacadistas*' or wholesalers that organise the import of cocaine into Brazil, and the *matutos* that transport the cocaine right into the *favelas* that the *donos* so publicly dominate.

In addition to being incorrect, this media focus on *favela donos* channels public attention away from those actors responsible for the large scale import of cocaine and firearms and focuses attention on figures from the *favela* as being wholly responsible for the violence associated with Rio's illicit drug trade.

The control of Brazilian cocaine imports by *atacadistas* means that *favela donos* are completely dependent upon them to continue business. In the few cases where *favela*-based *donos* have been able to make the leap to *atacadista*, via direct connections with producer countries, their importance as cocaine importers has been greatly over-exaggerated by the Brazilian press. This has led to regional police manhunts for such figures and their subsequent arrest. For example, *Fernandinho Beira-Mar*, a *favela*-based *dono* originally aligned to the *Comando Vermelho*, was extradited from Colombia following apprehension by the Colombian army whilst in hiding with the FARC.<sup>14</sup> The search for him and his subsequent extradition followed a Brazilian press campaign that presented him as the biggest and most dangerous drug importer in Brazil. *Beira-Mar* was recently cited by the Brazilian newspaper O Globo as being responsible for 60% of drug trafficking within the country.<sup>15</sup> With the number of *atacadistas* and *matutos* currently in operation estimated at up to one hundred (NEPAD & CLAVES 2000), this presentation of *Beira-Mar*'s dominance of the Brazilian cocaine trade is over-exaggerated. According to one interviewed ex-trafficker from the *Comando Vermelho*, *Beira-Mar* is far from being so important:

*What he had was a contact. There are people above him that are more important than him...he's just a front man. Five years ago you'd see Beira-Mar walking around here...just like a normal person. The media transformed him into 'Fernandinho Beira-Mar' – the number one in the country.*

*Beira-Mar's public demonisation and resulting arrest means that those above him are unlikely to ever be sought. "These dealers that ascend to the position of wholesaler are the first, or perhaps the only, to be captured (NEPAD & CLAVES 2000:35)*

Today, the wholesale market for cocaine is based on imports from Latin American producer countries such as Colombia, Bolivia and Peru. It is agile, de-centralised and has little or no hierarchy. *Atacadistas* are usually inde-

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<sup>14</sup> *Fuerzas Armadas Revolucionarias de Colombia / Revolutionary Armed Forces of Colombia – Colombian guerrilla movement.*

<sup>15</sup> O Globo 19/06/02 p. 15.

pendent actors that have the necessary international contacts in producer countries, access to money-laundering schemes, contact with international criminal organisations and access to the highest levels of state power, when it is not actually individual members of state organs that are themselves trafficking (NEPAD & CLAVES 2000:23-24). Brazil is primarily a transit country for cocaine export to the West and Rio is a major exit point for this export. As noted earlier, around 20% of the cocaine transported through Rio de Janeiro supplies the local market within the city. *Atacadistas* and *matutos* are often responsible for the importation of weapons as well as cocaine, for which they also find a lucrative market amongst Rio de Janeiro's highly armed factions.

*Atacadistas* and *matutos* are independent of drug factions. Intermediaries between wholesale and retail, *matutos* move freely between drug factions and may sell guns or drugs to *donos* from any *favela* regardless of the faction affiliation of the respective *dono*.

*A matuto is like a bus driver, he can take anyone*

*Ex-drug trafficker active in the 1990s*

*Matutos* are also offered protection from all factions regardless of whom they sell to.

*...the law is a law of crime, it's not written but it states which family you don't mess with...and this same law says that a matuto can't be messed with, a matuto has to do his job. So in truth a matuto is the contact...how he gets the drugs nobody wants to know. So it's only favelas that have factions, only the morro."*

*Informant 1*

## **Level 2: *Donos***

Rio de Janeiro's drug factions are comprised of allegiances between *donos* that are joined in a loose network of mutual support both within and outside the prison system.

*...what exists is a large network of prisoners that have a shared political affinity and in order that this political affinity remains united they dominate a faction*

*Informant 1*

In this case a ‘political affinity’ is not ‘political’ as commonly understood in modern politics, but refers to mutually desirable objectives, or the ability to support one another for profitable gain and territorial advancement.<sup>16</sup> Factions can therefore be seen not as a highly structured corporate body, but as a group of independent *donos* joined through loose and mutually beneficial alliances. If those alliances fail to be useful to a *dono*’s objectives or end up becoming a threat to those objectives, then a *dono* may leave his current faction and declare his area ‘neutral’,<sup>17</sup> join another faction or even create a new one.<sup>18</sup> For example, the *Amigos dos Amigos* is a breakaway group from the *Comando Vermelho* and has a similar internal organisational structure to both the *Comando Vermelho* and the *Terceiro Comando*. Due to the non-homogeneous nature of *favela* communities, this series of affiliations and ‘political relationships’ is more effective than a fixed corporate body that makes decisions for all its faction affiliates.

*...the morros are independent. Each one has its own reality, each military police battalion has its own price, each garrison has its own relationship with the boss. So it doesn't do for a particular leader to determine how the relationship will be with each battalion, with each region, with each favela. These are all realities that change each minute.*

*Informant 1*

Yet within this loose network of independents there exists a structure within which *donos* affiliated to a faction must know how to act.

*The CV<sup>19</sup> will always be the CV, but there [in the favela] he [the dono] commands...if he wants to burn down his favela he can. But he has to know what he's doing, has to be conscious of what he's doing...has to be in harmony with everyone so that his favela rhythms will always be good.*

*Ex-drug trafficker active in the 1990s*

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<sup>16</sup> As described by Carl Schmidt, ‘political’ here means defining relationships on a ‘friend’ or ‘enemy’ basis.

<sup>17</sup> Neutrals will usually have a similar organisational structure to the larger factions at the *favela* level. However, neutrals do not generally rely on reciprocal support from other neutrals based in different *favelas*, unlike armed groups within a faction that can rely on mutual support from other armed groups aligned to the same faction.

<sup>18</sup> To change from one faction to another or create a new faction is rare but it does occur.

<sup>19</sup> CV is an acronym for *Comando Vermelho*.

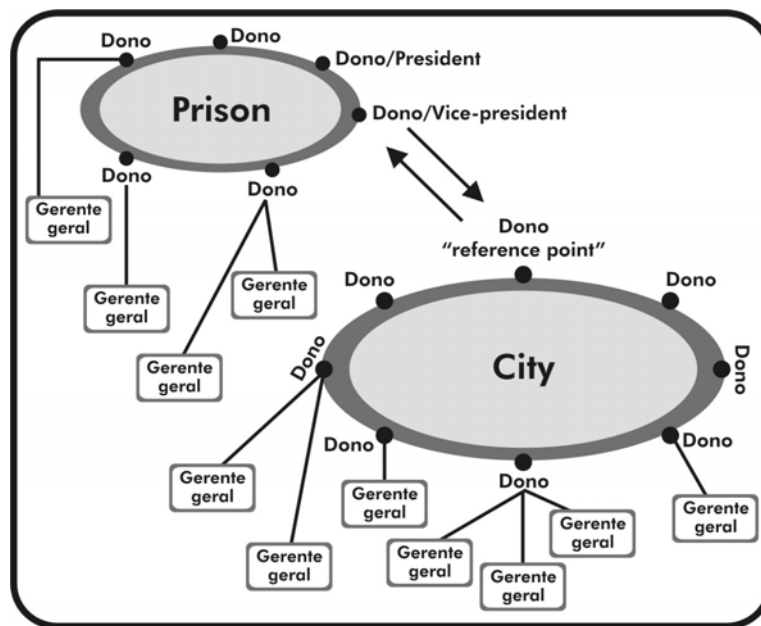
Neither the *Comando Vermelho* nor the other drug factions have a solitary leader. One *dono* will not become subordinate to another upon entry to a faction. However, as within any group of individuals one or two within the group may become more powerful or respected than others due to personal leadership skills, the amount of territorial control exerted, the amount of money made, or the number of *soldados* commanded.

*...it depends much more on the personal ability of each individual in order to be better heard etc., but that doesn't make any one person more important than another within the network.*

*Informant 1*

Although there is no single leader, factions do have important figures that can be seen as respected 'points of reference' for other *donos* within the faction. As is the case with the *Comando Vermelho*'s origin, this is structured both in and out of the prison system. This structure is displayed in **Diagram 2b** below.

DIAGRAM 2B





The *Comando Vermelho*'s most powerful *donos* are currently in prison from where they continue to control their territories via cellular phones and visiting colleagues. As the majority of these *donos* are in the same maximum security prison, *Bangu 1* in the west of Rio de Janeiro city, they have been able to centralise faction control via a prison-based structure that is headed by a 'president' and a 'vice president'. The 'president' and 'vice president' do not control or receive money from the territories of other *donos*. Instead, they rule prison life, settle internal faction disputes that occur outside of prison and make the final decision on any matters of mutual interest for faction affiliates.

*... he [the 'president'] determines a series of things... he decides your life within prison... but doesn't decide anything regarding your morro*

*Informant 1*

*... it's the prison that controls Rio de Janeiro*

*Ex-drug trafficker active in the 1990s*

*Crime's real power is not in the street, it's in prison.*

*Informant 1*

*It's always been like that. In prison there's a president and he makes the final judgement... everything is worked out within the prison... he decides and then tells people out here... and everything that goes on out here the people in prison know about.*

*Ex-drug trafficker active in the 1990s*

One ex-trafficker referred to the internal structure of the *Comando Vermelho* as being a cross between a workers co-operative and a state power:

*it's like the state, the state doesn't have an owner but a president or a vice president...it's like a network with a secretary, he organises, like a workers co-operative*

*Ex-drug trafficker active in the 1990s*

Interviewed members of the *Comando Vermelho* claimed that their faction has made efforts to become more organised in recent years by nominating one *dono* not in prison to act as an external 'co-ordinator' or 'reference point'. Due to the nature of faction structure this does not mean that such a figure can be seen as a leader, as one drug trafficker explained: "*It is*

not a question of leading, he orients". This is also a way of having a direct link between faction interests in and outside of prison.

*There was a meeting four months ago, where all of the donos from all of the Comando Vermelho's areas in Rio de Janeiro were called together, where [the reference point] passed a judgement and said that friends that are friends must respect one another...must stop fighting with one another because we are from the same faction. Everyone was there...today things are organised. Today anything that goes down in the street, any little fight there is, any war, goes through him to evaluate what is right and what is wrong, so that he can then pass it on to the people inside [prison].*

*Ex-drug trafficker active in the 1990s*

A police detective has claimed that drug factions are entering a third phase of organisation, in which each faction has only one head figure.<sup>20</sup> Just like a CEO in the business world, these faction heads decide who will manage each sales point. Such a high level of organisational structure, however, has yet to be substantiated.

### Level 3: Favela

Drug faction domination of the *favela* is apparent from both the graffiti<sup>21</sup> that marks their territory and the armed *quadrilhas* that patrol within the communities. Faction organisation at the *favela* level is based on the need to sell drugs to clients, defend the *boca de fumo* from rival faction invasion or a police raid, and invade other faction's territories. The loose associations found at the level of *dono* are replaced by a strictly hierarchical and militarised structure with clearly defined rankings that is repeated almost identically in all *favelas* regardless of their faction affiliation or neutral status.

The following is a brief summary of ranked positions within such highly organised *favela*-based faction units. As the amount of drugs sold in each *favela* is different, and most salaries are based on commission, it is not pos-

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<sup>20</sup> Ricardo Hallack (Delegacia de Repressão às Ações do Crime Organizada) op. cit. O Globo, 16/06/02, Caderno Especial p. 2, "Administração igual à de um supermercado"

<sup>21</sup> 'CV', 'TC' or 'ADA' are painted on walls as acronyms (for the *Comando Vermelho*, *Terceiro Comando* and *Amigos dos Amigos* respectively) that mark out faction territory.

sible to stipulate how much money a worker in each position will earn. However, estimates of typical salaries earned by some of the lower ranking positions based on interviews and other sources have been included, as these tend not to vary much. The kinds of salaries earned by even the youngest and lowest ranking *favela*-based faction workers (*olheiro*), are up to five times as much as Brazil's minimum wage (R\$220 / U\$88 per month). Those positions usually open to children and adolescents are marked with an asterisk and are examined in detail in Part 3.

**Dono:** Autonomous head position, may control a number of *favelas*, unlikely to live in the *favela* itself but will visit on a regular basis. Responsible for buying cocaine and marijuana to be sold in the *favela* via contact with a *matuto*, supplying weapons to community-based employees, maintaining relations with other *donos* from other faction aligned communities, paying police bribes etc. Has final word on any decision within territories ruled. May also be referred to as: *o cara, o patrão, o homem, o cabeça, o amigo*.<sup>22</sup>

**Gerente geral:** The dono's 'general manager' within the *favela* that is responsible for overseeing all daily operations for drug sales, *favela* defence and the invasion of other areas. Reports directly to the *dono*. Earns on a commission basis<sup>23</sup> based on the quantity of drugs sold within the community. May also be referred to as: *gerente de frente, braço direito, segunda voz*.

**Sub-gerentes:** There are three main *sub-gerentes* or 'under-managers' that each report directly to the general manager. The *gerente de preto* is responsible for all marijuana sales in the community, the *gerente de branco* is responsible for all cocaine sales and the *gerente de soldados* is responsible for all *soldados* and overseeing *favela* security. The *gerente de preto* earns on a commission basis, based on the quantity of marijuana sold within the community. The *gerente de branco* earns on a commission basis, based on the

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<sup>22</sup> Although '*o amigo*' refers to the *dono*, '*um amigo*' may refer to any faction affiliated drug trafficker, and '*os amigos*' is used as a collective noun to describe traffickers as a group.

<sup>23</sup> Traffickers at any ranked level that work on a commission basis do not first purchase drugs and then sell on to the next level or to a client. Instead, drugs are passed down the hierarchy freely, leaving faction members to pay back what they have 'borrowed'. This creates problems when 'borrowed' drugs are not paid for and disciplinary action for failure to pay is brutal, usually culminating in the execution of the offender.

quantity of cocaine sold within the community. The *gerente de soldados* earns a weekly / monthly wage paid directly by the *gerente geral* or *dono*. 'Sub-managers' may also be referred to as: *gerente de maconha*, *gerente de cocaína*, *gerente de segurança* respectively. (Researchers encountered some *sub-gerentes* who were under eighteen years old, however, the vast majority of *sub-gerentes* are over eighteen years of age).

***Gerente de boca\****: Each *boca de fumo* has a manager responsible for sales of both marijuana and cocaine from that sales point. A *favela* may have up to twenty or more *bocas*. Earns on a commission basis, based on the quantity of drugs sold within his *boca*.

***Soldado\****: Armed security. Paid a weekly / monthly salary to defend the *boca de fumo* and surrounding community from invasion. Constant and openly armed presence within the community. Also used for invading other territories or manning the *bonde* that leaves the *favela* to transport drugs or weapons around the city. Some of the larger communities dominated by drug factions may have up to 500 *soldados*. Will earn anywhere between R\$1500-R\$2500 (U\$600-U\$1000) per month.

***Fiel\****: Personal armed security guard and trusted obedient to the *gerente geral* or a *sub-gerente*. Paid a monthly / weekly salary. May also be referred to as: *fiel do dono*, *gerente de confiança*.

***Vapor\****: Sells drugs directly to clients at the *boca de fumo* and answers directly to the *gerente de boca*. *Vapores* earn on a commission basis based on the quantity of drugs they sell to clients at the *boca*. Will earn anywhere between R\$1500-R\$3000 (U\$600-U\$1200) per month.

***Olheiros\****: Look-outs. Placed at strategic positions around the *favela* to warn of a police raid or rival faction invasion. May use radios or fireworks to warn colleagues of any unwanted entry into the *favela*. When using fireworks, they are known as *fogueteiros*. Usually chosen and paid a weekly / monthly salary by the *gerente geral*. May also be referred to as: *contenção*. Usually earns around R\$50 (U\$20) per day.

***Endolador\****: Drugs packager for both marijuana and cocaine. Packages drugs into small packages to be sold for R\$3, R\$5 and R\$10.<sup>24</sup> Paid a

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<sup>24</sup> Equivalent to around U\$1.20 / U\$1.90 / U\$4 respectively. Estimations of money earned by drug traffickers was based on figures given during interviews. However, researchers felt that earnings were often exaggerated by faction workers in order to legitimise the risks they encounter in their work and to project greater notions of stature.

weekly / monthly salary. Employed and overseen directly by the *gerente geral*, *gerente de preto* or *gerente de branco*.

The hierarchical structure of faction employment at the *favela* level can be seen in **Diagram 2c** below.

DIAGRAM 2C

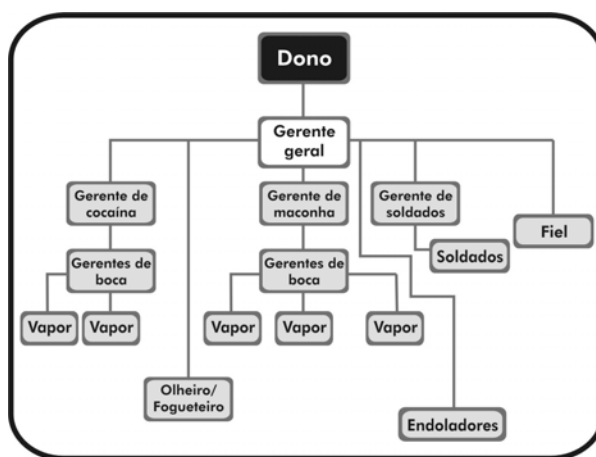


Diagram 2c is based on the work of Misse (1998) and was confirmed during this study by active traffickers during interviews. The position of *fiel* was also added here, having been identified during this interview process.

Organisational structures at the local level may differ slightly depending on the: amount of drug sales; the size of a particular community; the leadership style of the *dono* and the community's geographical location in relation to neighbouring *favelas* controlled by other factions.

These factors will influence the likelihood of invasion by another faction or a police raid and therefore define the level of internal organisation. The higher the threat of invasion, the more structured a local trafficking unit will be and subsequently all of the above positions will be filled. However, in communities where there is less police interest or less risk of rival faction invasion, positions may be divided or non-existent. For example, only in large *favela* communities where factions employ high numbers of *soldados* will there be a paid post for a *gerente de soldados*; generally in the communities where drug sales are low and consequently the number of

employees smaller, security may be organised by the *gerente geral* (see **Diagram 2d**). In communities where drug sales are lowest and there is less risk of take-over bids from rival factions, employees may also double up their working functions making all employees responsible for the armed security of the *favela* under the direct command of the *gerente geral* (see **Diagram 2e**).

DIAGRAM 2D

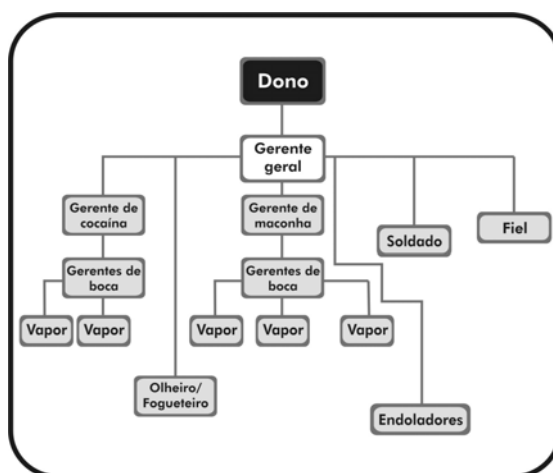
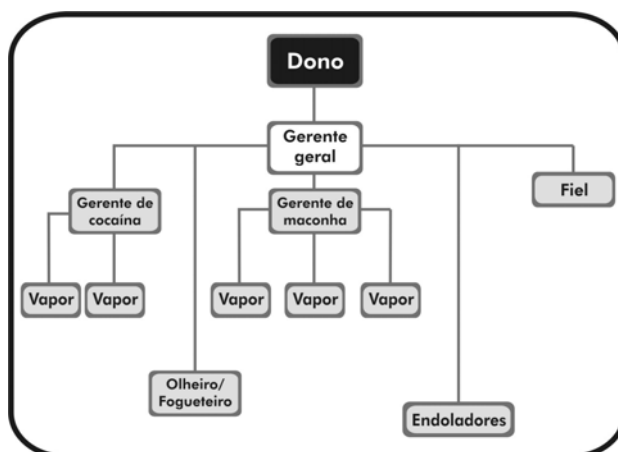


DIAGRAM 2E



Whether the loose affiliations between *donos* affiliated to the same faction and the subsequent hierarchical structure found within the *favela* can be described as an organisation, depends on how the term ‘organisation’ is defined. However, with the exception of different faction slogans,<sup>25</sup> there exist no ideological, religious, political or ethnic differences between Rio de Janeiro’s drug factions that distinguish them from one another. Factions have economic advancement as their primary objective and all employ similar structures to achieve it.

The total number of workers actively employed in Rio de Janeiro’s retail drug trade depends on the source of information. Press reports have claimed that Rio’s drug factions count on 3,000 armed members (with an arsenal that includes 1500 rifles and machine guns),<sup>26</sup> while other estimates have claimed that 7,000<sup>27</sup> minors alone are currently working in the drug trade. Cesar Maia, Rio de Janeiro’s City Mayor, estimated that there are 10,000 armed drug traffickers in the city.<sup>28</sup> Security experts tend to agree that drug faction employees account for around 1% of Rio’s *favela* population, also equivalent to a total of 10,000 members.

Around 70 drug traffickers were encountered in three different *favelas* during fieldwork conducted for this study. Researchers estimated that between 50%-60% of these traffickers were under eighteen years of age. If this can be taken as reflective of faction personnel in the city’s other *favela* communities, it is fair to say that between 5,000 – 6,000 minors are currently working in Rio’s drug factions. As discussed in Part 3, the vast majority of these minors are armed.

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<sup>25</sup> The *Comando Vermelho* slogan is ‘Peace, Justice and Liberty’ (Paz, Justiça e Liberdade) and the *Terceiro Comando*’s is ‘Live and Let Live’ (‘Viver e Deixar Viver’).

<sup>26</sup> O Globo, 16/06/02, Caderno Especial, p.6-7 “O confronto entre o poder do estado e o poder do crime”.

<sup>27</sup> O Globo, 22/04/02, p.8, “Tráfico já reúne 7 mil menores”.

<sup>28</sup> In an interview with journalists, Extra, 22/05/02.

## CONTROL OF THE COMMUNITY: FORCED RECIPROCITY AND A CONCURRENT PRESENCE

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Since their establishment in the 1980s, drug factions have become a recognised socio-political force at the *favela* level. Their power has been accepted by community populations due to fear and a lack of alternatives. Faction dominance has been based on historically existent structures of social control and protection that were developed into a system of 'forced reciprocity' maintained by a double tactic employed by drug traffickers: supportive coercion and repressive violence.

### ***Donos* and pre-existing models of social control**

Although there has been an increase in the use of violence as a tool to maintain social order, drug faction domination of *favela* communities has been built upon pre-existing local structures of control and protection that were utilised by the *favela donos* of the 1950s and 1960s.

*Favelas* have traditionally lacked legitimate state representatives to uphold law and order. Due partly to their huge and unchecked expansion since the 1960s following the urban migration of the rural masses, Rio de Janeiro's *favelas* have existed almost 'apart' from the city.

*Favelas* are enclaves of poverty that have little infrastructure, few public services and almost no political representation. This traditional absence of the state led to the emergence of important local figures known as *donos*, that provided services in times of hardship (e.g. food or medicine for the very poor or elderly) and protected the community from crime by enforcing social order. As social order in Brazil has typically been maintained through violence or the threat of violence, even by the government (Leeds 1998), *donos* tended to be strong figures with a reputation for extra-judicial killings. During the 1950s and 1960s *bicheiros*,<sup>29</sup> vigilantes, armed robbers or *donos da boca* tended to fill this position (Misse 1999). Criminals were further associated with the role of *donos* due to paternalistic notions of the

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<sup>29</sup> Jogo do Bicho is a street based gambling racket similar to the numbers game that dominated urban slums in America during the first half of the twentieth century. Those that run Jogo do Bicho are known as "bicheiros".



‘social bandit’,<sup>30</sup> or *malandro*, who — in exchange for protection from the police — would not steal from within the community, protected community members from criminals from other areas and would even freely distribute stolen goods to needy community members.<sup>31</sup> Such criminals would guarantee social order and carry out judgement in times of internal community dispute (Misse 1999). There was also a clear distinction between the ‘worker’ and the ‘criminal’, the former being worthy of respect and protection due to a perceived moral superiority to the violent but ‘necessary’ criminal that upheld social order. As one elderly community member commented during an interview, people that maintain order in the *favela* are a “necessary evil”.

The normality and acceptance of such reciprocal relationships have been further strengthened by a longstanding symbiotic relationship based on clientelism between *favela* communities and the government. Public benefits or social services that should be provided uniformly are bestowed upon certain *favela* communities by politicians in exchange for votes in a system maintained by ‘favours’ (Leeds 1998:253). The existence of an all powerful yet paternalistic figure, known as boss (*patrão*), also dates back to plantation slavery, Brazil having been the last country to abolish the legal practice of slavery in 1888. Freed slaves from the turn of the twentieth century were some of the original settlers that created the first *favela* communities.

### **Faction domination: ‘Forced Reciprocity’ and affecting legitimate social institutions**

Following the transformation of Rio de Janeiro’s drug trade at the beginning of the 1980s, the position of *dono* has become the exclusive domain of traffickers within *favelas* dominated by drug factions. *Donos do tráfico* have preserved, utilised and developed this position, creating a control system based on violence or the threat of violence whereby traffickers receive community protection in exchange for offering what the state has traditionally failed to provide: the maintenance of social order, support,

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<sup>30</sup> ‘*bandido social*’ Misse (1999:342) / ‘*bandido formado*’ (Zaluar 1993).

<sup>31</sup> Mineirinho, a notorious armed robber in the 1960s, reputedly stole lorry loads of milk and meat to distribute within his community (Amorim 1995:51)

economic stimulation and provision of leisure activities. Through a constantly armed presence within the community and the increased use of violence as a means of control, drug factions have become a “political force” or an “incipient form of government” within the *favelas* they dominate (Zalubar 1983:32).

A power legitimised by community acceptance or neutrality, factions enforce social order in the community through a series of behavioural codes that serve both their needs and the needs of the community for ‘law’ and ‘order’. Behavioural codes are upheld via a double tactic of support and punitive violence for non-compliance.<sup>32</sup>

Although factions offer services that the government fails to provide, their control is of a tyrannical<sup>33</sup> nature and their relationship with the community may be viewed as ‘forced reciprocity’. However, this reciprocal exchange is as much ‘forced’ by the government’s failure to provide a serious and non-violent alternative to the provision of social order and public services, as by the ever present guns of the drug traffickers. As a result “...in the *favelas* at least, democracy has been substituted by the creation of “*narcocracy*”, being economic and political structures that result from the general involvement, be it direct or indirect, in the trafficking of drugs” (Leeds 1998:246). The term “*narco-dictatorship*” may be more representative of this situation, however, as drug factions empower themselves and are not expressive of any democratic process within the community.

As the following diagram (2f) demonstrates, drug factions enforce their power through ‘forced reciprocity’ whereby they make a series of offers and demands that although not written, are understood by both community members and traffickers alike.

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<sup>32</sup> “vencer na moral [...] vencer na força”, Zaluabar, 1983, p. 25.

<sup>33</sup> Apart from the use of force, the tyrannical nature of faction control is clearly demonstrated by the fact that although behavioural rules in the community (*the laws of drug trafficking / as leis do tráfico*) dictated by drug factions are very similar in all *favelas*, their exact implementation depends on the personality or leadership style of the local *dono* or *gerente geral* (Leeds 1998:242) and any decision regarding punishment for non-compliance will depend upon his personal criteria.

DIAGRAM 2F

“Forced Reciprocity”	
Drug traffickers offer	Drug traffickers demand
<ul style="list-style-type: none"> <li>· Maintenance of social order, protection from crime and conflict resolution</li> <li>· Economic stimulation of the community</li> <li>· Investment in leisure activities</li> </ul>	<ul style="list-style-type: none"> <li>· Protection from the police via anonymity within the community / <i>code of silence</i></li> <li>· A defensible base for local drug sales</li> <li>· Following of behavioural codes “the laws of drug trafficking” – “<i>as leis do tráfico</i>”</li> </ul>
Maintenance through coercion and support	Enforcement through a system of punitive violence

This model is upheld through a double tactic of **mutual support** and the tyrannical enforcement by drug traffickers of a **punitive system of violence for non-collaboration**.

Faction domination of the community has greatly affected local institutions, “...all social and political actors that exist in a locality dominated by a drug trafficking *quadrilha* are under their influence, [even if] that doesn’t necessarily mean their control” (Souza 2000:76). Instead, local actors become ‘contaminated’ and have to learn methods of dialogue with traffickers since “...in the presence of [these new] social actors that exert territorial domination and privatise the use of force, it is necessary to learn how to reorganise” (Souza 2000:76). Legitimate social actors that don’t ‘re-organise’ or know in which situations to not disagree with traffickers are killed or expelled from the community.

*In 1990, the traffickers invaded the headquarters of the Residents Association [in the Santa Marta favela] to block the installation of a community telephone, probably concerned that it would make the community more accessible to the police. The association’s secretary protested against the traffickers and was killed two months afterwards, accused of being a police informant. At her funeral, the president of the association accused the traffickers of having killed the secretary. Three months later the president and his wife were also killed (Leeds 1998:252).*

The Commission Against Violence and Impunity has claimed that between 1992 and 2001, 100 community leaders were assassinated by local

drug traffickers and a further 100 were forcibly expelled from their *favelas*.<sup>34</sup> As the result of repressive and violent police ‘invasion’ of *favela* communities by the Military Police and faction community control, “...*favela* residents are caught between two armed forces: the police and groups of traffickers” (Leeds 1998: 252).

## Mutual support

### 1) DRUG TRAFFICKERS NEED THE COMMUNITY

*Favela* communities in Rio de Janeiro are often built on hillsides, made up of a labyrinth of alleyways, and usually have limited points of access and exit. Due to this physical structure *favelas* are ideal as defensible bases for local drug sales. Not only do *favelas* offer spatial protection from the police and rival factions but, if sufficiently supportive, their communities also offer drug traffickers the opportunity to hide during police invasions. Furthermore, by knowing everyone and everything that happens within the community, drug traffickers are protected from infiltration and this further insulates them from the police and other drug factions.

Respecting community residents and treating them well is one way of guaranteeing the community’s protection. If the community’s needs are respected then its members are more likely to guard traffickers from the police by adhering to a ‘code of silence’, or providing the necessary information to avoid internal treachery or rival faction invasion.

*I: And do the people from the movement respect people from the community?*

*T: They respect them, of course! Each respects the other. Just because someone is a criminal it doesn't mean they won't respect a resident. They respect us and we have to respect them back. Because we need them too, so we can run and hide in their houses, so if we don't support the residents, they won't support us...there has to be a union, everyone of us must treat the residents well. One must be in union with another...*

*Fiel do gerente geral, 16 years old*

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<sup>34</sup> Commission Against Violence and Impunity / ALERJ (Comissão Contra a Violência e a Impunidade / ALERJ) as published in O Globo, 20/07/01.

The respect of drug traffickers toward working members of the community was verified by interviewed community residents. As they explained: “*The traffickers, they respect the workers*”.

Even child drug traffickers clearly understood that the community had to be well treated in order that the symbiotic relationship necessary for peaceful co-existence could be developed.

*...[the community] is only fun, only fun, do you understand, there are no beatings. The Amigo treats everyone well. Most people like the Amigo, he's a guy that likes the community.*

*Olheiro, 14 years old*

Traffickers presented this ‘mutual respect’ as a necessary union. A seventeen year old *gerente de segurança* responsible for all faction security in a *favela* of over twenty thousand residents explained how important the community is for faction interests and how it is through this union between community residents and drug traffickers that the local faction acquires its strength (“*strength in unity*” / “*A união que faz a força*”).

## 2) THE COMMUNITY DEPENDS ON THE TRAFFICKERS

The only substantive presence of the state in *favela* communities in 2002 comes from the limited provision of social programmes (schools, health clinics etc.), the very beginnings of an urban infrastructure,<sup>35</sup> and a repressive and violent public security policy based on police ‘invasion’ and ‘occupation’ as opposed to a continually present community police force.<sup>36</sup> As noted above, due to clientelism and the effective institution of a “*narcocracy*” (or a “*narco-dictatorship*”), *favela* populations have little political voice or representation. Community residents are further distanced from notions of state protection due to an inefficient and corrupt judicial system that fails to adequately serve their needs. In consequence, the state is viewed as prac-

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<sup>35</sup> Seen in the provision of state programmes such as *Favela Bairro* that institute roads, housing, sanitation and other infrastructure within selected *favelas*.

<sup>36</sup> With the exception of the GPAE (Grupo de Policing de Areas Especiais / Special Area Police Group) programme that offers a community policing presence in the Cantagalo *favela*. This programme is co-ordinated by state government in association with the non governmental organisation Viva Rio.

tically ineffective within the community by *favela* residents as it fails to fulfil its part of the social contract, i.e. “abide by the law and pay your taxes and the state will support your basic needs and protect you from harm”. The government’s failure to fulfil the social contract enables drug faction dominance and tyrannical ‘forced reciprocity’ to appear to the community as the best practical alternative for the maintenance of social order and support, “...bad with them [drug factions], worse without them. An unhappy marriage but a necessary one” (Zaluar 1983:11).<sup>37</sup>

Not only has the state failed to honour the social contract but the behaviour of the Military Police, its primary representative for the maintenance of public order, has such a history of violence, extra-judicial killings and corruption within the community that they are ‘detested’ (Leeds 1998:243). As *favela* adolescents not involved in drug trafficking explained during group interview:

*I wish that the police didn't exist because they don't defend anyone...*

*The police are all corrupt and they abuse community residents.*

*They [the police] aren't respected in the favela.*

As well as respecting community residents, on a one-to-one level at least, through the provision of very limited support and basic necessities, traffickers demonstrate a more practical interest in the well-being of the community than the police. Interviewed faction employees as young as thirteen explained that they would help community residents in times of need. As child traffickers imprisoned in a youth detention facility explained:

*I treated everyone [in the community] well. Sometimes a resident would ask me to buy rice or a gas cylinder [used for cooking]. So what did I do? I'd go down and steal whatever they needed, put it all in a van, make up food parcels and give them out. Sometimes I'd even pay from my own pocket and buy [what they needed].*

*Gerente de boca, 16 years old*

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<sup>37</sup> The state’s failure to uphold its side of the social contract within *favelas* is further demonstrated by the fact that in communities where drug factions are not an effective force, the maintenance of social order and protection from criminal activity is carried out by armed vigilante groups or death squads, ironically often made up of off duty or retired policemen from the area (*policia mineira*).

*I: How does drug trafficking help the community?*

*T: Ah, like this, with a stolen vehicle full of food, we'd give it to the community, on a party day [such as a religious festival or important bank holiday], we give food to the community. All types of food, and also stereos, refrigerators...*

*Fogueteiro, 13 years old*

Many interviewed *favela* residents showed more trust in the informal system of faction justice, even though it is partly upheld by a system of punitive violence, than they did in the state provision of public security.

*...are you going to trust in a policeman that you've never seen before that may or may not be dishonest, or are you going to trust in your neighbour, that although he works in the boca, grew up together with you? I'll trust in my neighbour..*

*Favela resident*

Consequently, for all practical purposes, factions have become a legitimised socio-political power within the *favelas* they dominate. As one *favela* adolescent not involved in drug trafficking claimed during interview: “*The power of drug trafficking is greater than the government's power*”. As the following quotes from community residents in ten *favela* communities dominated by drug faction rule demonstrate, this lack of choice has created a community dependency on the support of drug traffickers and their ability to maintain order.

*If you're at home without food, or something happened to you out there [outside of the favela], if you need money and don't have any, the trafficker will give you money from his own pocket because he knows you're a good citizen and he'll say, "if you need [anything] from me, you will not go hungry. Take it, one day if you can, pay me back.*

*They [drug traffickers] help. If you need medicine, if you need food, they'll help you. If you're going to have a party...they sponsor the parties in the community.*

*The rules exist and in a way they help to organise the community.*

*They only get involved if [someone] steals from us, they get involved to defend the residents.*

*In the favela robbery doesn't exist, there are no fights. There are certain things that even help in the favela's organisation.*

Many of the younger generation, that have known little else but faction domination of the community, trust in this system of social order.

Interviews with adolescents from *favelas* showed that they “trust in drug traffickers” (“*a gente confia no tráfico*”). However, interviewed community members were aware of the costs to personal freedom and the underlying danger in adhering to this system. As some explained:

*It's a protection for which there is a high price.*

*It's a false security. Nobody really feels safe.*

### **Economic stimulation of the community and investment in leisure activities enhances faction dominance**

Drug traffickers benefit poor *favela* communities by providing work for thousands of otherwise unemployed people and a huge cash injection into the community (Souza 2000:75). Souza has identified the following five groups as the primary economic benefactors of drug dealing within the community.

- 1) Faction employees (*dono* / *gerente geral* / *sub-gerentes* / *soldados* / *vapores* / *olheiros* / *endoladores* etc.);
- 2) Community members that receive ‘presents’ or basic necessities in times of particular hardship;
- 3) Families that depend on the income of faction employees;
- 4) Workers and sales people that sell almost exclusively to drug faction employees (providing food, clothing etc.);
- 5) Families that depend on the workers in group 4.

The economic stimulation of *favela* communities through drug trafficking has become a direct yet limited channel for the redistribution of wealth between rich and poor and serves to strengthen the position of faction domination. However, the vast majority of the profit (around 60-70%) leaves the community and goes to the *dono*, who usually lives outside the *favela*.

Faction dominance is furthered strengthened by their investment in community leisure activities, primarily musical events (such as *baile funkies*) and community parties. With the exception of the very recent project *Connexões Urbanas*<sup>38</sup> that brings famous Brazilian bands to play in free shows

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<sup>38</sup> *Connexões Urbanas* is co-ordinated by AfroReggae and funded by the municipal government of Rio de Janeiro.



within Rio's *favelas*, drug factions are the only groups that fund such cultural events for the poor within the community. *Baile Funkies* also double up as a way of stimulating higher drug sales as young people come from outside the *favela* to enjoy the free party and to buy drugs.

### **Links between the community and traffickers strengthen mutual support**

In addition to the need for protection from the community, traffickers have real links to the community and therefore some genuine reasons for upholding their part of the social contract.

Although notions of 'mutual support' may be seen as a marketing ploy to generate community allegiance, and subsequent control, particularly the younger members of drug trafficking factions work within the *favela* communities where they have grown up. Children and adolescents thus have a strong bond with their communities. This is strengthened by the fact that the territorial divisions of drug factions are based on the pre-existing geographical limits of *favela* communities within the city. When children that worked for factions were asked why they liked their community, typical responses would be:

*Ah, because I know everyone here, my friends, I have a good relationship with everyone here...with the elder members of the community [people not related to drug trafficking]. I like it here.*

*People from the community are cool. They've known me ever since I was small. Everyone likes me here...*

Many community residents also have close links to traffickers due to growing up alongside them or having family members involved in drug trafficking.

*I grew up in a family where my uncle had already died because he became involved in this [drug trafficking]. So then my cousin got involved, my cousin and my brother. So in the favela you have family...I grew up here, my neighbours also. They got involved...so I won't distance myself from them.*

Favela resident

Interviewed faction members demonstrated a profound understanding that although drug traffickers and "non-involved" residents were of the

same community and represented the same community, there existed a fundamental difference between them that marked the workings of their reciprocal arrangement. Residents are expected to be loyal to the local faction but not to get involved (*“tem que fechar mas não pode se envolver”*). As one trafficker explained:

*...the community likes us, but doesn't involve itself with us...the community is the community. The community can't know about everything we do. Our business...the community can't know.*

As a continuation of the 'paternal criminal' figure developed during the 1950s and 1960s, this simplistic logic continues to profess that a criminal is a criminal and a resident is a resident (*“bandido é bandido e morador é morador”*). In order to maintain the status of a resident worthy of faction 'protection', residents must not get involved in drug trafficking or crime.

Although a useful rhetoric to gain community support, interviewed traffickers did show an underlying belief that it was their responsibility to provide for the poorer and more vulnerable members of the community as the government had failed to do so. Again notions of the 'paternalistic criminal' and definitions of "the people" and drug traffickers as separate but mutually representative groups were suggested:

*Here nobody steals from anyone else, you can leave your stuff out and it's left alone. Here we're all about strengthening [the community]. If a resident needs a gas cylinder, we get it for them, if another resident needs a place to live because the rain has destroyed their house, we support them. Just like when there was the flood, it wasn't the city government that helped. It wasn't Fernando Henrique Cardoso<sup>39</sup> that helped. The "people" helped themselves. Here we have our own way of living [because] when we most need help the world turns its back... If we don't help who will? The government? Those guys only come during an election year, shout a lot, throw t-shirts around, and then afterwards they turn their backs on the favela...*

*Gerente de soldados, 17 years old*

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<sup>39</sup> Brazilian president.

## **Rules and Punishments: a punitive system of violence for non-collaboration**

It must be remembered, however, that the system of mutual support presented above continues because *favela* populations have little option. Given a realistic alternative by the government, community members are unlikely to accept drug traffickers as a legitimate political force or as being representative of the *favela*. This is a reality that has been forced upon *favela* communities, hence the need for 'forced reciprocity' that simultaneously coerces and punishes via extra-judicial and violent means. The reality for *favela* dwellers is a feeling of powerlessness.

*Not one favela resident is the owner of their house, because if the boss wants him out, he's out. He'll leave everything behind, not even take anything, only his life.*

Favela resident

## **The laws of drug trafficking (*as leis do tráfico*)**

*The community has its own laws.*

Favela resident

However paternalistic towards the community drug traffickers may present themselves as being, and for all their talk of mutual support and respect, the dominant position of drug factions within the community is ultimately maintained and enforced by behavioural codes. Interviewed drug traffickers and community residents explained that if community residents broke established rules then traffickers would be responsible for passing sentence and handing down suitable punishments.

*In truth, they [traffickers] judge, convict and pass sentence.*

Favela resident

Although this system of rules and punishments effectively upholds social order in the absence of an effective or even present police force, ironically the real purpose of such a system is to keep the police out of the *favela* and thus away from the traffickers. As one female *favela* resident explained:

*You can't go to the police and make a statement if you've been raped or a child has been raped [...] or your husband beats you up, something like that, you can't, because this brings the police into the community.*

The exact rules in each community may differ slightly depending on a number of factors: the level of faction domination; the local structure of the *quadrilha*; the personality and leadership style of the *dono*. In some *favelas*, factions are more stringent in controlling the behaviour of residents. Increased control of the local population is usually a result of the high profitability of the drug market in the area, and thus the perceived threat of rival faction invasion or of attracting police attention. In some *favelas* traffickers may only get involved in residents' affairs if asked to do so by the residents themselves (*"só se metem se alguém chamar"*). Such cases tend to be in areas that have low profitability and therefore less structured *quadrilhas*. In the communities where drug trafficking is more active, so is faction control. Rules are not written, however, they are learnt by the community through daily co-existence with traffickers.

*No one comes up to you and says: "You can't steal, you can't do this or that". You see, you become accustomed to it. You enter the system...from day-to-day you see and assimilate.*

Favela resident

The following behavioural rules enforced by drug factions in the *favela* were cited in interviews carried out during this study with over one hundred *favela* residents from ten communities. Rules are very similar in all *favelas* dominated by drug factions. However, not all of the rules listed below are found in every locality.

- No theft in the community
- No physical fighting between residents
- No rape of women
- No sexual abuse of children
- No wife beating
- No speaking to the police
- No owning a gun without letting local traffickers know

Complying to such specifically stated rules also has a secondary effect on more general behaviour within the community for fear of attracting the attention of drug traffickers.

*...if you cause a disturbance, for example, if you're playing ping-pong in the street and a resident complains you have to stop. If no one complains you can continue playing.*

Favela child

Rules do not include behaviour outside of the community. Although as discussed in chapter 6.3, petty criminal activity by *favela* residents outside of the community, but within the vicinity, can only be carried out in areas designated by traffickers, and more serious crimes may need the permission of traffickers as such an act could result in a police raid.

## Punishments

*The first time it's a warning. The second time you'll suffer the consequences.*

Favela resident

Punishments are generally carried out by lower-ranking faction employees and range from expulsion from the community to forcibly shaving women's heads, being shot in the hands or feet, beatings and death. Like the rules, the imposition of punishments depends on the discretion of the local *dono / gerente geral* and also on the perceived seriousness of the infraction.

*Depends on their mood. If they think you should be killed, you're killed.*

Favela resident

However, those that carry out more serious infractions such as rape, sexual abuse of children or informing on traffickers to the police, will almost always be punished with execution. The following list of punishments was compiled after interviews with residents from ten favela communities.

- Beating

*If a woman says, "my husband beat me", he [the trafficker] will go there and beat him.*

Favela resident

*I suffered a punishment once, because I did something wrong...I broke a street light with a sling-shot. A resident complained...they called me in and they punished me...my hands were hit ten times with a wooden stick.*

Favela resident

- Shaving women's heads

*If two women fight their heads are shaved.*

Favela resident

- Being shot in the hand or in the feet

*He was punished for having robbed the boca. He was shot in the hand.*

Favela resident

*They shoot them in the hand, shoot them in the feet.*

Favela resident

- Expulsion from the community

*...and that's when they don't send a family running. They've already sent away a number of families from here.*

Favela resident

- Execution

*when there's a rape...the rapist dies, that's it...*

Favela resident

For the more serious offences, torture may be carried out before execution to serve as a further warning to would-be rule-breakers. Rapists are often dismembered whilst still alive, and recently the practice of encircling victims with rubber tyres and burning them alive after a severe beating has been used for serious rule-breakers.

Within these defined behavioural codes, interviewed faction employees saw themselves as in the right in carrying out any manner of punishment, including execution. When talking about policing the community in this manner, interviewees were explicitly clear as to who held power and what this meant in terms of upholding social order. As one seventeen year-old *vapor* explained:

*T: ...we are the community, if there's a pervert [in the community] then we kill him because he messed up...if there is a theft in the community we resolve it. If*

*there's a family fight we resolve it. Everything here is dealt with by us. The problems of the community are ours.*

*I: So there are rules about how people must behave in the community?*

*T: There are rules...you cannot steal in the favela or rape anyone, can't fight, there are a number of things. We sort out everything.*

*I: If a person from the community breaks the rules, what happens to that person?*

*T: Depends on what they do. If you rape a child, it's death. If you steal in the favela it's a punishment or expulsion from the favela.*

*I: Do these things happen here?*

*T: Yes, and they continue to happen.*

*I: What do you think about that?*

*T: I think that these guys are the biggest idiots, I don't understand the mind of someone that rapes a child, or steals a car from within the favela, burgles someone's house or steals their stereo and runs off; I don't understand what passes through their heads.*

*I: So if you had to punish someone for this type of action, would you do it?*

*T: Yes, I'd punish them. You have to punish them. It's the rule of the Comando Vermelho, if you break the rules we'll get you.*

Rules and punishments will not always have the pre-text of upholding social order or of maintaining "mutual support". Rules might relate explicitly to the enforcement of simple territorial domination. For example, in some *Terceiro Comando* territories, residents are not allowed to wear the colour red (*vermelho*) which is the colour of the *Comando Vermelho*. Failure to follow such rules can lead to punitive executions.

This was demonstrated after the construction of the "*piscinão*", a giant natural swimming pool on the previously polluted Ramos beach in north Rio de Janeiro that is surrounded by *Terceiro Comando* controlled *favelas*. Due to large numbers of visitors to the pool over the weekend it has become a highly profitable drug sales point for the *Terceiro Comando*. By banning residents from their *favelas* from using the site, the *Comando Vermelho* hoped to limit the number of potential buyers and thus affect their rival's profits. Two adolescents ignored the ban, went to swim at the *piscinão* and were killed as a result. The following two extracts are taken from the Brazilian press.

*Adolescent is killed by CV traffickers  
on the way out of the piscinão*

*Extra, 9<sup>th</sup> January, 2002*

*Júlio César Ferreira, 15 years old, was beaten to death...in front of Parque União favela, "Everything happened because they saw the boy walking in front of the community in beach shorts, with sand on his legs and with his hair still wet. It was obvious that he'd been at the piscinão, that's in the Terceiro Comando's area. It was a massacre. The traffickers from here aren't accepting the fact that drug sales have risen a lot there and gone down here" – said a resident from Parque União favela that didn't want to be identified.*

*Youth dies because she went to the piscinão*

*O Dia, 15<sup>th</sup> January, 2002.*

*The trafficker Edmison Araújo Coutinho, 28 years old, also known as 'Pitita' was arrested last night...he confessed to the murder of Adriana Laurentino da Silva, 18 years old,...according to the trafficker the youth had disobeyed his orders. 'Pitita', one of the leaders of drug trafficking in the favelas of Capivari is linked to the Comando Vermelho and decreed that no resident from his area could go to the piscinão in Ramos.*

Some interviewed traffickers were distrusting of community residents and, as much as they propagated notions of mutual trust and unity when talking about community / trafficking relations, they were aware that the community had no moral obligation to follow behavioural codes. They understood that the only reason that *favela* residents would follow behavioural codes was the necessity for the upkeep of social order and the fear of violent punishments for non-compliance. As one trafficker explained:

*I: And relations with residents here, are they good?*

*T: Yes, yes they are, but you can't please everyone. Sometimes you'll go into a house [to hide from the police] and a person won't let you in...they're not obliged to let you in, but it's not a good idea not to, because this sort of thing makes us angry.*

*Gerente de maconha, 22 years old*

Many of the *soldados* that are active within *favelas* dominated by both the *Comando Vermelho* and the *Terceiro Comando* are brought in from other aligned *favela* communities. This has created a more professional group of mercenaries that makes it easier to control the community as these *soldados*



have no kinship ties with community residents and thus fewer qualms about carrying out punishments for rule-breaking.

However, many traffickers interviewed held a definite affinity toward their fellow community members, who like them suffer poverty, yet pursue an honest living through licit work. Enforcing such behavioural codes was seen by those interviewed as a way of protecting the deserving “law” (rule) abiding residents. Yet, as noted by the need for a “union” between traffickers and residents, there was also an awareness that protecting and occasionally providing for community residents meant protecting faction interests.

### **Traffickers also uphold the rules**

Generally speaking drug traffickers also uphold the rules they set and are very serious about respecting the rights of ‘honest’ and ‘non-involved’ residents who abide by established rules.

*If I said to you that they go into people's houses, they force them to store things, this doesn't exist. It's all in the street, out there. They respect [the limit of] our front door.*

Favela resident

Just as community members are punished if they fail to follow the rules, so are traffickers. When questioned about what would happen if they failed to respect community members, interviewed traffickers were clear:

*I: What will happen if, for example, you fail to respect a member of the community?*  
*T: Oh, that doesn't go down well. Here it's like this...if all of a sudden you physically abuse a person or a resident....only because maybe you asked that person that's not involved [in drug trafficking] to do you a favour, and the person then says they're not going to do it, and you go and beat them, tell them you're going to shoot them...then you'd be in the wrong because it's a resident and residents are not obliged to do anything, and then I might be sent away from the boca [sales point] because I disrespected a resident. Or for something more serious, you know...if you go into a resident's house [without permission]...not that that happens here, but there are cases of this...you get a beating...if you get to the point of really physically abusing a resident, shooting a resident, the punishment is serious.*

Gerente de maconha, 22 years old

There have been cases of the community sending letters signed by all residents to imprisoned *donos* of the *Comando Vermelho* in order to complain about an individual trafficker not respecting 'honest' residents. In such cases, traffickers may be moved to another community or disciplined. Such disciplinary action is important to maintain order within the *quadrilha* and also because following the same rules that are imposed on the community helps to morally legitimise the factions as the self-appointed enforcers of social order.

### Parallel power or concurrent presence?

Due to the types of community domination and control discussed above, politicians, the police and the Brazilian media often refer to drug factions as a "parallel power". Following the execution of the journalist Tim Lopes by traffickers belonging to the *Comando Vermelho* at the beginning of June 2002, the Minister of Justice, Miguel Reale Júnior, claimed that drug factions are taking the place of the state. Referring to factions as a "parallel state", he commented that, "Tim was imprisoned, judged and executed. What is that? It is a state action".<sup>40</sup> On the 12<sup>th</sup> June, the president of the State Justice Tribunal, Marcus Faver, publicly stated that drug trafficking factions have become a "parallel state" that is destroying the institution of security for the citizen.<sup>41</sup>

To varying degrees in different *favelas*, drug factions do control social order through a system of forced reciprocity and punitive punishment for non-compliance in most of Rio de Janeiro's 800 *favela* communities.<sup>42</sup> These account for more than 1 million people, around 20% of the city's population.

However, if state government upheld the social contract with *favela* populations and established a serious presence in *favela* communities through

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<sup>40</sup> Veja on-line, *Ministro diz que tráfico ocupa espaço do Estado*, 11/06/02

<sup>41</sup> O Dia 19/06/02, p.8

<sup>42</sup> A study based on the population census of 2000 by IPLAN RIO (Mayor's Office Municipal Institute of Planning for the City of Rio de Janeiro / *Instituto de Planejamento da Prefeitura Municipal da Cidade do Rio de Janeiro*) calculated that there are between 750-800 *favelas* in the city of Rio de Janeiro (exact figures still to be published when this study was being written).

investment in local infrastructure, public security measures that focus on an honest and non-repressive community police presence, local economic stimulation and the provision of jobs and public services, traffickers would not be able to maintain community control and dominance to the same degree as described above.

The primary objective of drug factions is cash profits from the sale of illicit drugs. Community control is one method to secure a defensible retail drug sales base within the *favela* for the fulfilment of this objective. It is due to the almost total abandonment by state government of *favela* communities over the last fifty years (at least in terms of fulfilling their half of the social contract) that has made possible faction domination and control of *favelas*. Drug faction control of *favela* populations has not come about due to their ability to supersede the state from a political, social or military perspective. They have simply filled a space that the government has failed to occupy.

For these reasons, drug factions cannot be seen as a parallel state or power that offers any real threat to the maintenance of state government. As their control of the community is the result of the government's inability to be completely present in the *favela*, factions must be viewed as a "concurrent presence" as regards socio-political control of *favela* populations, rather than a "parallel power" in opposition to the state.

## Summary

In summary we can see that based on historical structures of community control and the upkeep of social order, drug factions have developed a system of 'forced reciprocity' to serve their needs for defence and community's need for 'law' and 'order'. 'Forced reciprocity' is upheld through a double tactic of mutual support and a punitive system of violence for non-collaboration. This is necessary because while faction employees have real ties to the community and some interest in its well being, the enforcement of behavioural rules is primarily for faction interests and not the utilitarian good of the community as is often stated. Factions are accepted by the community as a legitimate socio-political force due to fear and a lack of serious alternatives. It is not the complete absence of the state that enables drug factions to continue to dominate *favela* communities, but rather its

failure to maintain a social contract with *favela* residents. This social contract is something that factions do uphold very effectively. Faction domination of the *favela* is only possible due to the failings of the government rather than any desire or ability on the part of factions to politically, socially or militarily supersede the state. As a result, factions must be seen as a 'concurrent presence' in socio-political terms, rather than a 'parallel power' that threatens the existence of the state.

## THE TERRITORIALISATION OF *FAVELA* COMMUNITIES

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Rio de Janeiro's drug trade has traditionally had a strong link to *favela* communities. During the 1950s and 1960s, although diffuse and unsophisticated, marijuana distribution within the city was based in *favelas* and marijuana was usually sold to a local clientele by community members. Following the growth in demand for illicit drugs amongst the middle classes and the arrival of cocaine at the beginning of the 1980s, this *favela*-based retail structure was developed by emerging drug factions as the basis for defendable and strategic sales points.

With the transformation of Rio de Janeiro's drug trade at the beginning of the 1980s came new levels of violence. This was primarily provoked by the arrival of cocaine and its extreme profitability, an increase in violent and repressive policing, inter-faction disputes and the trafficking and use of war-grade small arms in the city. Within this scenario, *favela* communities provided the perfect defendable base where drug sales could be protected from police surveillance and rival faction take-overs.

Due to their network of alleyways, limited access points and the fact that many of them are built on hillsides, *favelas* are geographically advantageous from a military defence perspective. The increase in surveillance and early warning systems reliant on well positioned *olheiros* came with the rise of inter-faction territorial disputes. The intensification of such disputes in the 1980s was also responsible for the militarisation of local faction structures and the introduction of the faction *soldado* specifically for territorial defence or invasion. In addition to spatial protection, controlling the community via 'forced reciprocity' means that factions receive community protection from the police and take-overs by rival factions. An enforced 'code of silence' protects traffickers from arrest and prosecution and knowing everyone and everything that happens within the community insulates them from rival faction invasion and police infiltration. Therefore the *favela* offers factions both territorial advantages and the possibility of socio-political domination of the community. Both of these ultimately facilitate their primarily economic objectives.

*Favelas* are not the only places where drugs are sold and although they are essential logistical and defendable bases, they represent drug traffick-

ing's poorest and least sophisticated manifestation. It is in the *favela* that battles for territorial control are fought, that children are armed, that communities are caught in the crossfire and where most of the victims of drug-related violence die. In addition to this tragic daily reality, the vast majority of profits from the drugs trade do not stay within the community but are passed up the chain to powerful individuals that belong not to a drug faction, but to the Brazilian social and political elite.

Map 2a (Annex) charts drug faction territories in the city of Rio de Janeiro. It is based on a 2002 police report from the DRE<sup>43</sup> and the testimonies of active traffickers. Each marked area on the map represents a *favela* community dominated by one of Rio's drug factions. The map's aim is to demonstrate how many areas of potential conflict and confrontation between rival factions exist in the city.

During this study, researchers received reports that the *Comando Vermelho Jovem* has been recently reabsorbed into the *Comando Vermelho* and, as these two factions rarely confront one another, they are both represented by areas marked in red. Due to a pact of mutual support against the *Comando Vermelho*, the *Terceiro Comando* and *Amigos dos Amigos* are both represented by areas marked in yellow.

In some cases factions may have a limited influence in non-*favela* areas, known as the *asfalto*, that surrounds favela communities. However, *favela* and *asfalto* areas are generally considered as two separate domains, the latter of which does not pertain to faction dominance in terms of control or criminal activity.

*The asfalto is totally different to the favela. Today in the asphalted areas there are the armed robbers. The majority of armed robbers don't belong to any faction, they're only interested in money. If there is a factory near to a Comando Vermelho 'boca de fumo',<sup>44</sup> they might rob it, but they'll go in and out because they have no links to the local guys. The majority of armed robbers prefer to have no links with the Comando Vermelho or the Terceiro Comando .*

*Ex-soldado active in the 1990s*

What is important to note about this map is that the number of *favela* communities shown here represents a substantial growth in faction-domi-

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<sup>43</sup> *Delagacia de Repressão à Entorpecente / Police Department for Drug Repression.*

<sup>44</sup> but not actually in the *favela*.

nated *favela* territories over the last twenty years. Furthermore, as territorial conflict between rival factions is constant, this map is only representative of the period in which it was designed and may have changed somewhat by the time of publication. Although factions do successfully invade and take over rival territory, communities do not change from one faction to another easily or frequently, due to the difficulties of ousting well-established traffickers who have good relations with the local community. Faction employees within the *favela* are well aware of the importance of good community relations for maintaining protection and territorial domination.

*Today, crime's biggest weapon isn't called a rifle or a grenade, it's called knowledge and the community. If you fail to treat your community well, it doesn't matter if you have 100 rifles in a favela, you still won't manage to stay. If you come from outside you won't be able to stay. [If the community has good relations with the local faction] there's no way. There's no point in saying "let's invade that community and stay". There's no way to stay.*

*Ex-soldado active in the 1990s*

*The communities today, in order to avoid certain inconveniences, prefer that their criminal leaders are from within the community, the boys that were born and raised in those very favelas. It's very complicated when people come in from other communities that don't know anyone, that don't have any past relationship with anyone, that never played football with people's sons, and so don't have any past history in that area. So respect will always come in second place. Because of this, traffickers that live in the community have priority [...] When there is an invasion, the residents are the first to tell the police where the new traffickers are hidden. So today there exists a phrase in crime that says, "It's easy to take the hill (favela) but difficult to stay", exactly because of this, because of the relations prior to the invasion.*

*Informant 1*

For a faction to successfully invade a community dominated by rivals, it is important that they have traffickers from within the community or other community members on their side. These people are referred to as '*crias*', literally people created in the community that for one reason or another decide that they would be better off with another faction assuming control.

*...today invasions are like this. For you to invade you have to have 50% "cria". [...] The "crias", that are from the community, can even be Terceiro Comando that*

*changed to Comando Vermelho. Sometimes it happens that people in the community are not happy with the traffickers. So there's a structure and "crias" are already involved.*

*Ex-soldado active in the 1990s*

Although there are many documented cases of *favela* communities being taken over by rival factions, there are a number of other factors that stimulate armed confrontations between rival factions and keep the levels of armed violence in the *favela* extremely high.

*The wars that take place today are because of hate, and just to be able to kill and not just to take over another faction's favela as the press says [...] Wars do take place in order to take over favelas but not with the frequency that they say. Sometimes, for example, a faction finds out that a cargo is arriving in another favela. Many times the traffickers go there to steal the truck in the favela, and the press finds out about the shootout and imagines that it's a faction war and says that they were invading the favela. In truth, many of the wars that take place are motivated for a number of reasons unknown to the media, but for them there's only one reason, that someone took someone's favela.*

*Informant 1*

As a result of the territorialisation of *favela* communities by factions as a logistical base for drug sales and protection, *favela* residents have been detrimentally affected in the following ways:

1) *Favela* populations are caught in the middle of an intensive armed conflict that is not their responsibility. Consequently, innocent men, women and children are killed. Security experts estimate that around 1% of *favela* communities are involved directly in drug trafficking. However, the entire community is regularly caught in the cross-fire of rival faction disputes and police raids. Many interviewed *favela* residents said that in times of faction conflict or intensive police action within the community, they sleep on the floor to avoid being hit by stray bullets. *Favela* dwellings are often not well constructed and high velocity projectiles emitted by the war-grade weapons utilised by traffickers pass straight through residents dwellings, often injuring or killing those people inside.

2) Faction control and dominance of *favela* communities impedes the democratic process and restricts the implementation of citizen rights guaranteed to all by the Brazilian constitution. *Favela* populations live under



the tyrannical and repressive control of factions that is upheld through forced reciprocity. Although many *favela* communities may appear to support local traffickers, they have little other option for social order due to the failure of the government to be effectively present. In some areas, candidates for political office must negotiate with local traffickers before they can canvas within the *favela*. Negotiations may include the promise of support or political protection if elected.

3) Territorial domination of *favelas* by drug factions has changed *favela* culture. Extreme levels of armed conflict, socio-political domination and violent punishments have distanced *favela* populations from legitimate judicial processes and strengthened a culture of retributive violence within *favela* communities. For many people in a *favela* community, everyday conflicts are resolved by adhering to the arbitration of the drug trafficker, which may culminate in violent punishment, expulsion from the community or execution of the 'guilty' party. Youth culture within the *favela* has been particularly affected and many children and adolescents often feel close ties of allegiance to their local faction regardless of whether or not they are involved in the sale of drugs.

4) The free movement of many *favela* residents, especially youth, between communities pertaining to rival factions is restricted. These restrictions increase division and rivalry between *favela* communities and effectively discounts the *favela* as a unified force capable of voting for political candidates that can represent their needs in government.

5) *Favela* populations have been stigmatised as the word '*favela*' has become synonymous with *tráfico* (drug trafficking) and violence in the Brazilian media. This has greatly affected society's view of *favela* populations, increasing discrimination in the work market and contributing to the legitimisation of abuses of authority carried out frequently by the police and other government agencies.

*One expression of domination is the construction of an identity for the dominated by the dominator. And one of the repressive techniques is the stigmatisation of whom you want to repress. The mirror that has been constructed in Brazil [for people from favelas] is this: poor, criminal and dangerous." (Zaluar 1983 p.33)*

## POLICE, FAVELAS AND DRUG TRAFFICKING

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Policing within *favela* communities in Rio de Janeiro is carried out primarily by the state controlled Military Police. It is officially implemented through a number of mechanisms that include: *favela*-based police posts (known as a DPO<sup>45</sup> or a PPC<sup>46</sup>); motorised police patrols (known as a PATAMOs<sup>47</sup>); and when necessary the insertion of one of the following:

- 1) *Batalhão de Choque*: a specialised force to deal with civil disturbances;
- 2) *Batalhão de Operações Policiais Especiais* (BOPE): the Police Battalion for Special Operations, a highly-qualified battalion trained to deal with critical situations such as intensive armed conflict between rival drug factions)
- 3) *Grupamento Especial Tático-Móvel* (GETAM): the Special Tactical Mobile Police Group is also used for intensive armed confrontations.

The Brazilian policing system divides the provision of preventive and visible policing in public spaces and investigative policing between the Military Police and the Civil Police respectively. Consequently, the Civil Police may also enter *favela* communities in search of a suspect or during a criminal investigation. In regard to drug-related offences, the Civil Police have a specialised investigative force known as the DRE (*Delagacia de Repressão à Entorpecente*) that investigates drug trafficking within the state.

DPOs have not been established in the majority of *favela* communities within the state of Rio de Janeiro. When in a *favela* community, DPOs are usually manned by four police officers or less. Due to their location and the high incidence of police corruption, as discussed below, military police officers within DPOs are usually in the pay of local traffickers as much for their own safety as for the money received. DPOs have failed to effectively police *favela* communities due to their very limited number, the limited number of military police officers that man each unit, and the fact that as

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<sup>45</sup> DPO – *Destacamento de Policiamento Comunitário*

<sup>46</sup> PPC – *Posto Policial Comunitário*

<sup>47</sup> PATAMO – *Patrulhamento Tático Motorizado*

isolated posts within *favelas*, many DPOs have become compromised via bribery by the local drug faction.

PATAMOs are also a very limited form of policing *favela* communities as the majority of *favelas* do not have access roads along which cars can drive, or if they do, only a small percentage of the community's housing is situated on those roads. Most housing in *favela* communities is only accessible via alleyways that are passable on foot. Although it is Military Police policy to carry out the same number of PATAMOs in *favela* communities as in the other parts of the city, in reality these patrols occur sporadically in most *favelas* and are non-existent in many others.

As a result, a regular and uncompromised policing presence is not a reality within *favelas* in Rio de Janeiro.<sup>48</sup> Instead practical policing in *favela* communities follows a repressive policy of 'invasion' and 'occupation' within the *favela* and road blocks around its perimeters. Invasions occur in order to apprehend a suspect wanted for an offence, or to fulfil another tactical objective. They are carried out as a military operation in which police officers enter the *favela*, attain their objective and immediately leave.

*[...the police] go into the favela with a specific objective and then leave [...] It is an operation of war, it's a commando force [...] that goes in with a tactical objective and only up to a certain point: destroy a pile of firearms, a drug-packaging location, arrest someone, and then leave.*

*Major Antonio Carlos Carballo Blanco, Military Police*

If there is a civil disturbance within a community, or a particularly violent conflict between drug factions, after the initial incident has been dealt with by the *Batalhão de Choque* or BOPE, the Military Police may decide to follow a policy of occupation whereby a large force of regular military police officers will remain on the community's streets and in the community's alleyways for a limited period of time, to act as a deterrent to further disorder. When the potential for further disorder, be it drug-related

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<sup>48</sup> With the exception of the GPAE (Special Areas Police Group / *Grupo de Policiamento de áreas Especiais*) programme that was being carried out as a pilot programme only in the *favela* of Cantagalo-Pãozinho-Pãozinho at the time of this study. This is a successful community policing programme that has dramatically improved community/police relations and sharply reduced the number of homicides within the community over the last two years. This is, however, an exception to otherwise violent and repressive *favela* policing policies.

or other, is no longer considered as a threat, the police leave the community. In addition to these two policing tactics, road blocks known as ‘*blitzes*’ may be set up around *favela* communities to check the identity of those going in and out of the community and, to search for weapons, stolen property or drugs.<sup>49</sup> In practice, therefore, policing tactics within the *favela* are differentiated from those in other urbanised regions and police actions within *favelas* are treated in a similar fashion to those of a military unit entering an enemy territory during a war.

*...it is dangerous to stay [in the favela during a police operation] for a series of motives. One, because there isn't sufficient urbanisation that guarantees the easy circulation of police officers, and two because there isn't an infrastructure that guarantees the provision of water, food, the conditions necessary to stay within the space [...] From a logistical and a practical point of view [a police action within the favela] is comparable to assault commandos or groups that undertake special missions.”*

*Major Antonio Carlos Carballo Blanco, Military Police*

Unsurprisingly, such policing tactics detrimentally affect the views police officers have of the *favela* and its residents.

*...in the mind of a police officer, when he enters a favela without knowing the people that live in the favela, he views a person as someone that could be directly or indirectly involved in the trafficking of firearms, or someone that could be covering for a criminal structure that for him is extremely complicated [...] These insecurities make a police officer have attitudes and actions that are totally different from the attitudes and actions that he would have in the asphalted<sup>50</sup> areas. For example, the level of distrust a police officer must have in the favela has to be superior to the level of distrust that a police officer will have when in the asphalted areas. In the favela, I imagine, the police officer that doesn't have regular contact with the community and is sporadically put there, I believe that in the worst hypothesis, everyone is viewed as a suspect until they can prove otherwise. In the asphalted areas this kind of behaviour doesn't happen so easily.*

*Major Antonio Carlos Carballo Blanco, Military Police*

In addition to this negative view of *favela* residents, police officers have heightened feelings of insecurity when carrying out invasions or occu-

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<sup>49</sup> Blitzes are also carried out away from *favela* communities and in other areas of the city.

<sup>50</sup> Asphalt or *asfalto* refers to urban areas that are not *favelas*.

pations in *favelas*. This is due in part to the lack of urbanisation and social organisation within the *favela* in comparison to other parts of the city, and the fact that heavily-armed factions that may exchange fire with the police exist in most *favelas*.

On arrival in a *favela* the police are met by the sound of fireworks let off by *fogeteiros* in order to warn other traffickers of their presence. This has a strong psychological effect on the police, increases the sensation of being under attack and may even result in a policeman

*...firing his weapon in the belief that he is the victim of an attack.*

*Major Antonio Carlos Carballo Blanco, Military Police.*

Such feelings of insecurity serve to increase police abuses against innocent members of *favela* communities and consequently relations between the police and the community turn hostile. Policemen are seen by *favela* residents as violent, dangerous and abusive. Poor police-community relations are worsened by the fact that drug traffickers punish community members that speak to the police. However, police violence and impunity serves to strengthen the belief of *favela* residents in the 'laws of drug trafficking' as their best option for social order. In effect, this strengthens the traffickers' position within the community. The community fears, distrusts and dislikes the police and fails to view them as the protectors of their rights as Brazilian citizens. Instead, they are caught between inter-faction armed conflicts and repressive, violent and corrupt policing.

*...if a trafficker wants to invade the community, he invades at night when there are less residents in the street. And the police invade at any time. They don't respect residents and we get caught in the middle.*

*Favela resident*

*...the police killed my uncle. My little cousin saw this [...] when he turned 17 years old he got involved in trafficking. By the time he was 23 years old he was dead.*

*Favela resident*

*The police don't respect anyone that lives in the favela. Those that live in the favela are not worth anything. To them there is no such thing as a honest worker [living in the favela].*

*Favela resident*

*Police violence is a very serious thing. When my brother was a minor he got involved in this [trafficking] when he was 12 years old. I won't forget once when a police officer came into my house and my brother wasn't there. He turned to my mother and said, "If I catch your son in the street I'm going to kill him, I'm going to fill his face full of bullets..."*

*Favela resident*

*The police come in shooting in the afternoon, and that's the time that the kids are leaving school...*

*Favela resident*

*Our only fear is that the police will arrive [...] because the community knows who's a resident [and not a trafficker] and who isn't, but the police don't know.*

*Favela resident*

*...if a police officer comes into the community, a favela resident that isn't involved, doesn't sell drugs, has their family, is honest, might warn the traffickers, "Hey, the police are coming".*

*Favela resident*

Even interviewed drug traffickers commented on the abusive treatment of non-involved *favela* residents by the police.

*The police abuse the community, they abuse us because we're poor.*

*Gerente da maconha, 23 anos*

*The police break into houses, steal things, abuse residents. The community doesn't want this.*

*Vapor, 16 years old*

In addition to police abuses within the community, the police's "guilty until proven innocent" and shoot-first mentality means that the killing of innocent *favela* residents by the police occurs regularly. The following two press reports were published during this study. Such stories appear in the Brazilian media frequently.

*Woman dies and the family accuse the Military Police of aggression*

*O Globo 11 / 02 / 02*

*A saleswoman was beaten after protesting against police that killed her cousin in the favela of Ilha do Governador [...According to witnesses] after seeing the body of her cousin being taken away in a wheel barrow, Rosenilda verbally abused the police officers. She was immobilised in a stranglehold, dragged along by her hair, and had her body kicked. [...] She died of an intestinal haemorrhage.*

*Three die from gunfire in Maré*

*(O Dia 28 / 06 / 02)*

*Three people including a Military Policeman died during intensive gunfire between the police and traffickers within the favela of Nova Holanda in the early hours of yesterday. [...] This morning, residents threatened to close Avenida Brasil in protest over the death of Alexandre de Oliveira Mattos, 28 years old, that works at Rio's International Airport. [...] he was found dead on Teixeira Ribeiro street. The Military Police do not know how the crime occurred, but residents have accused the police of assassination.*

The following quotes taken from interviews with *favela* residents and an adolescent drug trafficker further demonstrate the lethal behaviour of the police within *favela* communities.

*My brother wasn't involved and they [the police] killed my brother. He was coming back with two girls and they took him to one side and killed him. My aunt asked if she could see the body to know if it was him or not. You know what the policeman said? "Go to Andaraí [the local hospital]". They wouldn't even let her see if it was him or not.*

*Favela resident*

*Police actions are crazy, no one is expecting them and they put the population at risk. That is why sometimes there are stray bullets that kill whoever is around. Only innocents die when the police go up into the favela.*

*Favela resident*

*...the PMs<sup>51</sup> have already killed innocents. In the favela, a 3 year-old child died. The police come into the favela already shooting. They don't care about residents. They don't care about anything.*

*Vapor, 17 years old*

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<sup>51</sup> *Polícia Militar / Military Police.*

Due to the geographical lay-out, a lack of social organisation, differentiated and 'war-like' policing tactics and the presence of heavily armed factions in *favelas*, it is undoubtedly true that on entering a *favela* community, police officers suffer from high levels of stress and the sensation of being under threat. Although there are more armed confrontations between the police and drug factions within *favelas* than armed confrontations between criminals and the police in other urban areas, statistically the police are safer in *favela* communities during police actions than in any other region of the city.

Based on a study of Military Police records of fatal victims from armed police confrontations in Rio de Janeiro between January 1993 and July 1996, Ignacio Cano found that in *favelas*, 1 police officer is killed in every 75 armed actions with civilian victims and 1 police officer is injured in every 12 actions. Outside of *favela* neighbourhoods and in other urban regions of the city, 1 police officer is killed in every 35 armed actions with civilian victims and 1 police officer is injured in every 8 actions (Cano 1997, p. 65).

Of greater concern is the fact that even though there is less chance of being injured or fatally wounded by gunfire in a *favela*, the police kill more civilians in *favelas* than in all other urban areas. Between 1993 and 1996, during 671 armed confrontations in non-*favela* urban areas, 430 opponents were killed by the police. In the same period within *favela* communities, during 523 armed confrontations, 512 opponents were killed (Cano 1997, p. 64).

According to official data from the 1991 census<sup>52</sup> the resident population in *favelas* was 882,667 persons and the non-*favela* population totalled 4,598,10 inhabitants. "Taking into account this proportion, the incidence of homicides by police in *favelas* is six times higher than in asphalted areas of the city (outside *favelas*). The lethality index [relating to police action] in *favelas* (3.6) is more than twice that of asphalted areas (1.6), indicating a clear intent to kill on the part of the police in their actions in poorer areas of the city" (Cano 1997 p.64-65).

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<sup>52</sup> Anuário Estatístico da Cidade do Rio de Janeiro, 1993-1994, Governo do Rio de Janeiro / Annual Statistics of the City of Rio de Janeiro, 1993-1994, Government of Rio de Janeiro.



One reason for such statistics may be extra-judicial killings by the police within *favela* communities. Due to the high levels of police killings in *favela* communities, it is often stated by government officials, the media and many policemen themselves that *favela* communities are so dominated by heavily-armed drug factions that the police are unable to go in for any reason without being shot at. Although they may be shot at if in search of a trafficker, the reality is that *“the existence of armed criminal groups that impede the access of the police [to favela communities] does not exist in Rio de Janeiro and has never existed”* (Major Antonio Carlos Carballo Blanco, Military Police).

The police’s ability to enter *favelas* dominated by drug factions at will is also related to police corruption and the fact that they are often involved to some degree with local traffickers.

*The police can enter the community because of the infra-structure that they have, but also because at the same time there is always an agreement with the local traffickers.*

*Ex-trafficker*

Generally traffickers do not enter into an armed exchange with police officers unless they are the direct target of a police action or the police start shooting first. Despite its militarisation over the last two decades, drug trafficking is primarily a commercial business. Police occupation of a *favela*, which usually occurs if a policeman is killed by traffickers in a *favela*, is bad for business. Drugs cannot be sold openly and drug users will choose other communities in which to buy their drugs.

*If the police come in, you can start shooting but they’ll come back again with everything and occupy the favela [...] So it’s better to leave. If you can get away, get away. If you can’t...what can you do? Start shooting.*

*Ex-soldado, 29 years*

*It’s not every time that you have to shoot [at the police]. Some times it’s cool, you don’t want a confrontation, so you disappear. But if the boss is in prison and pissed off because not much money’s going to him, he says ‘start shooting.’*

*Gerente da maconha, 23 years old*

As discussed elsewhere in this study, faction employees are subject to rules of behaviour, and are severely disciplined if they shoot without good reason.

*...if you shoot in a favela, the dono will ask: "Why did you shoot that bullet?" I've seen a dono slap one of his own soldiers and take away his gun for shooting without good reason.*

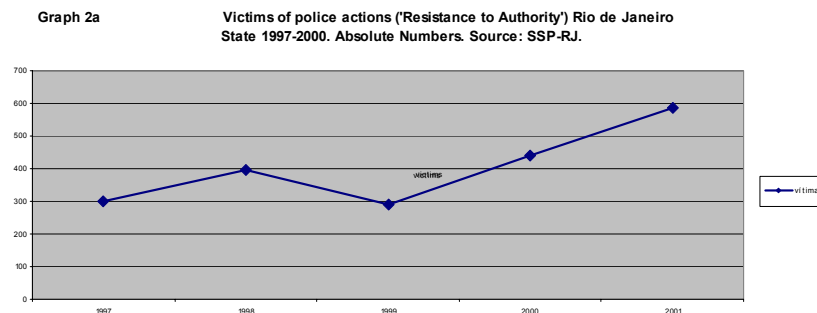
*Ex-soldado, 29 years old*

However, if a drug trafficker is the direct target of a police invasion he may be killed by police or arrested. In such a case, drug traffickers will open fire on advancing police officers. In this situation, an *olheiro*, *vapor* or *soldado* may be told to shoot at the police, or in their general direction, on first sight in order to give his superiors time to escape. In most cases, however, traffickers tend to avoid confrontation with the police if possible.

Due to perceived failings of the judicial system, high levels of stress, impunity, police corruption and the fact that police officers are killed by drug traffickers, police officers do commit extra-judicial killings.

*The killing of a criminal [by the police] may be in order to cover up something that may one day be used against the police officer himself [...but] in some cases, the life of a criminal is very valuable to a police officer. He doesn't kill the criminal because the criminal is a permanent source of income [...or] it might be that a good policeman kills because he doesn't believe in another solution [...] When the system gives the sensation of impunity to the police, many police officers, even those that are, in quotes "well intentioned", take this kind of drastic decision to kill a person that has committed a crime.*

*Major Antonio Carlos Carballo Blanco, Military Police*



As demonstrated in **Graph 2a**, there has been an alarming increase in the number of civilians killed during police actions between 1997 and 2001 in Rio de Janeiro state. In 1997, the police were responsible for 300 civilian

deaths and this rose to 587 civilian deaths in 2001. In his study of police killings between 1993-1996, Cano demonstrated that on examination of police victims, there was evidence of summary execution by police officers: half of police victims during this period had 4 or more gunshot wounds; the majority had at least one gunshot wound from behind or to the head; in 40 of the 697 cases investigated, the victims were shot at point blank range and in 2 cases the victims had been shot more than 25 times (Cano 1997 p.69-68).

The fact that policing in Rio de Janeiro is such a high-risk occupation certainly strengthens a 'war-like' mentality that legitimises the killing of the 'enemy' in the minds of serving police officers.

The level of police corruption that involves receiving payment from drug traffickers in order to maintain their freedom is commonplace within Rio de Janeiro. According to Misse (1998) the sale of liberty to criminals by the police has grown drastically in Rio de Janeiro since the 1970s. Misse refers to this transaction as the sale of 'political commodities' (*'mercadoria política'*) and it involves charging criminals for a number of services related to their personal safety including protection from the law. Public moral outrage at such impunity serves to pressure politicians to implement stronger anti-crime policies, which in turn keeps the price of liberty high. However, as the drug trade can afford this cost, traffickers continue to pay. In addition to freeing drug traffickers in exchange for payment, arresting them on occasion is also an important method to maintain the high cost of liberty, as the levels of supply and demand of 'political commodities' need to be kept in balance. Misse claims that understanding the sale of 'political commodities' is fundamental to understanding the problems of drug and crime related violence in Rio de Janeiro. "Police corruption that involves the negotiation of the liberty of common criminals [...] is an example of 'political commodities' produced by the expropriation of state power (in this case the power of the police) making use of political resources (the authority invested in the agent by the state) for the realisation of private ends" (Misse 1998, p. 291).

In addition to receiving bribes to maintain drug traffickers' freedom from arrest, it is also common practice amongst police officers of all policing corporations (Military, Civil and Federal) that are involved in corrupt

practices to kidnap important drug traffickers for ransom. If the ransom is not paid by the kidnapped trafficker's *dono* or *gerente geral*, the kidnap victim is either killed by the police or 'officially' taken into custody and charged.

*Once the dono from our community was taken prisoner by the police. They asked for R\$300 thousand,<sup>53</sup> 35 kg of gold, 4 motorcycles and 12 cars [...] The motorcycles and cars were given and 200 thousand in cash. So, are they really interested in ending [trafficking]? They're not interested.*

Favela resident

*I was selling. They got me as they came in a private car. There wasn't time to get away. The kid [on look out duty] was distracted and so they got us. But as they made contact [with my superiors] they got money and set me free.*

Gerente da maconha, 23 years old

*I: Have you lost friends to the police?*

*T: ...Several, because of R\$200<sup>54</sup> they killed a guy, cowardly, in exchange for nothing [...] They asked for 'two legs' [slang for R\$200] to let the kid go, but the negotiations went wrong, there wasn't the money, they killed the boy. Not just him but others, several friends here have died via the public telephone<sup>55</sup>*

Gerente de segurança, 17 years old

A Colonel within the Military Police told one researcher that with the increase in youth participation in drug trafficking, it has also become common for police officers to kidnap adolescents from one faction and sell them to traffickers pertaining to a rival faction. Adolescents sold in this way are tortured by rival traffickers for information or killed. This was corroborated by interviewed *favela* youth that claimed this is common knowledge for most *favela* residents.

The involvement of police officers in supplying illicit drugs and arms to drug factions is also rife. "...the relation between the police force and drug trafficking in Rio de Janeiro has shown itself to be intimately cor-

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<sup>53</sup> Equivalent to around U\$120,000.

<sup>54</sup> Equivalent to around U\$80.

<sup>55</sup> 'no orelhão' literally translated means on the public telephone which is slang for 'by an informant'.

rupted [...] in almost all cases of the apprehension of drugs or contraband arms [...] there exists the involvement of members of these corporations [i.e. the police]" (Werneck & Rocha 1999 as referenced by NEPAD & CLAVES1998:27)

*They [the police] are the ones that support trafficking in the community [...] If they wanted to finish [trafficking] they could.*

The above-noted behaviour of police in *favela* communities, their treatment of innocent *favela* residents, extra-judicial executions of suspects and innocents, high levels of corruption and apparent impunity for their actions serves to:

1) create a feeling amongst *favela* residents of effective abandonment by the state. This in turn encourages *favela* communities to accept and depend on the informal justice system created by the traffickers ('the laws of drug trafficking') as their only practical option for social order.

2) create revolt amongst *favela* children and adolescents and a hatred of the police that encourages them to join factions as a method of revenge.

*Police violence really affects children and adolescents because at the time that children are going to school the police are shooting [...] When a child is on his way to school he sees his father being killed by a corrupt policeman or mother being slapped by a corrupt policeman. How do you think that kid will grow up? Seeing the 'boca de fumo' as a source of vengeance.*

Favela resident

3) raise the levels of violence in the city which stimulates equally violent behaviour by criminals.

Military policing tactics in *favelas*, police abuses and violent treatment of *favela* residents and traffickers, including executions, has undoubtedly helped to stimulate the militarisation of drug factions and their increased use of armed violence since the 1970s. Furthermore, police involvement in selling war-grade weapons to traffickers has directly assisted in faction militarisation and domination of *favela* communities and increasing mortality rates within the city.

## THE EXPANSION OF ARMED VIOLENCE IN RIO DE JANEIRO

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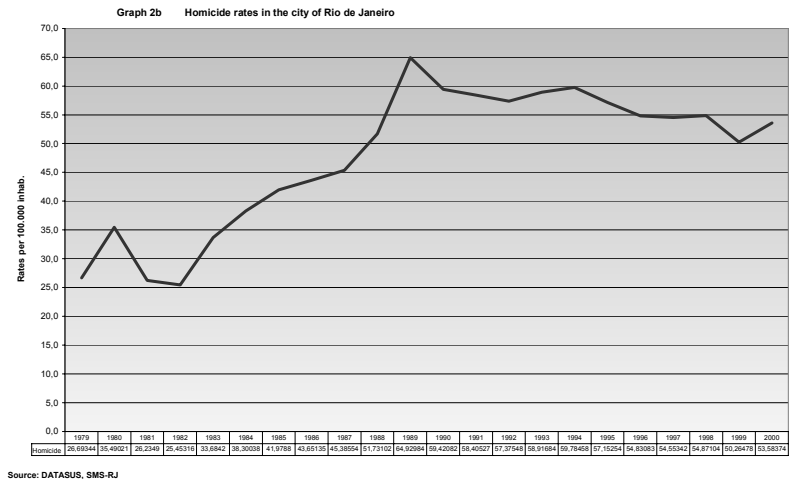
This chapter looks at the increasing levels of violence in Rio de Janeiro since the 1970s, focusing specifically on armed violence. The city's mortality rate, including firearm-related mortalities, is presented by year and region, as is the accompanying rise in police seizure of firearms within Rio de Janeiro State. The types of weapons seized by police during the second half of the 20<sup>th</sup> century are also analysed with a focus on the more lethal varieties, finding a strong relation between the increasing seizure of these weapons and the emergence of militarised drug factions.

Following an oral questionnaire carried out with 100 *favela* youths in 4 *favela* communities, and through referencing police and press reports, the types of weapons utilised by drug traffickers within the community are presented. Researchers also witnessed traffickers carrying the types of weapons identified by these sources whilst interviewing traffickers within the *favelas*. Injuries caused by such weapons are then discussed following a group interview with the surgical team from the Souza Aguiar Hospital emergency ward. Finally, using selected press reports collected during this study, the types of armed violence employed by drug factions in their confrontations with the police and rival factions, as well as the immediate effects this has on the city, are briefly analysed.

### The increase of mortality rates in Rio de Janeiro

Rio de Janeiro has become increasingly violent since the 1970s. This is most clearly demonstrated in the rising number of homicides within the city, as demonstrated in **Graph 2b** below.

By 1980 there were a total of 1,807 registered homicides in the city of Rio de Janeiro, equivalent to 35.5 homicides per 100,000 inhabitants. This peaked dramatically in 1989 with a total of 3,516 registered homicides in the city, equivalent to 64.9 registered homicides per 100,000 inhabitants. By 2000 this number had decreased to 3,135 registered homicides in Rio de Janeiro city, equivalent to 53.6 per 100,000 inhabitants.



When looking at the cause of these homicides, we find that the vast majority are firearm related. Furthermore, as demonstrated in **Graph 2c**, the evolution of firearm-related deaths between 1979-2000, is very similar to the evolution of homicides during the same period. This means that the percentage of firearm-related deaths of the total of homicides registered,

80%-90% of



In 1980, there were a total of 1,430 firearm-related deaths in the city of Rio de Janeiro, representing 79.1% of all homicides recorded in that year. By 1989, this had risen to a total of 3,182 firearm-related deaths, representing 90.5% of all homicides recorded in the city that year. In 2000, this fell to a total of 2,649 firearm-related deaths in the city of Rio de Janeiro, representing 84.5% of all homicides recorded in the same year.

In order to understand the significance of these numbers of firearm-related deaths in terms of scale, at the end of this chapter they are compared with firearm-related deaths in three urban cities in the United States, and the numbers of battle-related deaths of civilians and combatants in some selected modern conflicts.

Apart from violence in the city of Rio de Janeiro being principally related to the use of firearms, we find that it is neighbourhood-specific within the city, not affecting all residents of all neighbourhoods equally.

This is demonstrated clearly in **Map 2b** (Annex). Some areas of the city are comparable to Western cities in terms of firearm-related death rates per 100,000 inhabitants (below 10 / 100,000). Other areas of the city have death rates per 100,000 inhabitants similar to areas of intensive conflict (anything over 100 / 100,000) or war, some being over 501 / 100,000.

**Map 2c** (Annex) combines territorial areas of drug factions with the firearm-related death rates per 100,000 inhabitants of the city's neighbourhoods. As seen on **Map 2c**, armed confrontations caused by a high concentration of rival factions in close proximity to one another, clearly result in exaggerated firearm-related death rates in the affected neighbourhoods.

The above mortality rates are taken from health statistics supplied by the Secretary of Health of the Municipality of Rio de Janeiro.<sup>56</sup> Although they are an accurate indication of homicides and firearm-related deaths, they only include those registered by the city morgue.<sup>57</sup>

In addition to registered homicides of this type, there are those where the victim's corpse is not recovered by the authorities and is disposed of illegally by the perpetrator. Although it is impossible to evaluate how many victims of violent deaths are not accounted for in official statistics, Rio de Janeiro is known to have a number of illegal cemeteries, some of which have

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<sup>56</sup> DATASUS SMS RJ.

<sup>57</sup> The *Instituto Médico Legal Afranio Peixoto*.



been discovered by the police. Such illegal and unmarked graves are used by drug factions, criminals and police death squads in order to cover up committed homicides. They are often found within or on the outskirts of *favelas* that may be located on the city's hillsides or surrounded by forest areas. The following press reports were published during this study.

***Drug trafficking cemetery discovered in Morro dos Macacos***<sup>58</sup>

*O Dia* 19 / 04 / 02

*The imprisonment of José Ricardo Santiago Mateus [...] led to the discovery of a clandestine cemetery in between Morro dos Macacos and Pau da Bandeira. [...] A team of firemen helped in the excavations. Two graves were discovered. In one of them, there was a cranium with a perforation caused by a bullet on the right side, and in the other was the body that had been burnt with rubber tires.*

***Police find clandestine cemeteries and bones***

*Veja on-line* 11 / 06 / 02

*The Rio de Janeiro police force thoroughly searched Favela de Grotta, in the Complexo do Alemão, in search of the body of journalist Tim Lopes, assassinated by traffickers last week. During the operation clear evidence was found of other killings carried out by the criminals. On one part of the hill, police found a clandestine cemetery. Improvised coffins contained bones already in a state of decomposition and unmarked graves awaited the arrival of new victims. The investigators defined the area as only one of a number of execution points in the favela. Another probable area of execution was a small lake [...] some meters away, two vertebrae and pieces of a human rib were encountered.*

## **The increasing use of high-powered firearms within Rio de Janeiro**

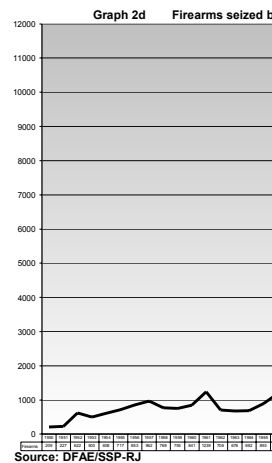
The marked rise in firearm-related homicides in Rio de Janeiro has been accompanied by an increase in police seizures of firearms within the state. Although this may have been the result of increasingly effective policing, as there has also been a corresponding increase in the number of firearm-related mortalities in Rio de Janeiro, the increasing seizure of firearms by the police may serve as a further indicator of the growing number of weapons in circulation and use within the city.

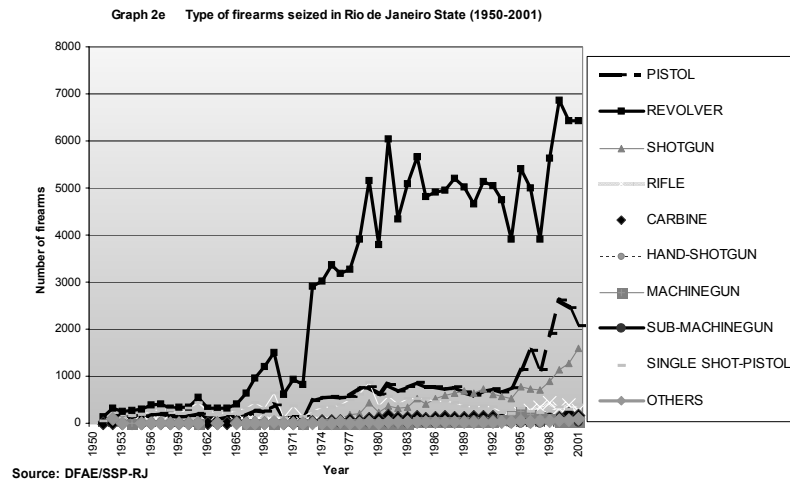
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<sup>58</sup> Morro dos Macacos is a hillside *favela* in the north of Rio de Janeiro city at the bottom of which is a police station.

As demonstrated in **Graph 2d** below, there has been a steady rise in the number of arms seized by the police in the State of Rio de Janeiro from the late 1960s until 2000. In 1999, an all time high of 11,633 illegal firearms were seized by police in Rio de Janeiro State, compared with 841 in 1960.

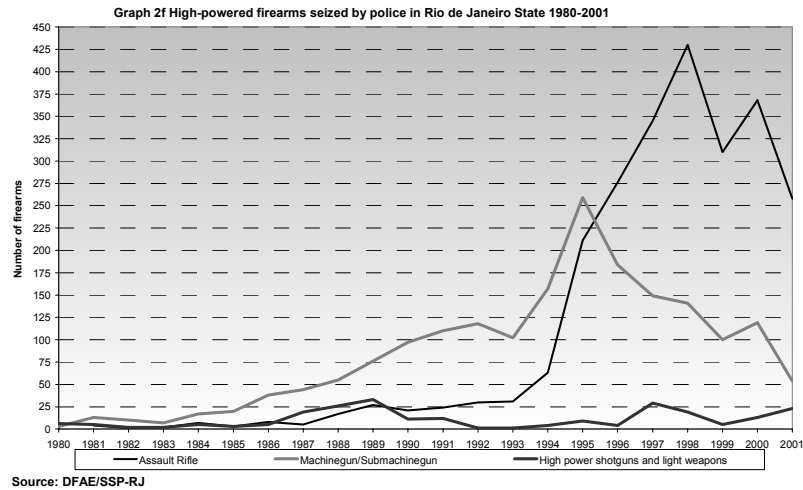
As seen in **Graph 2e** below, when evaluating the types of firearms that have been increasingly seized by the police, we find that revolvers are the leading firearm, accounting for the vast majority of this growing trend. Between 1960 and 1969, 3,891 revolvers were seized by police, accounting for 51.8% of the total number of small arms seized in that period. Between 1990-2001, this had grown dramatically to a total of 53,526 revolvers seized, accounting for 70.3% of the total number of small arms seized in that period. In 2001, there were 6,433 illegally-carried revolvers seized by police in the state of Rio de Janeiro.





Although revolvers account for the majority of the firearms seized by police within the state, there has also been an alarming increase in the numbers of high-powered firearms seized. The firepower of a weapon is more dependent on the velocity of the projectile (bullet) that it emits, rather than the size, or calibre, of that projectile. Slow projectile high calibre weapons such as a .44 Magnum, for example, have maximum stopping power of a human target, yet tend not to cause exaggerated injury to internal organs as the bullet is quickly slowed and stopped on impact. The higher the velocity of the projectile emitted by a firearm, the more damage to internal organs it will cause as it travels further once entering the body, taking longer to eventually stop. The combination of a high velocity and a high calibre projectile further increases the firepower of a weapon. Weapons such as rifles, machine guns and sub-machine guns tend to emit high-calibre and high-velocity projectiles, and are therefore utilised in warfare, in order to inflict maximum damage or loss of life to enemy soldiers.

The firepower of a weapon will also be increased by the number of rounds emitted per second / minute. Automatic and semi-automatic rifles, machine guns and sub-machine guns can therefore be considered as more powerful and capable of inflicting more damage to the human body, than other firearms that are not capable of emitting as many rounds per second / minute.



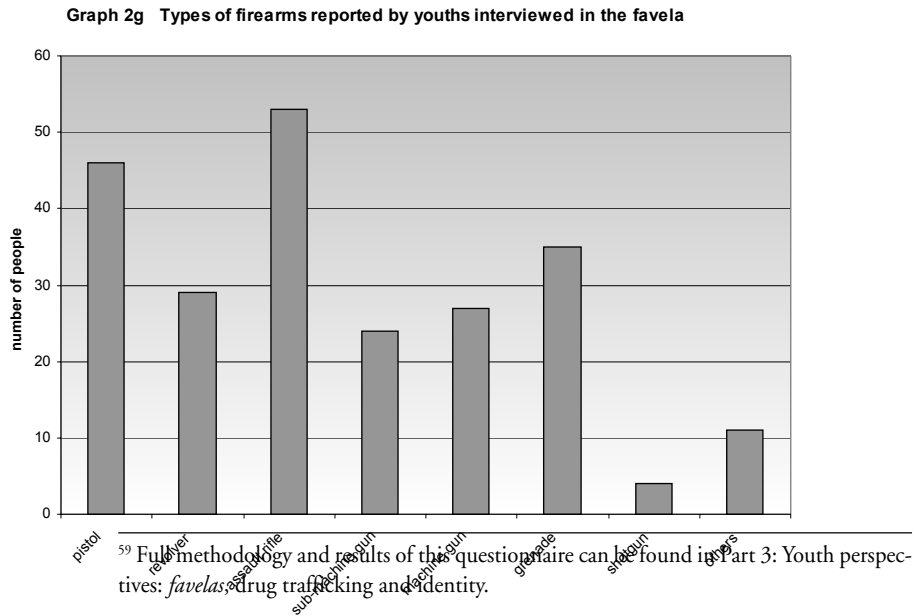
Note: The term 'light weapons' in Graph 2f includes: bazookas, rocket launchers, grenades and missiles.

As demonstrated in **Graph 2f**, since 1985 there has been a sharp rise in the numbers of high-powered weapons seized by the police on Rio de Janeiro's streets. In 1981, the police seized 4 assault rifles, 3 machineguns and sub-machineguns and 6 high power shotguns and light weapons. The number of assault rifles seized by police peaked in 1998, with a total of 430 seizures. The number of machineguns and sub-machineguns seized by police peaked in 1995, with a total of 259 seizures. The number of high power shotguns and light weapons seized by police peaked in 1997, with a total of 29 seizures.

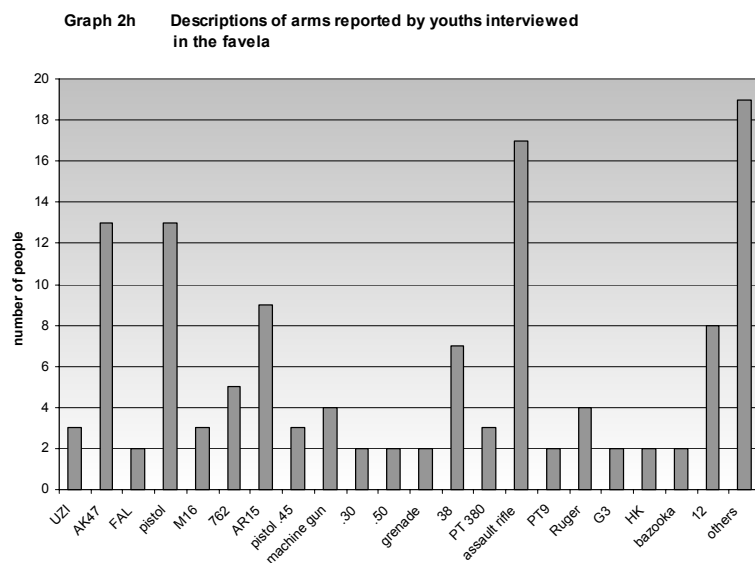
This drastic increase in the police seizure of high-powered firearms, beginning in the late 1980s, goes hand in hand with the emergence of drug factions, their fragmentation, militarisation and consequent armed territorial disputes, as well as the rise in armed confrontations with the police. The utilisation of such weapons corresponds with the types of armed confrontations that are reported in Rio's daily press, and were also reported in interviews with drug traffickers and *favela* residents during this study. This phenomenon is also reflected in Rio de Janeiro's growing firearm-related mortality statistics since the 1970s. These are also the types of weapons utilised by armies in war situations.

Interviews with *favela* residents also showed a differentiation in the types of weapons used by traffickers today compared with the pre-faction period. Residents commented that during the 1970s, dealers typically used calibre .38 pistols whereas today high-powered rifles and machine guns are typically used and carried openly. According to interviewees, this change came about at the end of the 1980s and this is corroborated by police seizure statistics shown here, which demonstrate an increase in the seizure of such weapons from this period onwards.

During an orally applied questionnaire<sup>59</sup> carried out during this study on 100 adolescents and youths in six *favela* communities, the following firearms were identified as being openly displayed and used by local faction members within the *favela*: pistols, revolvers, assault rifles, machineguns, sub-machineguns, shotguns and hand grenades. Answers given by interviewees are shown in **Graph 2g** below.



Although not involved in drug trafficking or other employment that required a specific knowledge of firearms, as displayed in **Graph 2h** below, due to their daily exposure to these weapons, many of the youths participating in this questionnaire were able to identify specific manufacturers and models. Some of these weapons were not recognised by researchers and are believed to refer to slang terminology employed by traffickers themselves within the community.



The Brazilian press has also recorded the use by drug traffickers of the types of firearms identified by *favela* youths in the questionnaire. Press reports collected during this study identified the following light arms as being seized from traffickers by the police within the *favela*: Colt AR-15, H&K G-3, FAL, AK-47, M-9 and M-60 III hand-held grenades, AK-47 with cylindrical clip, calibre .762 ammunition, bazooka. According to a report published in 2000 by the Centre for Intelligence and Public Security (Centro de Inteligência e Segurança / CISP), Rio's criminal factions have an arsenal of 60 thousand light arms including rifles, machine guns, pistols, revolvers, shotguns, ammunition and bazookas. During fieldwork carried out for this study, researchers witnessed drug traffickers, including chil-

dren, openly displaying the following weapons within *favela* communities: Colt AR-15, H&K G-3 and AK-47 rifles, revolvers and pistols.

The increase in the use of high-powered firearms was also corroborated by the surgical team at the Souza Aguiar Hospital's emergency unit. In a group interview carried out during this study, doctors explained that the most common type of injury currently treated is firearm-related injuries on primarily male patients. Furthermore, the types of firearm-related injuries on which they operate today are different from those ten years ago. This is due to injuries being caused by the use of different types of projectiles (bullets / velocity), firearms and aggression (combat situation in which the weapon is used) since 1990.

*There has been a significant increase in the lethality of weapons that are being used today. In Rio de Janeiro it is a situation of civil war where gangs are using military weapons with a greater lethality. [...] Today Souza Aguiar is one of the hospitals that has the most experience in treating injuries caused by military weapons.*

*Dr. Martinelli, Emergency Unit, Souza Aguiar Hospital*

Due to this increased use of military-grade weapons, patients that arrive at the emergency unit with firearm-related injuries currently, do so with more serious injuries than before, when injuries to patients were usually caused by one or two shots from a 9mm, .32 calibre or .38 calibre firearm. Doctors commented that today they rarely encounter a bullet lodged inside a wounded patient, as the types of injuries on which they are now operating are caused by high velocity projectiles that enter the body, cause multiple injuries or amputations and then exit the body. Furthermore, multiple injuries caused by multiple high-calibre and high-velocity projectiles are now the norm.

*...Previously we would see orifices caused by the bullet entering and leaving [the body], or only entering without leaving. But you would see orifices and destruction around those orifices: a broken leg that a bullet had hit for example. Today, you no longer see orifices, you see amputations, you see the destruction of tissue and you know that this comes from a high velocity bullet, a rifle for example. So you don't see what you used to. A patient that had been shot used to mean a person that had orifices caused by a bullet, and sometimes resulting deformities, but you would see mostly orifices. Today you see many deformities. You see bits of feet missing, or the injury that my colleague mentioned, the boy with his hand destroyed. You see a lot of this today.*

*Dr. Josué Kardek, Emergency Unit, Souza Aguiar Hospital*

In addition to the different types of firearm-related injuries encountered in patients today, doctors also noted that the lesions caused by today's firearms mean that they are receiving fewer patients alive and wounded, and more dead-on-arrivals, than ever before.

The concern of doctors regarding the utilisation by traffickers of war-grade firearms, is also reflected by a general public opinion that illegally imported small arms are the main tool for increasing levels of violence in Rio de Janeiro. This view tends to overshadow the dramatic increase in the utilisation and illegal commerce of revolvers and pistols that is indicated clearly by increasing police seizures as demonstrated in **Graph 2c**. It is important to note that the vast majority of firearms used illegally by civilians within the city are handguns, and many of these are manufactured within Brazil by companies such as Taurus & Rossi to be sold legally to broker countries such as Paraguay, and then smuggled illegally back into the country. The importance of the use of handguns as the major tool for armed violence within the city must not be underestimated. However, it must also be seen that the utilisation of the more lethal weapons noted above, has been a deliberate strategy of *favela*-based traffickers due to the types of armed combat in which they are involved.

### **Drug faction armed disputes, related violence and effects**

The amplification of drug faction-related armed conflict in Rio de Janeiro since the mid 1980s has clearly had an effect on both the growing firearm-related morbidity and mortality rates, and the increased circulation and use of high-powered firearms. These conflicts are usually territorial in nature with the objective of securing control of drug sales points and the surrounding *favela* communities. There are also a number of other firearm-related scenarios linked to the emergence of drug factions within Rio de Janeiro that are responsible for increases in mortality within the city. Using selected press reports that were published during this study as examples, the types of armed violence stimulated by drug faction disputes and repressive police tactics are listed below.

The object of this study is to investigate the involvement of children and adolescents in armed faction disputes and related violence. In order that the situation within which children and adolescents are active is cor-



rectly understood, it is necessary to describe the levels and types of armed confrontation in which they participate. This study has not attempted to quantify the number of faction-related armed confrontations that occurred during fieldwork, but to merely give an indication of their frequency and type. Furthermore, as many faction armed actions take place without police knowledge or intervention, or are not reported by the press, there would be a difficulty in accounting for all inter-faction armed disputes, police / faction confrontations or related armed crimes that take place over a determined period of time. Therefore, the following press samples have been selected as typical examples of the daily faction-related armed violence that occurs within Rio de Janeiro, and are not representative of the numbers of inter-faction armed disputes, police / faction violence, extra-judicial killings or related incidents that took place during this period.

#### 1) FACTION INVASION OF RIVAL TERRITORY AND OTHER INTER-FACTION CONFLICTS

The following armed confrontations are referred to as faction invasions by the press. However, there are a number of reasons that are not reported in the press for inter-faction armed disputes. Other than attempts to take over rival faction drug sales points, these may include invasions for revenge killings, simple rivalry or attempts to seize recent shipments of drugs or arms. Inter-faction armed disputes are a daily occurrence within the city of Rio de Janeiro and communities dominated by rival factions may remain in a state of “war” (continued armed invasions) for a prolonged period of weeks or months. Hence, some *favela* communities will be referred to by residents as being “*em guerra*” or “at war”. Interviewed traffickers claimed to have participated in invasions that involved up to 200 armed combatants over a period of many hours.

*Shoot out and panic in Maré: War between the CV [Comando Vermelho] and Terceiro Comando causes two deaths*

*O Dia 01 / 11 / 01*

*The dispute for the dominion of drug sales points in the Morro do Timbau controlled by the criminal faction Terceiro Comando [...] resulted in a confrontation with police and left motorists driving within the proximity of Complexo da Maré in panic [...] Comando Vermelho traffickers from Parque União attempted to form a 'bonde' of stolen cars in order to invade the rival favela [...] A group of 15*

*bandits [...] armed with rifles and pistols, positioned themselves at strategic points on Avenida Brigadeiro Trompski [...] in order to hijack cars [...] In the war two bandits were killed and three people, including two policemen, were injured.*

***Shoot out in Parque Royal: bandits from the CV [Comando Vermelho] try to invade the favela and a resident is killed. Two traffickers are wounded***

*O Povo* 24 / 01 / 02

*Three hours of intensive gunfire, one man killed by a stray bullet and two traffickers wounded [...] were the results of] an attempted invasion of the favela Parque Royal [...] The invasion occurred at around 3am. Traffickers from Parque Royal were surprised by a group of approximately 15 bandits heavily armed with rifles and pistols that initiated a shootout lasting until 6 am. Traffickers exchanged fire in the alleyways and on rooftops of the favela. In the morning it was possible to see the bullet holes and damage caused to walls, windows and even water tanks. During the confrontation, Cláudio Alexandre was hit by a stray bullet. He was in his house when hit in the head by a bullet. [...] A minor, N.V.S., 17 years old and Renan Lima Nicolau were [also] shot.*

***Piscinão<sup>60</sup> becomes escape route: traffickers from rival factions face each other again***

*O Povo* 16 / 04 / 02

*...The attempted invasion happened in the early hours. Heavily armed, various traffickers from the Comando Vermelho arrived in a 'bonde' made up of at least four vans. They wanted to take over the control of drug trafficking in [the favela of] Roquete Pinto, on the edge of Avenida Brasil, but local bandits reacted and there was an exchange of fire. [...] In the war between the two factions, three men were executed by gunfire, one of them had his body burned and head decapitated, which was then left on display during almost the whole day on Uricuri road in the middle of the favela. [...] The other two killed were Alessandro Ferreira dos Santos, 19 years old, and his brother A.F.S., 16 years old. Their bodies were found in the favelas' alleyways...*

***Drug trafficking imposes fear again: bandits face each other and leave parts of Santa Teresa and Rio Comprido in darkness***

*O Globo* 28 / 05 / 02

*Another drug trafficking war left Rio's residents in panic yesterday. A confrontation between traffickers from the favelas of Fallet, in Rio Comprido, and Coroa,*

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<sup>60</sup> Natural swimming pool built by local government on Ramos beach in front of the favela Roquete Pinto.

*in Santa Teresa, left parts of the favelas and roads in the surrounding neighbourhoods in darkness as electrical transformers were shot at. [...] Police officers from GETAM<sup>61</sup> and BOPE<sup>62</sup> occupied access routes to the favelas.*

## 2) ARMED CONFRONTATIONS BETWEEN DRUG FACTIONS AND THE POLICE

Traffickers do not generally shoot at police officers entering *favelas* unless they are the object of a police raid or the police start shooting first. However, due in part to police action, there are regular armed confrontations between the police and drug factions within *favela* communities. Furthermore, during this study there were a number of recorded incidents of traffickers attacking police stations, police posts and killing police officers outside of the *favela*. Armed confrontations between the police and factions outside of *favelas* generally occur as the result of a *bonde*, a motorcade of armed traffickers usually in stolen cars that transport drugs or guns between *favelas*, coming into contact with a police patrol or road block, or passing a police post or station en route. In other cases traffickers may attack police stations in retaliation for a number of reasons that may include: revenge for police raids, violence or extra-judicial killings in the *favela*; the arrest of colleagues; conflicts with corrupt policemen; or simply hatred of the police.

*Manhunt stops the metro: traffickers jump over a wall and onto Line 2 after a confrontation in Honório Gurgel. Two of Linho's gang die*

*O Dia, 1 / 11 / 01*

*The hunt for the trafficker Paulo César Silva dos Santos, 29 years old, [a.k.a.] Linho, yesterday morning in the favela of Jorge Turco, in Honório Gurgel, ended in two shootouts, two deaths, two policemen injured and Line 2 of the metro stopping for three hours and 45 minutes. During the confrontation, there were more than 50 traffickers armed with rifles fighting against 20 police officers [...] "It was an army of TC [Terceiro Comando]. We have two hypotheses: they were either in a meeting or they were preparing to invade the Favela do Metrô (in Colégio)" [said Officer Carlos Oliveira from Drae<sup>63</sup>] During the shootout, a police*

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<sup>61</sup> Grupamento Especial Tático-Móvel (GETAM) / Special Tactical Mobile Police Group

<sup>62</sup> Batalhão de Operações Policiais Especiais (BOPE) / Police Battalion for Special Operations

<sup>63</sup> Delegacia de Repressão a Armas e Explosivos / Police Department for the Repression of Firearms and Explosives

*inspector from Drae, Mário Paixão, was shot in the legs by the trafficker Ricardo de João de Moura, 16 years old, who died in the confrontation. An AK-47 rifle, two ammunition clips, a cellular phone, 300 grams of marijuana, 21 small packages of cocaine and 2 camouflage jackets were found with his body.*

***Seven police officers injured in confrontations: in one of the shootouts, traffickers broke windows of the police station in Bonsucesso***

*O Globo 10 / 02 / 02*

*Seven police officers were wounded, five of them seriously, in two confrontations with traffickers during the early hours in Bom Sucesso and Manguinhos. [...] A group of traffickers shot at a car from BOPE that was patrolling the area. Having been attacked, the driver lost control of the vehicle [...] and smashed into a concrete wall [...] the five policemen were seriously injured and at least one of them was hit by a shot from an AK47 rifle.*

***Traffickers attack police security post: two Military Police cars are machine gunned during the early hours in Ricardo de Albuquerque***

*Extra 20 / 02 / 02*

*Bandits occupying 5 vehicles and two motorcycles [and] acting as a 'bonda' drove along Avenida Marechal Alencastro shooting in the direction of the square. Two police patrol cars were machine gunned.*

***Traffickers continue to threaten Rio's police stations***

*O Povo 07 / 03 / 02*

*Threats of invasion and rifle fire against police stations continued [...] Yesterday night police reinforced policing in front of the 22<sup>a</sup> DP<sup>64</sup> (Penha), that had received various threatening telephone calls. Armed with rifles and pistols, police agents [...] occupied strategic points in front of the police station to impede such threats becoming reality.*

***Bullet and grenade attack against the Military Police***

*O Dia 17 / 05 / 02*

*Bandits in Santa Cruz and Ramos attacked two community police posts, in the early hours of yesterday morning. Two soldiers were injured in the actions carried out by groups armed with rifles, machine guns and an M-4 grenade. [...] 110 shots were fired against the two units.*

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<sup>64</sup> DP – Delegacia de Policia / Police Station.

### 3) STRAY BULLETS

Inter-faction armed disputes and armed confrontations with the police occur primarily within *favela* communities, although also in asphalted (non-*favela*) areas of the city. As the following stories show, particularly *favela* residents but also the city's population in other urban areas are at risk of being caught in the cross fire during such conflicts. As *favela* housing is not substantially constructed, residents are often killed or wounded whilst in their homes.

#### *Youth is killed on the rooftop of home*

*Extra* 26 / 01 / 02

*During a 9<sup>th</sup> Military Police Battalion operation in the favela of Palmerinha, lorry driver assistant, Marco Leandro Alves Macedo, 22 years old, was killed after receiving a shot to the stomach. Parents of the youth accused police of entering the favela shooting at random.*

#### *Stray bullet kills a girl in Inhaúma: 13 year old adolescent was hit during a shootout between Military Policemen and traffickers*

*Extra* 12 / 02 / 02

*Renata was shot soon after leaving a party at a relative's house in Olária with her parents at around three thirty. The family car was caught in cross fire between a convoy of traffickers and a GETAM patrol.*

#### *Not even a pregnant woman escapes the fury of drug trafficking*

*O Povo* 09 / 04 / 02

*A 'bonde' from the favela Morro do Macacos invades Matinha [...] a grenade was detonated and a couple [including a pregnant woman] was killed. In the favela of Salgueiro in Tijuca, a child was the victim of a stray bullet.*

#### *Stray bullet kills woman in Anheita: saleswoman Simone, asleep at the time, leaves two children. Her mother was also hit but is well*

*O Globo* 13 / 05 / 02

*Simone was the victim of a stray bullet fired during a confrontation between police and traffickers in the favela community of Jardim Independência in Anheita. Two other youths, identified by police as traffickers, were also killed. [...] after the exchange of gunfire between 1am-4am, an exchange of accusations began. Residents claimed that the bullets were fired by police without there having been a confrontation with traffickers. At 2 o'clock a bullet perforated the wall of Simone's house.*

#### 4) EXTRA-JUDICIAL EXECUTIONS

Deliberate killings by traffickers or the police also occur as the result of faction disputes, community domination, and police corruption. These killings generally do not take place during armed confrontations but are organised extra-judicial executions.

***Traffickers from Acari capture and kill Military Police officer in the favela***

*Extra 18 / 12 / 01*

*In the favela of Acari, the soldier André Randolpho da Silva Siqueira, 33 years old, was executed by gunshot to the head, after having been snatched by traffickers. [...] The police officer was taken from his 9<sup>th</sup> Battalion police car [...] to another part of the favela, tortured and killed.*

***Trafficker accused of torturing Military Police officer killed in Acari***

*Extra 09 / 02 / 02*

*According to the 9<sup>th</sup> Military Police Battalion, Beíço died during a confrontation with Military Police officers from the unit. He was accused of torturing the soldier Thiago dos Santos Gonçalves, 31 years old, last Thursday night.*

***Bandit Barbecue: not satisfied with killing the victim, traffickers burn him in a car which then explodes***

*O Povo 14 / 03 / 02*

*...a stolen vehicle [...] was abandoned by the murderers of a man whose body was found in the trunk. On the back seat police found a note saying, "This one won't rape 10 year old children anymore."*

***A Rio of death: violence in Rio de Janeiro leaves 13 dead in various parts of the city in one day***

*O Povo 20 / 03 / 02*

*...hit by a number of bullets, principally in the head and face, three victims, one white and two black men, were found face down in Araraguá road [...] they had their hands tied and a number of bruises on their bodies, indicating torture before execution [...] the police suspect revenge [...] and a link between the victims and drug trafficking.*

***Free territory for drug trafficking: bandits execute community leader, kill the first lady's security guard and expel families from the favela***

*O Globo 26 / 07 / 01*

*In the Morro da Serrinha, in Madureira, vice president of the residents association and conductor of the samba school Império Serrano, Antônio Carlos Soares de*

*Araújo, was shot dead the day before yesterday. In the Morro dos Macacos, in Vila Isabel, traffickers invade a house forcing two families to hide for five hours in a nearby forest until they could be rescued by Civil Police and taken to a police station. In Manguinhos, Military Police sergeant and security guard to the city's first lady, Clêber Lopes Lobo, was shot dead, probably trying to escape a false road block mounted by bandits on Leopoldo Bulhões Road.*

#### 5) RELATED ARMED CRIMES

There are a number of armed crimes carried out by drug faction members that are also responsible for the increase in firearm-related mortality rates in the city. Such crimes take place outside of *favela* communities but may be seen as directly linked to the activities of *favela*-based factions. Primarily, these consist of the formation of *bondes* in order to invade rival faction territories or transport drugs or weapons around the city. *Bondes* are made up of cars that are hijacked at gunpoint in asphalted (non-*favela*) areas usually neighbouring the *favela*. An armed motorcade is then formed that is capable of resisting police apprehension. This often results in the death, injury or kidnapping of car owners that try to resist, or innocents killed if caught in the crossfire if a *bonde* confronts a police patrol or road block.

##### *'Bonde' transforms streets into a war scene*

02 / 03 / 02 O Globo

*Shootouts, car theft, kidnap victims, 4 traffickers arrested and one Military Police officer killed. This was the result of the action of bandits in the early hours the day before yesterday [...] Heavily armed, a motorcade of traffickers from the Comando Vermelho made up of 27 cars and 14 motorcycles, stole cars and challenged the police. According to police, the 'bonde' of traffickers – that included a pickup truck equipped with a .30 calibre rifle fixed to a tripod – is probably linked to events that occurred the day before in Inhaúma. For the police, the action was planned on Thursday night during a meeting of criminals in the favela Vila Cruzeiro, in Penha, that is under the leadership of the trafficker Elias Pereira da Silva, 'Crazy Elias'. After the meeting of members of the Comando Vermelho from different favelas in Rio, the bandits decided to invade Morro do Quintungo, in Vilha da Penha, that is commanded by the trafficker André Luiz Fernandes, from the rival factions of the Terceiro Comando (TC) and Amigos dos Amigos (ADA).*

In addition to damaging the city's economy<sup>65</sup> and an increasing climate of fear and vulnerability amongst its inhabitants, there are a number of directly related effects on *favela* communities and the surrounding urban areas caused by the above-listed armed violence. Again using press reports published during this study as examples, these effects are listed below. Press reports are used here as examples and are not representative of the number of incidents that occurred during the period of this study.

#### *1) Police occupation of favela communities*

The occupation of *favela* communities by the Military Police usually comes as a direct result of armed inter-faction disputes. Due to high levels of such armed violence within primarily *favela* communities in Rio de Janeiro in 1994, the Brazilian Armed Forces took control of public security in the city during a massive campaign called 'Operation Rio'. This included an extensive occupation of *favela* communities throughout the city. The following two press stories are typical of the type of Military Police occupations of *favelas* that occur regularly in Rio de Janeiro.

##### *Neighbouring favelas are occupied*

*Extra 09 / 02 / 02*

*...the police occupation in the entire complex of favelas and government housing projects to guarantee security [...] will have 634 police officers spread out over the favelas of Ramos, Roquete Pinto, Parque União, Nova Holanda, Baixa do Sapeteiro, Timbau, Salsa e Merengue and the housing projects of Vila do João and Parque Esperança. [Control of the] region is disputed by criminal factions such as the Comando Vermelho, Terceiro Comando and Amigos dos Amigos.*

##### *Vila Isabel asks for help: Military Police occupy favelas after drug trafficking confrontations, but the climate of fear continues. Schools are closed.*

*O Dia 28 / 05 / 02*

*Conflicts between traffickers from rival criminal factions for the control of drug sales in Morro dos Macacos began in the early hours of Friday, and the police only*

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<sup>65</sup> Calculating medical costs, working years lost due to premature death or incapacity, material losses, the cost of public security and private insurance, ISER calculated the total cost of violence to the municipality of Rio de Janeiro in 1995 at US\$2,058,177,615.89, which represented 5% of the city's Gross Internal Product for the same year. (*Magnitude, Custos Econômicas e Políticas de Controle da Violência*, ISER, Banco Interamericano de Desenvolvimento, 1998)



*went into the area today [Tuesday]. Eight favelas in the Complexo dos Macacos were occupied by 200 police officers but residents' fears continued. Five municipal schools that function within the region had lessons suspended due to a lack of students.*

## 2) Favela-led protests and demonstrations in the asphalted areas of the city

In reaction to violent or corrupt police action within *favela* communities, local residents may descend into the surrounding asphalted (non-*favela*) areas of the city in protest. Such protests usually take place when the police kill residents not involved in a drug faction or other criminal activity. In some cases, traffickers themselves incite such protests when the police kill a trafficker. Protests often become violent and public property may become the target of attack. The burning of public buses is common during these protests.

*Revolt in Cidade de Deus: residents accuse Military Policemen of killing a girl and adolescent youth and injuring another boy with gunfire. The protest closes the Yellow Line*<sup>66</sup>

*O Dia 25 / 01 / 02*

*Hours after a white car drove along Daniel Road carrying three men – military policemen in plain clothes according to witnesses – shooting out of the windows, residents of Cidade de Deus closed the Yellow Line and the Gabinal Highway yesterday afternoon in protest over the death of student Raquele Santos Prudente, 14 years old, shot in the neck. [...] Felipe Martins, 19 years old [...] was also shot in the chest and died in hospital that night. [...] At around 16hrs approximately 200 residents closed the Yellow Line. [...] Rioters attacked the police with petrol bombs and bricks [...elsewhere] approximately 60 residents from the favela of Pixuna [...] set fire to a public bus [...] in protest over the death of Jefferson Ferreira Dias, 21 years old. [...] According to the president of the local residents association [...] Jefferson was executed in the morning by police officers from the 17<sup>th</sup> Military Police Battalion, that took him out of a house in which he had entered to hide, and shot him in the chest. [...] The president] admitted that Jefferson was involved in trafficking, but said: "Why didn't they take him to the police station?"*

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<sup>66</sup> Linha Amarela – a major city highway.

*Rio Comprido set alight: four injured, two buses and a car burnt.*

*O Povo 29 / 01 / 02*

*...the Military Police were unable to control the fury of residents that literally descended from the favelas of São Carlos, Querosene and Coroa. [...] the scenes were a portrait of the silent war that has still not been declared, even though the battles are constant [...] The community accused the Military Police of kidnapping ['Dedê' a local trafficker], receiving R\$ 500 thousand<sup>67</sup> for his release and then executing the youth. For the community 'Dendê' was seen as a hero...*

### *3) Closure of local commerce and municipal schools*

Due to intensive armed disputes between factions and the police, commercial premises and municipal schools are often closed by shop owners or school directors respectively in affected *favelas* or neighbouring areas of the city. In some cases, this is a spontaneous reaction caused by the fear that students or shopkeepers may be caught in the crossfire. In other cases, traffickers may order closure for a period of time as a mark of respect for a local trafficker who has been killed.

*Drug trafficking war leaves more than 4,500 students without classes and shops close in the West of the city*

*O Dia 02 / 10 / 01*

*Confrontations between the quadrilha of Celsinho from Vila Vintem against bandits from the Comando Vermelho in Santa Cruz, close 10 schools and force police to close three roads in order to protect students and pedestrians.*

*Shops closed by drug traffickers in Rio Comprido: bandits impose mourning following the death of two men during a confrontation with police*

*O Dia 10 / 12 / 01*

*An exchange of fire between police and traffickers from the Morro dos Prazeres caused fear amongst local residents. Vinicius Silva Borges, 20 years old, and Sergio Moreira da Silva, 23 years old, were killed in the confrontation. Following orders by traffickers, bakeries and bars in the Rua Barão de Petrópolis were closed yesterday. A black banner, indicating mourning was hung at the access to the favela.*

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<sup>67</sup> slightly under US\$200,000.

*Trafficking still challenges the police: despite daily police actions in [the favela] Alemão, bandits order three schools to close*

*O Globo 14 / 06 / 02*

*Despite a heavy police presence in the Complexo do Alemão over the last ten days, following the death of the Globo journalist Tim Lopes, traffickers continue to give the orders in the area. Three schools in the region, with 2,347 students in total, suspended classes yesterday following orders from traffickers. Students and teachers left the building rapidly, having received telephone calls ordering the end of lessons.*

#### *4) Effects on local institutions and government*

Armed confrontations within and around *favela* communities have also affected the ability of other local institutions or government organs to function normally. For example, the Brazilian Institute for Geography and Statistics (Instituto Brasileiro de Geografia e Estatísticas / IBGE) was relocated from its original office next to the *favela* of Mangueira, due to constant armed exchanges between local traffickers and the police. During this study, election posts in areas considered to be at risk of armed exchanges between traffickers were also relocated by the government.

*Trafficking causes the Regional Electoral Tribunal<sup>68</sup> to change electoral session: at least 4 election posts in risk areas have already been transferred due to shootouts*

*O Globo 13 / 01 / 02*

*In the year in which elections for deputies, governors, senators and the president will take place, drug trafficking once more proves its daring: to force the Regional Electoral Tribunal (RET) to change the address of four electoral sessions in Rio located in areas of conflict between bandits. The request for re-management was sent to the RET from local residents. The election posts would have functioned in municipal schools administrated by the mayor's office but have been transferred due to constant shootouts involving rival quadrilhas or confrontations between police and traffickers.*

#### *5) Creation of refugees*

*Favela* residents may be made homeless if expelled from a community by local traffickers. This usually occurs if a resident breaks drug traffickers'

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<sup>68</sup> Tribunal Regional Eleitoral (TRE).

rules. If expelled residents refuse to leave they are killed. If people expelled from the community have nowhere else to go, they may end up living on the street. During this study, researchers encountered two minors in São Martinho, a home for street children in downtown Rio de Janeiro, who had been expelled from their communities by traffickers for undisclosed reasons, and were now living in the street. In addition to the creation of refugees in this manner, when armed disputes are particularly intense, *favela* residents may be forced to leave the community and live elsewhere for a prolonged period.

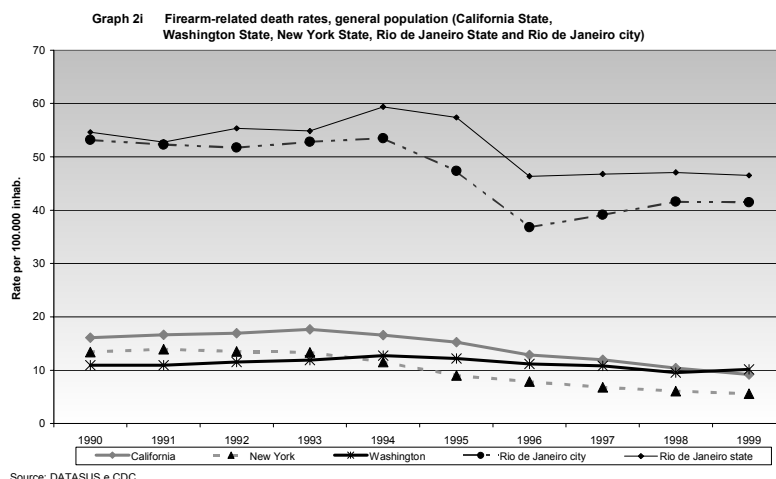
*Violence by criminals creates trafficking refugees: residents of Morro dos Macacos continue in homeless shelters unable to return home*

*O Globo 28 / 05 / 02*

*It was nightfall in Morro dos Macacos yesterday when the doorman X, 24 years old, abandoned the favela with his eight month year-old daughter, wife, brother and three nephews. Escaping from the drug trafficking war that has terrorised the community since Friday, they took with them mattresses and bags with clothes and food. Along with them, dozens of residents also left their homes – many of which were without electricity – and went to the homeless shelters. They are the refugees of drug trafficking. “I’ve lived here since I was a child, but these recent days have caused a lot of suffering. We had to hide under the bed” – he said. [Other refugees commented]: “I slept in the square with my husband and my daughter. I want to move out of the favela but with this war no one wants to buy my shack.” “They killed a man underneath my window. I was so scared that I was unable to speak.”*

## **Comparisons of mortality rates with other urban cities and modern conflicts**

In order to fully comprehend the significance of the firearm-related mortality rates generated principally by armed inter-faction disputes and confrontations between factions and the police in Rio de Janeiro, there follows a brief comparison of firearm-related mortality rates between: Rio de Janeiro city; Rio de Janeiro State; California State (USA); Washington State (USA); and New York State (USA). These states were selected due to having documented histories of gang and firearm related violence in their urban centres. See **Graph 2i** below.



As demonstrated in **Graph 2i**, between 1990-1991, the firearm-related mortality rates of the general population in both the State of Rio de Janeiro and Rio de Janeiro city were far higher than those in the US States of California, Washington and New York.

The firearm-related mortality rate in the State of California in 1999, for example, registered at 9.2 per 100,000 inhabitants, with a total of 3,054 deaths. In the same year, Rio de Janeiro State registered a firearm-related mortality rate of 46.5 per 100,000 inhabitants, with a total of 6,614 deaths. In 1999, Rio de Janeiro city registered a firearm-related mortality rate of 41.5 per 100,000 inhabitants, with a total of 2,410 deaths.

Also in 1999, the firearm-related mortality rate in Washington State registered at 10.2 per 100,000 inhabitants, with a total of 585 deaths. The firearm-related mortality rate in New York State in the same year, registered at 5.6 per 100,000 inhabitants, with a total of 1,016 deaths. The firearm-related mortality rates in both of these US states were considerably lower than those in Rio de Janeiro State and city.

Having established that far more people are dying from gunshot-related injuries in Rio de Janeiro than states in the US that are known for relatively high firearm-related mortality rates and problems related to gang violence, there follows a comparison between estimated numbers of battle-related fatalities in modern conflicts and firearm-related mortalities in Rio de Janeiro city. Modern conflicts in the following countries were selected

for this comparison: Colombia; Angola; Sierra Leone; Yugoslavia; Afghanistan, Uganda and Israel. Please see **Table 2a**.

The data referring to estimated battle-related mortalities was provided by SIPRI (Stockholm International Peace Research Institute).

**Table 2a**  
**Comparisons between numbers of battle-related deaths in modern conflicts**  
**and firearm-related deaths in Rio de Janeiro city**

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Colômbia	Gvt. of Colômbia vs. FARC	1949	Party 1: 280 000* / Party 2: FARC: 15.000-20.000	1978	1997	500-1.000	2.241
					1998	1.000-1.500	2.399
	Gvt. of Colômbia vs. ELN	1965	Party 3: ELN: 3.000-5.000	1978	1999	>1.000	2.410
Comments: FARC: Fuerzas Armadas Revolucionarias Colombianas (Revolutionary Armed Forces of Colombia), ELN: Ejercito de Liberacion Nacional (National Liberation Army) *Including paramilitary forces. **This figure includes deaths in the fighting since 1964, in which other parties than those listed above also participated.					2000	>1.000	2.656
					Total deaths during the conflict period 1978-2000	>39.000**	49.913

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Angola	Govt. of Angola, Namibia vs. UNITA	1975	Party 1: Angola: 130.000, Namibia:... / Party 2: 10.000-30.000	1998	1997		
					1998	>1.000	2.399
					1999	>10.000	2.410
					2000	>1.000*	2.656
Comments: UNITA: União Nacional Para a Independência Total de Angola (National Union for the Total Independence of Angola) *This death figure serves only as an indication of the absolute minimum number of battle-related deaths; the actual figure may be much higher. In this case, the uncertainty also means that comparison with the figures for deaths in 2000 is not meaningful.					Total deaths during the conflict period 1998-2000	>11.000**	7.465

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Sierra Leone	Gov. of Sierra Leone, United Kingdom, ECOMOG vs. RUF, AFRC	1991	Party 1: Serra Leoa: 10.000-15.000*, United Kingdom: 800 / Party 2: 10.000-15.000	1991	1997	–	–
					1998	<1.500	2.399
					1999	>6.000	2.410
					2000	–	–
Comments: ECOMOG: ECOWAS (Economic Community of West African States) Monitoring Group. RUF: Revolutionary United Front. AFRC: Armed Forces Revolutionary Council. Mainly local civil defence forces, including the Kamajors militia. A minority are trained RUF/ARFC soldiers; the vast majority are armed ad hoc rebels.					Total deaths during the conflict period 1991-1999	>11.000	23.480

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Yugoslavia	Gvt. of Yugoslavia vs. UCK	1997	Party 1: 110 000* / Party 2: 15.000-17.000	1949	1997		
					1998	1.000-2.000	2.399
	Gvt. of Yugoslavia vs. NATO forces**	1999	Party 3: 30.000-40.000	1978	1999	1.000-3.000	2.410
					2000	–	–
Comments: UCK: Ushtria Clirimtare e Kosoves (Kosovo Liberation Army, KLA). NATO: North Atlantic Treaty Organization * Approximately 40.000 troops, including paramilitary forces, were used in Kosovo. **NATO force comprises troops from 13 of the 19 NATO member states: Belgium, Canada, Denmark, France, Germany, Italy, the Netherlands, Norway, Portugal, Spain, Turkey, the UK and the USA.					Total deaths during the conflict period 1998-2000	2.000-5.000	7.465

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Afghanistan	Govt. of Afghanistan vs. UIFSA*, Multinacional Coalization**.	1992	Party 1: 20.000-40.000 / Party 2: 10.000-20.000	1992	1997	>2.000	2.241
					1998	>2.000	2.399
					1999	>2.000	2.410
					2000	>3.000	2.656
					Comments: UIFSA: United Islamic Front for the Salvation of Afghanistan *A military alliance, the SCDA (Supreme Council for the Defence of Afghanistan), was formed in Oct. 1996 by the Jamiat-i-Islami, Hezb-i-Wahdat and Jumbish-i Milli-ye Islami. The SCDA changed its name to the UIFSA in June 1997. **Including troops from Australia, the UK and the USA. Military contributions were also made by Canada, France, Germany, Italy, Japan, Jordan, the Netherlands, Poland, Russia and Turkey. ***This death figure serves only as an indication of the absolute minimum number of battle-related deaths; the actual figure may be much higher. In this case, the uncertainty also means that comparison with the figures for deaths in 2000 is not meaningful.		

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Uganda	Govt. of Uganda vs. LRA	1993	Party 1: 110 000* / Party 2: 15.000-17.000	1994	1997	–	–
	Govt. of Uganda vs. ADF	1996	Party 3: 30.000-40.000	1996	1998	>800	2.399
Comments: LRA: Lord's Resistance Army, ADF: Alliance of Democratic Forces.					1999	–	–
					2000	–	–
					Total deaths during the conflict period 1994-1998	>3.000	12.404

Country	Warring parties	Year formed	Number of troops	Beginning of armed intervention	Year	Estimated conflict related deaths	Firearm related deaths in Rio de Janeiro city
Israel	Govt. de Israel vs. Palestinian Organizations**	1964	Party 1: 160.000-170.000	1964	1997	10-150 (mil.) 75-100 (civ.)	
					1998	100(mil.)50(civ.)	2.399
					1999	25(civ.)75(mil.)	2.410
					2000	50 (mil.) 275 (civ.)	2.656
Comments: *Note that this figure also covers the period 1948-1963, in which parties other than those listed above participated. **Mainly Fatah/ Tanzim, but also Hamas and Islamic Jihad.					Total deaths during the conflict period 1991-1999	1948: > 13.000*	48.813 (1979-2000)

The above tables cite estimated battle-related deaths of military personnel and civilians by year (between 1997-2000 where available) and total (the total number of battle-related deaths from the beginning of the conflict until 2000). Using this method, it is possible to make direct comparisons between the numbers of battle-related deaths in the above selected modern armed conflicts, and the number of firearm related fatalities in Rio de Janeiro by year (1997-2000) and by total (depending on the commencement date of each conflict).

Mortality rates per 100,000 inhabitants were not used for this comparison due to the difficulty in calculating such figures in a war situation;



the involvement of troops and other personnel not from the local population complicates such calculations.

As demonstrated in the above tables, although the numbers of recorded battle-related deaths by year (1997-2000) in each of the above cited conflicts may be higher or lower than the corresponding numbers of firearm-related deaths in Rio de Janeiro city, we find that when comparing total numbers of battle-related deaths in the above conflicts with total numbers of firearm-related deaths in Rio de Janeiro, during selected periods, there are more recorded deaths from firearms in Rio de Janeiro city than battle-related deaths in all of the above conflicts, with the exception of Angola.

The utilisation of high-powered weapons and the types of armed violence caused by inter-faction disputes and confrontations between the police and factions in Rio de Janeiro is considerably worse in scale than the kind of armed violence usually encountered in areas that are not involved in armed conflicts or civil wars. Despite the fact that Rio de Janeiro is not in a state of war, such extreme levels of armed violence are generating numbers of firearm-related deaths in the city of Rio de Janeiro that are comparable, if not greater, than the number of conflict-related casualties found in many modern major armed conflicts.

## PART THREE:

### CHILD AND ADOLESCENT INVOLVEMENT IN DRUG FACTIONS AND ARMED COMBAT

#### THE INCREASE IN CHILD AND ADOLESCENT EMPLOYMENT IN DRUG TRAFFICKING

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Although children and adolescents have always been involved in drug trafficking, they are more involved in drug trafficking within *favela* communities now than ever before.

Even before the transformation of Rio de Janeiro's retail drug trade in the early to mid 1980s, children were involved to varying degrees in the sale of drugs within the community. Whether or not children were employed in drug trafficking in the pre-faction period depended on who was selling drugs within the community and their personal preference as to whether or not to employ child labour. It has been claimed that children were not employed in drug trafficking in any capacity whatsoever during this period. Although this may have been true in some *favela* communities due to the wishes of a particular local dealer, the reality is that although utilised to a lesser degree than today, just as they were used as look-outs for the *jogo do bicho*<sup>69</sup> during the 1960s and 1970s, children were also used as look-outs, messengers or *aviãozinhos* ('little' drug carriers) by drug dealers during this period. Although children were employed by dealers before the establishment of factions, they were not armed and normally received 'gifts' as opposed to money or a fixed salary in exchange for their services.

*...[the dealers would say] let's give the kids sneakers, clothes. They started with designer clothes, and at the beginning of the 1980s 'the' designer clothing was Adidas and it was really expensive, so they gave us Adidas jackets, Adidas shorts, football sneakers [...]. It was a curious thing because they gave us exactly the things that would help us, in theory anyway, remain as children.*

*Ex-child trafficker from the 1970s*

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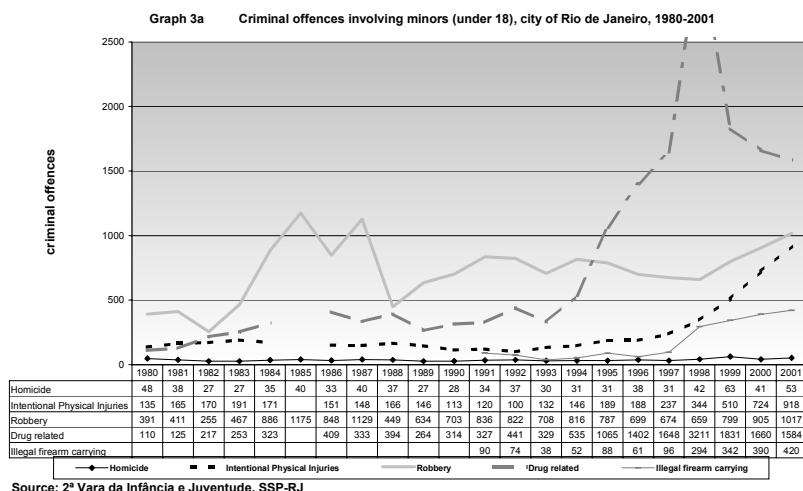
<sup>69</sup> Misse 1998 p. 299 / Queiroz 1978 as cited in NEPAD & CLAVES 2000 p. 59

As discussed below, the changes in the drugs trade during the 1980s are partly responsible for the increase in child employment since that period. One such change, the arrival of cocaine in the retail market, radically increased the profitability of drug sales and subsequently restructured labour relations for children who had previously received 'presents' in exchange for work. Furthermore, children began to fill other working positions and their elevated employment status now demanded that they be paid in cash.

*With the arrival of cocaine this all changed [...]. From this point onwards the financial investment in drug trafficking became far larger and with this they saw the necessity that instead of giving 'presents', instead of giving clothes, sneakers, they'd pay money as well as sometimes giving presents, but much more money: 'here take this and buy what you want.'*

*Ex-child trafficker from the 1970s*

In addition to testimonies given by *favela* residents and ex-traffickers that worked in the drugs trade during the 1980s – 1990s, the steady increase in the involvement of children and adolescents in the drugs trade since the early 1980s is most clearly demonstrated by crime statistics that indicate a substantial rise in the number of minors arrested for drugs trafficking-related offences over the last twenty years.



As demonstrated in **Graph 3a**, there has been a drastic rise in the number of minors convicted of drug-related criminal offences<sup>70</sup> between 1980-2001, from 110 registered convictions in 1980, to 1584 registered convictions in 2001. Even if this rise results from increasingly effective policing regarding these offences, this massive growth of 1340% in the drug-related convictions of adolescents between 1980-2001, still suggests a substantial increase in the number of under eighteen year-olds involved in the drug trade.

Furthermore, we see this increase beginning in the early 1980s, when drug factions first became established in Rio de Janeiro's *favelas*, and rising most notably from 1993, when drug faction disputes were intensive. From this period onward, children and adolescents began to substitute older traffickers in positions previously only held by adult traffickers. This was due to many adult traffickers being imprisoned or killed: this paved the way for more children to enter the drug trade as a full time occupation. Commencing in 1996, we see drug-related convictions for under 18 year-olds as substantially higher than those for robbery, homicide, intentional physical injuries and illegal firearm carrying.

**Graph 3a** also demonstrates an alarming increase in the illegal carrying of firearms from 1991-2001. In 1991, there were 90 under 18 year-olds convicted of illegally carrying firearms. This rose to 420 in 2001. The rise may be related to armed functions increasingly carried out by children and adolescents working for drug factions since this period. A number of key factors follow that have facilitated the increase in child and adolescent involvement in drug trafficking since the early 1980s.

#### 1) INCREASED HOPELESSNESS, POOR JOB PROSPECTS AND OPTIONS FOR YOUTH

Drug trafficking has become increasingly accessible to children and adolescents since the early 1980s as well as more attractive to them in view of the absence of alternative prospects for employment, upward mobility, status and money.

*They've a lack of hope because everything is so difficult. They already live in a place where nothing's good [...] and they already have that coexistence [with the traffickers...]. In their view they think that trafficking is the easiest option.*

Favela resident

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<sup>70</sup> Including drug trafficking (Article 12) and drug use (Article 16).

Within *favela* communities it is common for children and adolescents to work in order to contribute to the family income. Employment opportunities for children and youth have diminished at the same time as drug trafficking as a means for financial advancement has become more accessible. As noted in a recent International Labour Organization report, Rio de Janeiro has recorded the highest decline in the participation of the 15-17 age group in the formal labour market. The overall level of employment for this age group has decreased by more than half between 1991 and 2000 (ILO, 2002, p.5).

## 2) AN INCREASED DESIRE AMONGST CHILDREN FOR CONSUMER GOODS

The demand on the part of children to participate in society's growing culture of consumerism has increased with the advent of more sophisticated television commercials and marketing campaigns aimed at an ever-younger population. The number of televisions in *favelas* has risen since the 1970s and this has encouraged a growing appetite for material goods amongst the poor. Children and adolescents in *favela* communities are very aware of what society's consumer goals are; however, with poor parents and little chance of employment, they have few possibilities of realising such goals. Drug trafficking offers an accessible way to do this. The increasing importance given by *favela* children and adolescents to acquiring consumer goods is seen by many of them as sufficiently important to risk their lives or kill for.

## 3) THE INCREASED ACCEPTANCE AND DOMINATION OF DRUG TRAFFICKING WITHIN THE COMMUNITY

Since the early to mid 1980s, children have grown up in *favela* communities that have been dominated by drug factions. The generalised acceptance of drug trafficking in the community over the last twenty years has undoubtedly encouraged the increased involvement of children and adolescents in the drugs trade.

*Sometimes they get involved because they think it's normal. They've seen this [drug trafficking] everyday.*

Favela resident

Children have also been increasingly influenced by the rising involvement of important reference groups, such as family, friends and a growing generation of parents that work within drug trafficking.

*These days you grow up with a person that's involved in trafficking. He's a life long friend from school, sometimes it's even someone from your own family.*

Favela resident

Since the mid 1980s a youth sub-culture has developed within *favela* communities that promotes and glorifies drug traffickers as idols who defy the much-feared police and refuse to suffer the poverty common to the rest of *favela* residents. This sub-culture and the increased domination of drug traffickers within the community as the holders of power and status, has further served to increase youth interest and participation in drug trafficking.

#### 4) AN INCREASE OF SINGLE PARENT FAMILIES WITHIN THE COMMUNITY AND THE LOSS OF FAMILY VALUES

Changes in *favela* culture in regard to a loss of family and moral values and the increase in single mother families since the pre-faction era was cited by community residents as a key factor in the increased involvement of children and adolescents within drug faction employment.

*It's the old communities that had family references. They had moral and social values [...] These are being lost.*

Favela resident

#### 5) THE FORMATION OF DRUG FACTIONS THAT ACTIVELY 'ACCEPT' THE PARTICIPATION OF CHILDREN

The establishment of drug factions in the early 1980s came partly as the result of the advent of affordable cocaine on a large scale to Rio de Janeiro's retail market, the increased consumer demand for the drug and its greater profitability. Like any expanding retail business, there was a need for more sales points and people to staff those sales points. Children already had a role in drug trafficking before the arrival of cocaine through employment as lookouts, messengers and *aviãozinhos*. With the expansion of the drugs trade in the 1980s, there was increased demand for children to fill these positions. Furthermore, following the high numbers of adult traffickers imprisoned or killed, there was also an increased demand for other jobs such as *vapores* and *soldados*. As children were already involved, it was a natural progression for them to start being employed in these positions. Child labour within drug factions has never been forced. However, with the growing demand for workers and a rising interest in drug trafficking amongst children, factions were happy to actively accept child labour.

## RECRUITMENT: LIMITED OPTIONS AND INDIVIDUAL CHOICES – THE ATTRACTION OF THE DRUG TRADE

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### **“Hanging around” with ‘os amigo’**

Of those interviewed, the average age for entering drug trafficking as a full-time occupation was thirteen years and one month. However, in order to enter the hierarchical ladder of faction employment on a full time basis, a child may spend months or more “hanging around” (*andando*) with active drug traffickers (referred to in a grammatically incorrect form as “*os amigo*”). As one interviewee succinctly explained:

*Nothing happens from one day to the next.*

*Gerente de soldados, 17 years old*

Children and drug traffickers both share public areas in the community on a daily basis and consequently spend time in close proximity. As a result, traffickers may ask children to carry out simple tasks for them, such as running a message to another person in the community or going to a shop near by to buy a soft drink. Although this may function as the first part of a process that selects potential employees, it is not a system designed deliberately to evaluate candidates. Such errands are often given to children who have no interest in entering the drugs trade, but may be near by at the time of the request and known to a trafficker as a neighbour. Drug traffickers are a constant presence within the community and it is a normal process for impressionable boys that spend a lot of time in the street to have interaction of this kind with them.

If a child shows a sustained interest in drug trafficking while “hanging around” with local traffickers, he may be given small errands or menial jobs more related to traffickers’ working functions. Tasks may include taking weapons home to look after, holding weapons or drugs in the street and carrying ammunition. At this point children may be given money for such tasks. Again, although this is not a deliberately designed system to test whether a child is trustworthy or capable, it is a process that functions as such. Furthermore, it also reflects both the fact that drug traffickers value personal knowledge of potential employees, i.e. that they are ‘known’ members of the community and, more importantly, that children as young as

eight years old will regularly be in situations of potential danger because of their proximity to faction soldiers.

*One day I started hanging around with the men (os caras). I started to carry a backpack, a bag full of bullets, and I continued hanging around with the men. Now I'm a gerente de boca and I carry my own pistol.*

*Gerente de boca, 16 years old*

*You start by watching...and there's a trafficker...where you live. You've known that kid since his birth, and so you know him and he asks you to look after a gun, look after something for him, and you do it. And then before you know it, you're in the middle of it all, without even being aware you're already involved.*

*Soldado, 16 years old*

Once children and adolescents have been “hanging around” long enough with traffickers, they are in a position to start working. Researchers did not come across any cases of children or youths entering drug trafficking as a full time occupation that had not passed through a similar process as that cited above, or without at least being ‘known’<sup>71</sup> by and knowing local dealers. More importantly researchers did not hear of any cases of children or adolescents being explicitly asked, coerced or forced to join a faction. All those interviewed claimed that they *had* to request a working position after “hanging around” with low level traffickers for a sufficient period of time. Depending on the size of the community and the number of *bocas de fumo* in operation, children and adolescents will request employment from the *gerente de boca* or the *gerente geral*.

*I: How did it [becoming employed] happen?*

*T: Ah, same as normal, I requested permission from the o amigo. The Amigo let me in and I went ahead and entered the situation.*

*I: So you went to the amigo, to ask his permission to enter?*

*T: Yes, you have to ask the amigo. It's his responsibility.*

*Vapor, 16 years old*

Hence, recruitment into faction employment is a voluntary process that begins at a very early age facilitated by children spending time around traffickers within their communities, first choosing to be in the company of

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<sup>71</sup> conhecido



traffickers and then requesting permission to join the *boca de fumo*. By entering the *boca de fumo* children and minors learn the trade whilst on the job, through a process referred to as 'formation'.

*Formation is when you are in day-to-day contact with the amigo...you're connected with the firm, you know, to drug trafficking, and then you're ready.<sup>72</sup> Because our lives are different to that of a worker, ours is trafficking; we live with trafficking, drugs, bocas de fumo. So formation is this, you have contact with the friends and are connected with everything that goes down in the boca.*

*Gerente de maconha, 23 years old*

## Notions of Childhood

Not all children are accepted for employment by drug factions for a number of reasons: a perceived inability of the child to be a capable worker; the *gerente geral* in question may have a personal objection to very young children (i.e. under twelve) working; or parents may request the *gerente geral* to not let their children become involved, and depending on the situation, traffickers may agree. However, if perceived as sufficiently capable of being a lookout (the first paid position in trafficking), most children that make a serious request to enter the drug trade are accepted.

All adult traffickers interviewed said they thought that the drugs trade was not a good place for children or minors to be working. However, when referring to active participation of children and adolescents in the drug trade, including the use of firearms, interviewed traffickers did not evaluate childhood or being a minor by numerical age, but by the maturity and preparation (*ser preparado*) necessary for the daily activities of the trade.

*I: Do you think it is normal that children are carrying firearms?*

*T: We use guns to defend ourselves, but not children, as I told you, only those that are 'prepared' are armed.*

*I: But aren't 13 and 14 year-olds children?*

*T: Yes, but some of them are more 'prepared' than others to handle a weapon.*

*Soldado, 18 years old*

One *gerente de preto* even stipulated that he actively refused to employ children, even sending them back to their parents if they requested work,

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<sup>72</sup> formado

minutes after having let researchers interview and take photos of a twelve year-old who was working as a *vapor* holding a .38 calibre pistol. His definition of a child was primarily based on the child's ability and 'preparation' to work and not on age. Children considered to be trustworthy or mature were also considered to be more 'adult' and less childlike. This *gerente* was only willing to give a numerical age for when a person stops being a child when specifically asked to do so. Even then he had difficulty in stipulating a definite number.

- T: Ah, if a child or minor wants to join...we won't let them join drug trafficking.*  
*I: But I have already spoken with a number of minors that work in trafficking, that were allowed to join.*  
*T: Minors yes, of a certain age. Those minors...we say, are already more adult. That's what I want to say, the more adult ones.*  
*I: So what defines a child for you? Up to what age?*  
*T: Up to 14 years of age.*  
*I: Up to 14 is a child?*  
*T: 14 year olds are already...above that age they already know...*  
*I: What do they already know?*  
*T: Yeah, from 13...under that, they're still a child.*  
*I: So from 13 onwards they're already adults?*  
*T: Yes. Those we consider to be more adult...[are those that] we feel more trust in...those that are already involved...we feel more trust in their speech, the way they talk.*  
*I: Did you consider yourself to be a child when you went into the drugs trade at the age of 14?*  
*T: No, I didn't consider myself to be a child.*

*Gerente de preto, 23 years old*

One interviewed *gerente de boca* claimed that childhood finished when a child began to think like a criminal, and not like a child, thus losing his innocence and child status. He also told researchers that his entire crew of *vapores* was made up of under eighteen year-olds.

- I: Do you think it is normal for children to be involved in this [drug trafficking]? Do you think it's good?*  
*T: No, I don't think it is normal...*  
*I: When you worked as a gerente de boca [interviewee was detained at a youth detention facility for drug trafficking offences at the time of interview], did you accept children trafficking?*

*T: No. I didn't like them to. There were some that were minors but they were all already 'old'. Already bad.*

*I: How do you mean 'old'?*

*T: Like minors in terms of size, but there were some that had already killed, already cut people [i.e. mutilate]. They already had a criminal mind... They were minors in terms of size, 15 years old, 14 years old and all small...[but] they already had wickedness in their minds...their minds were already really wicked.*

*Gerente de boca, 16 years old*

This particular *gerente de boca* was only sixteen years old at the time of the interview and although he still considered himself to be young, due to his criminal involvement he distinguished himself from other minors for the same reasons he had with the minors he had employed:

*I: Do you feel young or are you already an adult? How do you feel?*

*T: I feel young, but my mind is already very polluted, there's a lot of wickedness.*

One seventeen-year-old *gerente de segurança* commented that once in the business, the distinction between minor and adult no longer exists. Furthermore, he personally viewed minors as often being more adept than adults for certain functions within the drugs trade.

*I: You said that this life is not a good one for minors to enter. As you now have a position of responsibility, would it not be possible to say that you no longer want minors working in this, only adults from now on?*

*T: It wouldn't be possible because as I said, sometimes a minor has more ability than an adult, than an old person. We think not...but looks can be deceiving. But I'm also not telling you that [a minor] is as capable as some of the others, as the best, but once involved, from the moment he's there he's a criminal. Be it a minor or an adult, he's a criminal.*

*Gerente de soldados, 17 years old*

In addition to being more adept at certain jobs within drug trafficking, children are obviously cheaper to employ and held in custody for less time if caught by the police.

Drug trafficking was also considered by children in the trade to be a negative and dangerous place to work. However, when pushed for a definition it became apparent that the children interviewed did not consider themselves to be children:

*I: Do you think it's good...children in drug trafficking?*  
*T: Children, no.*  
*I: And do you think that you're a child?*  
*T: I'm an adolescent. I'm twelve years old.*  
*I: Is twelve years old a child? What's a child?*  
*T: A child? Ah, if you're a child you shouldn't get involved in drug trafficking.*  
*I: But you told me that you started working [for a drug faction] when you were eleven years old?*  
*T: Yeah.*  
*I: So you were a child?*  
*T: I was a child, but I'm already twelve now.*

*Figueiteiro, 12 years old*

In addition to trust, ability and 'preparation' being definitive when drug traffickers considered the notion of childhood and what it is to be a minor, understanding individual responsibility was a further factor that influenced interviewees as to whether to view a child as such. This was related to making life choices, i.e. if a minor chooses to become involved, as is always the case, and is 'prepared' to do so, then that minor is responsible for whatever happens as a result, including death.

Notions of personal responsibility and individual choice were constantly encountered by researchers when interviewing drug traffickers of all ages. This reflects both the individualistic personality possessed by most children that get involved in drug trafficking, as discussed at a later point in this chapter, and also notions of personal responsibility that are integral to the working structure of drug trafficking within *favelas*. Working in a well-defined hierarchy, members of drug trafficking factions are expected to follow set codes that if broken may result in death. As punishments for breaking such codes are carried out by working colleagues, traffickers are often expected to kill those that they consider to be friends. One way to deal with the undoubtedly stressful psychological pressure of knowing you may have to kill a colleague or friend, or be killed by a colleague or friend, is to enter a group mentality that professes "whatever happens to each of us is a morally justifiable result of our chosen actions". Hence, although accepting that theoretically it is wrong to employ children in the drugs trade, when practically evaluating children and minors who have already started the process of "hanging around" with traffickers, traffickers themselves begin

to see those same children as being part of a world where one is completely responsible for making one's own choices, and individually responsible for those choices, as they themselves are. When a child is viewed as being capable ('prepared') of participating in a world where individual responsibility is paramount, he begins to be seen as less of a child and more of an adult, given that children are not traditionally viewed as being responsible for their actions.

*This is not right for children...I don't think it's right. But whoever wants to get involved gets involved. Each one has his destiny. Each one does what they choose. It's their life.*

*Fiel do gerente geral, 16 years old*

*We can't tell anybody how to live their life. Personally, I wouldn't accept a kid of 12 or 13 years old at a sales point, but what can we do?*

*Gerente de maconha, 23 years old*

*God gave each one of us a life. You have yours and I have mine. The direction your life takes lies in front of you, you choose.*

*Gerente de soldados, 17 years old*

One *sub-gerente* even complained that minors were difficult to control, especially as they'd grown up around drug trafficking most of their lives and wanted to outshine older traffickers. As a *gerente* he considered that all those who start trafficking under him do so through individual choice. Since they had grown up around trafficking, they knew what they were getting involved in, he said. This again suggests the notion of individual responsibility that is not traditionally considered in notions of childhood.

*These days it's harder to control a kid of fifteen years old...since the age of 10 that kid's lived seeing drug trafficking, seeing guns, [seeing] criminals shooting. So, when he gets involved, he really gets involved...To start shooting...minors are always more difficult to control than the older ones...The older ones always try to control the younger ones, but it's difficult."*

*Gerente de maconha, 23 years old*

## Accepting children

Having noted the voluntary process of recruitment and how childhood is viewed by traffickers, we can see that children are not sought out by drug trafficking factions. However, children and adolescents who choose to enter drug trafficking are actively accepted by factions for the following reasons:

- Notions of childhood are judged not by age but by ‘preparation’ to do the job;
- Many sales point managers are minors and do not identify themselves or others as such;
- Many young adults working as managers themselves entered the trade as children;
- Children are considered to be more capable for many jobs in drug trafficking as well as being cheaper to employ and held in custody for less time if caught by the police;
- Traffickers understand their world in terms of individual responsibility. If a child is capable of showing he is ‘prepared’ to work in the drugs trade, he is then consequently capable of being responsible for making his own life choices.

## Decision making: why children choose to enter into drug trafficking

As noted above children are neither coerced nor forced to join drug factions. They enter voluntarily and will even have to show a sustainable desire in order to be accepted for full-time employment. However, before we can identify why some children make such a choice, it is important to understand a number of related pre-existing factors that are common to all children that have grown up in Rio de Janeiro’s *favelas* since the 1980s. Once these pre-existing factors are understood, it is then possible to see that a combination of the attraction of drug trafficking as well as other influences common to those children that enter drug trafficking, make options for many children in *favelas* extremely limited. What originally appears to be a ‘voluntary choice’ may be redefined as “the best alternative amongst

limited options". As one fifteen-year-old *vapor* commented, "*This is what I want. I don't like it, but this is what I chose for me.*"

#### PRE-EXISTING FACTORS

##### *1) Drug faction domination*

Territorialisation of *favela* communities by drug factions and faction domination within *favela* communities has been a reality for those growing up inside Rio de Janeiro's *favelas* since the mid 1980s. Drug traffickers have become the primary power group within *favelas*, responsible for decision making, maintaining order, settling disputes and 'defending' the community. Drug traffickers also provide local economic stimulation due to a small percentage of drug money being spent in the community and on community projects. Whether their domination is liked by *favela* residents or not, it is accepted, mostly through lack of choice, and the rules established by the drug traffickers are understood and generally followed. Drug traffickers have thus become legitimised as the holders of power and are seen as such by children growing up in the community.

##### *2) Poverty*

The poverty encountered in Rio de Janeiro's *favelas* stands in stark contrast to the wealth of the cities upper and middle classes. Such poverty has made child labour a reality and within a *favela* it is considered normal for children to work after school in order to contribute to the family income. Many children also abandon school at an early age in order to work full time.

##### *3) Lack of access to the formal work market*

Successful participation in a modern society's formal work market offers society's members several rewards: a good job, money, prospects of upward mobility and status. Regardless of individual intelligence and drive, obtaining these rewards depends primarily on being able to fully access the formal market and having the tools to be successful. Young people from *favelas* face a number of difficulties that severally limit their full access to the formal work market and upward mobility within it. These limitations include:

- Racial discrimination and discrimination against people that are from *favelas*;
- Lack of educational tools and vocational training;
- Lack of self-confidence when outside of the *favela* caused by feelings of non-acceptance and difference that are further exacerbated by the *favela's* geographical separation from the city due to drug faction territorialisation.

#### 4) *Drug trafficking as an accepted occupation*

Having grown up amidst drug trafficking, and although aware of its inherent dangers, many children do not see involvement in drug trafficking as an abnormal activity. As one 12 year-old commented: “*I let off fireworks [part of a warning system against police invading the favela], sell cocaine. Sometimes I play football too.*”

Hence, we can see that many children in *favelas* view drug trafficking as the legitimate power in their area. They may also feel that they are not a part of the “world out there” (outside of the *favela*) and do not have access to its rewards. Although children are aware that drug trafficking is a dangerous occupation, they do not view it as being abnormal. We can also understand the economic pressures on children to work in order to contribute to the family income, or to at least be able to buy material items their parents are unable to afford. We are then able to identify two further factors that determine whether a child chooses to get involved: **attraction** and **influence**.

#### ATTRACTION

Drug trafficking is an equal opportunities employer accessible to all *favela* residents. Furthermore, it appears extremely attractive to children and adolescents, whether they are aware of their exclusion from other forms of socio-economic upward mobility or not. The drug trade offers *favela* youth everything that failure to enter the formal work market denies them:

##### 1) *Status*

The local organisation of factions and their domination within the community allows successful traffickers to be considered as important people. Certainly being feared plays a part in this.



*T: Ah...now it's different. Now it's not like it was. Everyone speaks well to me. Many of those that beat me are now scared of me. They think I'll do something. I get angry (revoltado)...*

*I: Do you think they respect you now?*

*T: Now they respect me.*

*I: But is it respect or fear?*

*T: Ah, now they talk with me, before they used to curse me, tell me off, do various things. Ah, [now they] shake my hand, say hello...*

*I: So now you're a man of respect?*

*T: Yes, now nobody jokes with me, messes me around.*

*Fiel do gerente geral, 16 years old*

Status was often linked to having access to high-powered weaponry. Factions arm children in order to defend the sales point. Upon entering the drug trade, therefore, children will have access to firearms with which they can openly walk around the community.

*I: Other than the money, are there other things that you think are cool about this work?*

*T: Of course, various 'friends' (os amigos), various things.*

*I: What kind of things?*

*T: The guns.*

*Vapor, 14 years old*

Status was also linked to being able to have a number of beautiful girlfriends.

*I: What are the best things about your work?*

*T: Women, money and shooting at the enemy.*

*Fiel do gerente geral, 17 years old*

## *2) Money and access to consumer goods*

Even children on the lowest rung of faction employment (look-outs) can earn twice the government's minimum wage. Furthermore, the structure of low-level drug trafficking offers immediate benefits, as children are paid daily or weekly in cash.

*I: And why did you get involved? Just to help your mother? You could help your mother doing something else, but you choose this...?*

*T: So I can have money without having to wait till the end of the month.*

Vapor, 14 years old

*These days when youths are wanting to get involved in crime...they see you walking with a rifle all over the place, see you riding a motorbike, [wearing a] gold chain. These things influence [kids] a lot. So a youth will say "I want that too". I want to have lots of women. I want a car. This influences minors to enter crime more and more each day: new clothes, new sneakers, new cap. It's making kids leave school.*

Ex-gerente de boca, 18 years old

*Ah, my mother works and the money she makes isn't enough to buy the things I need, so I had to sort myself out and this is the life I've chosen.*

Vapor, 14 years old

### 3) *Faction sub-culture*

There has arisen a faction sub-culture amongst youth in *favelas* highly dominated by drug trafficking, similar to the gang culture found in certain urban neighbourhoods within the United States. This youth-oriented culture openly promotes and glorifies drug traffickers and factions, in which they are revered and seen as idols and powerful heroes who defy the much-feared police and refuse to suffer the poverty common to the rest of *favela* residents. Examples of this are evident in the lyrics of *funk de apologia* (faction-related) CDs promoted at *favela* funk parties. Both the parties and the CDs are sponsored by drug factions and the bands pay homage to important traffickers and their battles, denouncing rival factions referred to as *alemãos* (Germans). Slang words popular with *favela* youth have also become related to factions. In *Comando Vermelho* (Red Command) *favelas*, youth may use the word "*vermelhou*" to refer to something good. Literally translated, this means "to become red", as anything that becomes red (such as a *Terceiro Comando* community that is taken over by the *Comando Vermelho*) is perceived as being positive.

### 4) *Upward mobility through a system that rewards loyalty and ability*

Due to community faction relations, *favela* children understand the rules of trafficking from an early age. These rules are understood often far

better than the rules of upward mobility within the city's formal work market. Hence, if they can survive the first few years, upward mobility is a option for them within drug trafficking.

*I: What's you're dream*

*T: To be the dono, dono da boca.*

*Gerente de boca, 15 years old*

##### *5) Excitement and adrenaline*

Although children and adolescents did not think positively when reflecting about their lives as a whole within drug trafficking, many of them admitted to enjoying using a gun and the adrenaline experienced from having an exciting lifestyle.

#### INFLUENCE

There were a number of influences that interviewees shared that, in addition to the attraction of drug trafficking, may be considered as relevant in their decision to 'choose' drug trafficking as an occupation:

##### *1) The influence of reference groups*

###### *Involvement of parents or relations in drug trafficking:*

Due to the history of drug factions and subsequent community organisation going back to the 1980s, as discussed above, we are now seeing a second generation of children entering drug trafficking that have grown up with family members involved. 40% of those interviewed said they had a close relative directly involved with a drug faction.

*I: What was your principal reason for entering this [drug trafficking]?*

*T: I think that it's what I've lived... What I lived when I was a minor... with my cousin, with my cousin's friends that were all "formado" (formed) and from then on, that was my daily reality...*

*Soldado, 16 years old*

###### *Involvement of friends in drug trafficking:*

As noted above, children will naturally spend time around drug traffickers whilst playing in the community's streets. Such exposure will obvi-

ously lead to friendships and it is common in a community for children and adolescents to have friends involved in drug trafficking. Children that are not occupied and spend an exaggerated amount of time in the street will have heightened exposure to traffickers and are more likely to be influenced by them. This is very much reflected by the process of “hanging around” with traffickers before entrance can be requested (as outlined above).

*I was studying and then I stopped going to school. I started to get involved with bad company, and started getting home late at night. The next thing I knew, I was already a drug trafficker.*

*Soldado, 16 years old*

## *2) Lack of a stable family unit*

30% of child and adult traffickers interviewed had lost one or both parents whilst still a child. 60% of child and adult traffickers interviewed lived alone immediately having entered the drug trade (from as young as twelve years of age) and a further 30% continued to live only with a single mother. A stable family unit was a missing factor in the majority of interviewees.

*I like them [my family], but I don't speak to them*

13 year old who left home to live alone at 12 years  
of age after having entered the drug trade.

## **Individual choice, “revolta” and personal responsibility**

Once we understand the pre-existing factors, attractions and influences as outlined above, we can see how drug trafficking attracts independently-minded children who refuse to accept the little that ‘mainstream’ society offers them, or the daily poverty and suffering encountered by most within the *favela*. Their search for self-definition, upward mobility and material gain, common to all of us, leads them to the drug trade as a dangerous but accessible way of changing their situation. Independently-minded does not mean to say they are not influenced by the factors described above, for they clearly are, but instead that they are willing to make an active decision and pursue necessary steps to fulfill a chosen objective, thus stating a desire to be a trafficker and acting on that desire.

Interviewees described how they felt angered (*revoltado*) by the injustices they encountered being poor and from a *favela*, and the injustices that other community members also suffered. Entering the drugs trade was often presented as a chosen route to no longer be powerless, poor and a victim of such injustice.

*T: There are children going hungry, you just have to go into the favela begin to see the houses here, the way people live...*

*I: Yes but there are many people who go hungry. Not all of them go into drug trafficking.*

*T: Depends on the person. I will not go hungry, I won't stay in the street begging food from others...I'd prefer to hold a gun, be in a favela shooting (*dando tiro*) and selling drugs than be there, begging for food and being dependent on others...*

*I: So it's a question of not accepting then?*

*T: Yeah, that's it, not accepting...In my mind I don't accept, I don't want that for me. Being a street urchin...I won't accept it.*

*Gerente de maconha, 23 years old*

*No, I explained, I only got involved "in the life" because I tried to get work and nobody wanted to give me a job...so I said if no one will give me a job I am going into a life of crime. My mother gave me advice: "No my son, don't get involved in 'that life', that life is no good for you". I said to my mother there's no other way. So I started a life of crime. We try our hardest to get work and they don't want to give us a job so what can we do? We start to get angry (*revoltado*).*

*Vapor, 16 years old*

*I: So you got involved in trafficking because of the money?*

*T: Life's a coward. We get tired of being beaten.*

*Gerente de soldados, 17 years old*

*I: But you talk about life as if it's that [only drug trafficking], but your life didn't use to be like that. When you were studying, your life wasn't like that. You had another life style, studying, family and such. Then you change your mind and you enter trafficking. My interest is why did you get involved?*

*T: Ah, because I had some problems with the enemy (*alemão*). And as I was saying about the way that your mind suddenly "revolts" against life, with all the things that we see that are wrong, what the police are doing...beating up residents, abusing them. And so we get revolted with this, you understand, and so I'm telling you that it's the life in the favela that makes us angry (*revoltado*).*

*Vapor, 16 years old*

However, joining a drug faction as the result of the *favela* realities was seen as a reaction that “depends on the person”. Interestingly, such notions of personal responsibility to change one’s situation are reflected in the individual responsibility paramount in the organisational structure of the drugs trade itself. As one *gerente de boca* explained: “*I have five people working for me but I’m not anyone’s boss*”. Again, this leads us to reflect on how the organisational structure of lower level drug trafficking is so suited for children and minors looking to take responsibility for themselves.

In conclusion, we can see that children are exposed to drug trafficking from an early age within the community, and that those interested in the trade will begin to “hang around” with traffickers, entering fulltime employment between the ages of ten and fifteen. Children enter voluntarily and are not forced or coerced by factions to work as look-outs, the first paid position on the hierarchical employment ladder. Children are not sought out by drug trafficking factions but those that choose to enter are actively accepted due to: notions of childhood being based on ‘preparation’ not age; many low level managers being minors and many young adults working as managers themselves having entered the trade as children; the ability, cost and legal benefits of child employees; and notions of individual responsibility for life choices. ‘Choosing’ to enter drug trafficking may be redefined as ‘the best alternative among limited options’. Limited options are most starkly demonstrated by a set of pre-existing factors common to all children in Rio de Janeiro’s *favelas*, including faction domination of the community, poverty, a lack of access to the formal work market and drug trafficking as an accepted form of employment. ‘Choice’ is further affected by the attractiveness of drug trafficking and other influences identified as common to those already involved. Finally, drug trafficking’s organisational structure appeals to independently-minded children and minors that are looking for accessible ways to change their life situation.

## FUNCTIONS: CHILD AND YOUTH FUNCTIONS IN DRUG TRAFFICKING AND THEIR PARTICIPATION IN ARMED SECURITY

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This chapter looks at the working functions of children and adolescents in local faction units, upward mobility within this ranked hierarchy, the division of labour at lower-ranking levels and the participation of children in armed security.

### Working functions of children and adolescents at the local level

The following brief descriptions are of positions within drug faction employment that are typically open to minors. The positions are in ranking order although *endolação*, the process of packaging drugs for street sales that is also open to children and adolescents, is not included here as this report concentrates on positions where employees will or may be armed. From the perspective of rank, however, the rank of ‘*endolador*’ would be considered as below that of *olheiro*. Estimations of money earned by child faction workers was based on figures given during interviews. However, researchers felt that children often exaggerated their earning capacity in order to legitimise the risks they take and to project greater notions of stature.

#### OLHEIRO / FOGUETEIRO

*The first function in drug trafficking is to let off fireworks.*

*Gerente de maconha, 23 years old*

Having requested permission to work for a drug faction, invariably the first function given to a child is that of a lookout (*olheiro*). *Olheiros* are the first line of security for faction defence and they act as an early warning system against police or enemy drug faction invasion. Children are placed at the entrance points to *favela* communities in order to watch all those that enter the community. *Olheiros* may use radios, hand-held fireworks, or both, and are expected to let off their fireworks immediately if they see the police or another drug faction entering the *favela*, hence the name *fogueteiro* (*foguete* in Portuguese means firework). Having warned superiors of an invading force, look-outs are expected to either run immediately back to the *boca* to help defend the territory, or hide so as not to be arrested by the police.

*Olheiros* are either paid daily or weekly and will make a fixed amount anywhere between R\$20-R\$50 per day (U\$8-U\$20). They are considered to be on the bottom rung of the hierarchical faction employment ladder, being the most poorly paid and having the least status within the trade (except for *edoladores*). However, *olheiros* are extremely important and information regarding who is present in the community is fundamental for faction security. '*Na contenção*' and '*marcar uma esquina*' are also expressions used to mean lookout.

*You have to keep an eye on things. We don't know who is by our side, don't know if it's a X-9, if it's an alemão, We have to always keep an eye out. Eyes open and just listening.*

*Soldado, 17 years old*

#### VAPOR

Once viewed as being 'prepared' (*preparado*), the next step up is that of drug sales or *vapor*. Any given *favela* community may have up to fifteen *bocas de fumo* and each of these will have a number of *vapores* responsible for selling the drugs distributed in *cargas* (literally a 'cargo') by the *gerente da boca*. *Vapores* work in shifts and may work alone or in teams. Researchers did interview some adolescents that had started working as *vapores* and not as *olheiros*, although this is less common as a first position within drug faction employment.

*Vapores* work on a commission basis selling *cargas* that consist of a number of *papelotes* (paper parcels of cocaine or marijuana). The quantity of cocaine or marijuana within a *papelote* varies; however, they are based on an amount that corresponds to a sale price for the consumer of R\$3, R\$5 or R\$10 (equivalent to U\$1,20, U\$1,90, U\$4 respectively).

*Cargas* (made up of 200 *papelotes*) are distributed to *vapores* by the *gerente de boca*, and a set price is established by the *gerente geral* as to how much a *vapor* must give back for each *carga* sold. The price that a *vapor* pays back for each *carga* sold will be less than his clients paid, thus giving the *vapor* a profit margin. Depending on the size of the community and the amount of drug sales, *vapores* may make between R\$1500-R\$3000 (U\$600-U\$1200) per month.



#### GERENTE DE BOCA

If a *vapor* is considered to have been a good seller and has shown trustworthiness with money and the *carga*, or other related abilities, he may be promoted to *gerente da boca*. The *gerente da boca* is responsible for overseeing the *boca's* drug sales, selecting *olheiros* and *vapores* (although depending on the size of the *favela*, the amount of drug movement and number of personnel, the *gerente geral* may be responsible for this), distributing *cargas* to his *vapores*, collecting sales money at the end of each day and paying a *sub-gerente* or the *gerente geral* for drug sales.

*T: ...I started to sell, and I was selling and selling on the pista when the police came. I had to run and I didn't get caught by the police. With this, I got respect... The gerente geral gave me a trusted position (responsa). He put me on the cocaine route...I'd get my cargas, give them out to a guy. He'd distribute them for me, he'd square up with me and I'd square up with the gerente. Man, I deserved that position. I took it seriously and the man felt trust in me.*

*I: How old were you at that time?*

*T: I was 15.*

*I: So at 15 you were already a gerente?*

*T: Yes, 15 to 16.*

*I: And how many people did you have working for you?*

*T: Oh, there were my vapores. It was the boca, you know. Each one would come, asking...saying they were depending on sales, and I'd give them a carga, two cargas...There were lots of amigos, because I was also was a vapor...Olheiros [also] asked for cargas. I gave them also to sell, I sent them to sell from me also.*

*I: How many people [worked for you] more or less?*

*T: More than 10, more than 10 amigos.*

*Gerente de boca, 18 years old*

#### SOLDADO

*Soldado* literally translates as 'soldier'. *Soldados* are employed by the *gerente de soldados / gerente de segurança* who in turn reports directly to the *gerente geral*. *Soldados* are armed at all times and are responsible for maintaining order within the community, protecting faction employees and *bocas de fumo* from rival faction invasion or police raid, and invading other communities in order to take over another faction's drug sales point. *Soldados* are paid a fixed monthly salary between R\$1500-R\$2500 (U\$600-U\$1200)

and expected to work shifts. However, a *soldado* will also be expected to defend the *boca* at anytime it is under threat. *Soldados* may also be involved in more traditional crimes outside of the *favela*, such as car jacking, and may be able to use faction firearms for this purpose. The majority of minors working as salaried *soldados* are between the ages of 15-17 years old.

*Soldados* usually concentrate in number near the *boca de fumo*, however, they will also make patrols of the community in pairs or larger groups. A larger group of *soldados* that moves through the *favela* on security patrol is referred to as the *bonde*. Researchers witnessed *bondes* of up to fifty heavily-armed *soldados* patrolling the community in single file at night. Researchers were also informed that there has been an increase over the last ten years of *soldados* working in *favela* communities other than their own that are aligned to the same faction. In this way they have become a more professionalised and mercenary force with fewer links to the communities in which they work.

#### FIEL

*Fiel* literally translates as 'faithful' and is a respected and unique position that has recently been opened to adolescent boys, chosen to act as a personal armed security guard and trusted subordinate to the *gerente geral*.

*T: I'm the boss's fiel.*

*I: What's that? Explain it to me.*

*T: Ah, I hang around with him and he gives me money every week.*

*I: Explain to me the difference between a vapor and a fiel.*

*T: Ah, I used to hang around with the gerente, and he started to give me cargas and I sold them. Now I don't sell anymore. Now I hang around with him [only]. I do whatever he needs, I'm his fiel...I stay with the boss. Where the boss goes, the bonde goes.*

*Fiel do gerente geral, 16 years old*

The position of *fiel* was also referred to by some as *gerente de confiança*, literally translated as 'trust manager'.

*I: What is your current function? In the beginning you were an olheiro, at the moment what do you do?*

*T: I am the gerente de confiança of the boss.*

*I: What are the things that you have to do? What are your responsibilities?*

*T: I'm responsible for the security of the boss. I'm with him all the time.*

*I: Is that everyday?*

*T: Yes, everyday.*

*I: Seven days a week or do you get a day off?*

*T: There is no day off. It's 24 hours [a day] straight.*

*I: When do you sleep?*

*T: I sleep during the daytime.*

*Fiel do gerente geral, 17 years old*

*The fiel is like the gerente's right hand man. He knows he can sleep because the guy looks after him when he's sleeping. [Like] a faithful guard dog next to a homeless man. The homeless man sleeps and if you get near, the dog attacks and doesn't let you even get close, no way.*

*Ex-trafficker from the 1980s*

Researchers also met one *fiel* that worked for a *gerente de preto*. This *fiel* had been chosen because he had nothing whatsoever to do with drug trafficking and was seen as a good person with whom to leave money, firearms and drugs for safekeeping. In this case, the position of *fiel* was used as a safe haven rather than for security purposes and the *gerente* confided to our researchers that no one in his faction knew who his *fiel* was.

## **Upward mobility – rising through the ranks**

What is identical throughout the organisation of all local level factions is the process of upward mobility available to all employees. In order to rise in position and earning power, those joining drug factions are continually evaluated to see if they are 'prepared' to rise through the ranks. A child or minor that is considered to be 'prepared' to start rising through the lower ranks has shown a series of attributes similar to those looked for in any military organisation. These include: trustworthiness; ability to follow and carry out orders; ability to handle a weapon; ability to kill; bravery; not speaking to the police if captured; coolness under fire and in armed conflict situations. Most boys that enter drug trafficking dream of one day being the *dono* or *gerente geral* and, although this is extremely difficult and unlikely due to the high number of casualties, it can occur.

*You start with fireworks, letting off fireworks, as a fogueteiro, in order to gain trust. And then you go on up...you become a vapor, sell drugs. If you show that you can sell, that you're trustworthy, that you're a person that can look after money, look after drugs, you'll be given the position of gerente [da boca], and you go from there on. Then one day you can become the dono...*

*Gerente de maconha, 23 years old*

*I: When you entered drug trafficking, what was your first function? When you went and asked o cara (gerente geral) "Can I enter?"*

*T: Marcar numa esquina (keep watch). The first function in drug trafficking is to marcar uma esquina, do the work of the amigos so that on the next day you can sell.*

*I: And how many months did you remain a lookout?*

*T: Ah, two weeks, three weeks...*

*I: And why do you think that the amigo sent you to do this first?*

*T: To see if I was any good.*

*I: But is two weeks long enough to know this?*

*T: Yes, it's enough. In my case it was enough.*

*I: And after these few weeks, what was the second step?*

*T: Sell. Sell in the boca.*

*Vapor, 16 years old*

Knowing how to rise through the ranks in this fashion is based on being honest and keeping 'straight'. These are also seen as skills paramount to personal survival and not being killed by one's own faction for treachery, whether it be real or perceived treachery. Even accepting that working for a drug faction was 'wrong', interviewees believed that survival within their group depended on "walking the 'right' path".

*I: ...How do you make friends in this business?*

*T: Through behaving correctly. Although I walk in the wrong life, I walk on the right path. I show trustworthiness...*

*Vapor, 16 years old*

New positions in drug faction employment become available for the following reasons: death, imprisonment, upward movement or expulsion of a current employee; creation of a new *boca* due to increased demand; invading a new territory and the subsequent need for new labour; and territorial disputes that increase the need for armed security.

*...For you to become the dono of a favela, you have to pass through the ranks below, from fogueteiro until vapor, up to the gerente, and then to the gerente geral of the dono da boca. If the dono da boca goes and dies, automatically the boca passes over to the gerente geral...because the highest position after dono is the gerente geral.*

*Soldado, 16 years old*

### **Divisions of labour and the participation of children in armed security: "We're all soldiers"**

At the lower levels of faction employment the division of labour is not always as specific as defined in **Diagram 2c** in Part 2. Although each of the above mentioned positions exist within almost all local factional structures, cross-over responsibilities, especially amongst minors and lower ranking positions, are commonplace. This occurs mostly between the positions of *olheiro* and *vapor*.

*I: Do you do other things or just let off fireworks?*

*T: I let off fireworks and sell drugs.*

*Vapor, 13 years old*

*I: First you were an olheiro, and then after olheiro what did you do?*

*T: It's all the same thing, olheiro, trafficker, contenção.*

*I: Do you still keep lookout these days?*

*T: Yes.*

*I: And do you do anything else?*

*T: I sell drugs. An olheiro sells and lets off fireworks.*

*Olheiro, 17 years old*

*Today I still sell, [but] sometimes we have to keep watch [na contenção], and then afterwards we'll go off and sell our cargas...If the police come we let off fireworks...so that the other amigos that are above us can also get away...The same thing happens for me, when I'm selling. There are other smaller amigos [minors and / or lower ranking] that keep watch.*

*Soldado, 18 years old*

Divisions of labour are most starkly delineated for *favela* security and the active participation of minors in armed defence. As noted above, *soldado*

is a defined position distinct from other roles of faction employment. However, from *olheiro* and up, the vast majority of those employed by drug factions are armed and involved in *favela* security and defence.

*I: Does the function of soldado exist?*

*T: Yes it exists. Soldado is the boca's security. In some places it's like that.*

*I: But all places have soldados?*

*T: Yes.*

*I: ...[soldado] is something specific, a separate role?*

*T: ..There are places where it's a separate role. There are places where the vapor is the soldier, the security, everything. There are places where someone is paid [specifically] for that, to take care of the boca's security, to be the soldado da boca.*

*I: Have you already been through this phase? Are you still in this phase?*

*T: Ah, here...I have to look after my life, the lives of the amigos, the life of the community. Here it's like this, you have to be a soldado and a gerente...*

*I: Was it like that when you got involved ten years ago?*

*T: Yes, yes it was because when I entered, I was a fogueteiro for some days and then I stopped [working]. Then some problems occurred and I got involved [with the faction] again and a little war started and I already had to be armed, had to start shooting...get involved.*

*Gerente de maconha, 23 years old*

*I: You said that you carried a gun. Were you responsible for the boca's security.*

*T: No. I was part of security also, but I had my position, a management position [gerencia]...I would be in the boca armed. And I had my gun, like this [gestures], a pistol like this, AR rifle [Colt AR-15] and I looked after it. I kept it with me.*

*Gerente de boca, 16 years old*

*When we're not selling we stay around the favela, doing favela security.*

*Soldado, 18 years old*

Officially *soldados* are responsible for defence of the *boca de fumo* and maintaining order in the community via *bonde* patrols and a constant armed presence. If they possess the right qualities, minors are promoted to the rank of *soldado*. Researchers met and interviewed one seventeen year-old who had even attained the rank of *gerente de soldados* and was thus in control of all faction patrols, security and offensive invasions in other territories.

However, due to the above-noted division of labour amongst lower ranking positions and armed security, the vast majority of children and

adolescents employed by factions, whether ranked as *soldados* or not, are armed in order to repel a rival faction invasion and / or a police raid. Researches encountered armed *olheiros*, *vapores* and low-level *gerentes*.

*Everyone's armed. It's total activity.*

*Fiel do gerente geral, 16 years old*

With the exception of one interviewee, all of those interviewed within the community were armed at the time of interview or immediately before or after.

Therefore, as a result of being armed, actively participating in faction security and armed conflicts when they occur, almost all minors interviewed considered themselves as *soldados*, even though they didn't hold the rank of *soldado* and mostly worked as *olheiros* and *vapores*.

*We are the soldiers [soldados]. Vapor, contenção, gerente. We're all soldiers [soldados].*

*Soldado, 16 years old*

*We are soldados. We're here everyday defending what's ours. I think that we've already passed through the barracks [referring to military service]. Just this here is already like a military headquarters.*

*Fiel do gerente geral, 16 years old*

## COMMONALITIES: UNIFYING CHILDREN AND ADOLESCENTS EMPLOYED BY RIO DE JANEIRO'S DRUG FACTIONS AS A DISTINCT GROUP

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The following ten commonalities relating to their working situations are specific to children and adolescents employed by drug factions in Rio de Janeiro. These shared experiences and functions serve to unify them as a distinct group. This includes active participation in small arms related violence and inter-faction territorial disputes both as aggressors and victims.

### 1) 'Voluntary' recruitment

Children are not forced or coerced by factions to enter drug trafficking as an occupation. They are voluntary recruits that are actively accepted by factions. However, the notion of 'voluntary' may be redefined as 'the best alternative among limited options', as making the 'choice' to join a drug faction is affected by some pre-existing factors common to all children in Rio de Janeiro's *favelas*, including faction domination of the community, poverty, a lack of access to the formal work market and drug trafficking as an accepted form of employment. 'Choice' is further affected by the attractiveness of drug trafficking and other influences identified as common to those already involved.

### 2) Age

The average age for entering drug trafficking as a full time occupation of child and adult traffickers interviewed was thirteen years and one month. However, children start the process of "hanging around" active traffickers at an earlier age and the process of 'voluntary' recruitment as outlined earlier may begin as young as eight years old. Generally, children employed by factions will not work in an armed capacity immediately and will only be armed when considered as being capable and 'prepared'. Although it is not uncommon for thirteen year olds to be using weapons for *faction* security, the fifteen to the seventeen year-old age group are most actively armed and employed as security and faction *soldados*.



### 3) Children work within a hierarchically structured unit enforced by orders, rules and punishments

Working for a drug faction at the community level means being subject to a hierarchically structured unit that is based on rank. As one thirteen year-old boy explained:

*We are soldiers and the boss is our captain.*

Vapor, 14 years old

Within such a structure, given orders must be carried out. As the same boy explained when asked what his function was, “*I do what ‘o amigo’ orders*”.

*I: How many bosses do you have?*

*T: Only one.*

*I: And if he wants you to do something...*

*T: You have to do it.*

*I: What happens if you don't do it?*

*T: Depends what he asks [...]. If it's to kill someone, I have to do it. If I don't kill then it's my life at risk...*

Soldado, 17 years old

In addition to orders that must be obeyed, there are a number of rules referred to as the ‘rules of crime’ or the ‘rules of drug trafficking’. The ‘rules of crime’ are imposed to enforce loyalty to one’s superiors and make sure that drugs are not stolen. These rules include those that community members are expected to follow, such as no theft within the community or talking to the police under any circumstances, as well as others designed strictly for traffickers, such as respecting local residents. The primary rule for low-ranking traffickers, however, is that all ‘*cargas*’<sup>73</sup> received must be paid for. Failure to follow orders or rules will result in punishments that may include expulsion from the faction or the community, beatings, or even execution.

*I: What happens if a person receives a carga and doesn't pay back the money afterwards?*

*T: Ah, if he doesn't pay, he dies, takes a beating. It depends on the boss. If the boss says that he has to die, then he dies.*

Soldado, 16 years old

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<sup>73</sup> *carga* – cargo of drugs already packaged in ‘*papelotes*’ (small wrappers or plastic bags) to be sold to consumers.

Punishments are usually carried out by low-ranking faction employees that may be minors themselves, and perpetrators are punished regardless of age.

*I: To be killed [after breaking a rule], if it's a youth, if it's a boy or a child, does it make any difference?*

*T: No it doesn't.*

*Gerente de maconha, 22 years old*

#### **4) Children are paid for a service**

Depending on their function, children and adolescents employed by drug factions are paid a daily / weekly / monthly rate or they work on a commission basis that is calculated by the amount of drugs they sell. Both those earning a daily rate and those on commission are paid in cash. Although economic motivation may be an important factor for a child deciding whether or not to enter faction employment, it is not the primary or only deciding factor. However, children can earn more money as a simple *olheiro* than their father may earn as a bus driver or low-ranking government employee.

#### **5) Children are on call 24 hours a day**

Once involved in drug faction activity at the community level, regardless of working hours, children and adolescents are always on call to defend the *boca* and always at risk of being arrested by the police or killed by rival factions or the police.

*I: You said that some other minors work for you. What are your working hours?*

*T: When the sun first touches the favela we start. When the sun touches the favela again we start all over again. It's 24 hours.*

*Gerente de segurança, 17 years old*

Due to being constantly involved and hence constantly in potential danger, many minors who are already known to the police or rival factions do not sleep in the same place every night. As a result of its twenty-four-hours-a-day nature and the high levels of violence and death encountered, drug trafficking is seen by those involved as a 'life choice' and not merely as a job.

## 6) Children are armed by drug factions

If evaluated by the *gerente geral* as being capable and 'prepared', children and adolescents employed by drug factions are given weapons in order to defend faction territory. This includes minors in positions such as *olheiro* and *vapor*. With one exception, all children and adolescents employed by drug trafficking factions that were interviewed during this research programme were armed at the time of interview, or directly before or directly after. Not one interviewee owned the gun they were carrying. All weapons belonged to the *dono* or *gerente geral*. Weapons used by factions range from pistols to semi-automatic and automatic assault rifles, machine guns and hand grenades.

*I: Which was your first gun? Did you buy it?*

*T: No, it was from 'o amigo'. He lent it to me so that I could have it when on lookout duty so that if the police came in I could shoot at them.*

*Soldado, 17 years old*

*I: Did you buy this gun?*

*T: No...[it's] from the boca...for me to carry.*

*Vapor, 13 years old*

*I: Today you're sitting in front of me with a gun, what's the name of this gun?*

*T: This here's an AR-15 baby [nickname given to an M4 or Colt AR-15].*

*I: ...and how old were you when you started working with firearms?*

*T: 14 years old.*

*I: Did you buy your first weapon?*

*T: No. The boca gave it to me. Left it with me to do the security... it's from the boca but it's mine to carry.*

*Soldado, 18 years old*

## 7) Children are actively involved in small arms violence and territorial armed conflict

Due to their use as armed faction security and as soldiers to participate in the invasion of rival faction territories, children and adolescents are actively involved in territorial armed conflicts with rival factions and shoot-outs with the police. Their increasing involvement is most starkly demonstrated by the rising numbers of firearm-related deaths of youth under eight-

een years old within Rio de Janeiro. The following accounts of active participation in extreme levels of small arms conflicts are taken from interviews with minors employed by drug factions.

*I: Have you already been involved in a shoot-out?*

*T: Yes.*

*I: How was it?*

*T: Bad.*

*I: Why?*

*T: A lot of gunfire, bullets passing close by, almost hitting. There's a chance of dying.*

*I: Were you scared of dying?*

*T: No [...] I had a gun [...] I stay active; if I see anyone firing I shoot back [...but] if you get shot it's over. I had to run through the bullets.*

*I: And who was this shoot-out against?*

*T: Against the police.*

*I: Did you shoot at them?*

*T: Yes.*

Vapor, 13 years old

*...I stopped at the top of the hill and stayed there. I had a grenade on my belt and an assault rifle with me. I started smoking and smoking...I had a 'poisoned'<sup>74</sup> spliff, marijuana together with cocaine, and I kept smoking. After a while I saw six GETAM<sup>75</sup> coming into the favela and the kids down below that were from my crew started shooting, pá pá, pá, pá, pá... I said to myself I'll throw this grenade if they come up here [...] I took out the pin so that if they came up I could blow them up. I waited there [...] They had been exchanging fire for a long time, but I couldn't go down there, so I stayed up top. When I saw one of those black helicopters come overhead and start shooting, it seemed like a movie [...] So I started shooting, tien, tien, tien, tien, straight from my AR [AR-15] on top of them. I was going to throw the grenade but they were up so high how could I? So I continued to exchange fire. The clip finished and I put in another...tien, tien, tien. Only the big clips of 60, and 60 is a lot of bullets. Shooting makes a lot of noise. [...] I looked to the street and the GETAM were coming up the hill freely because 'os amigos' that were there had run out of bullets. I started exchanging fire with*

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<sup>74</sup> "evenanado" is a slang expression for a marijuana cigarette mixed with cocaine.

<sup>75</sup> Grupamento Especial Tático-Móvel (GETAM) / Special Tactical Mobile Police Group.

GETAM [...] I jumped over a wall and got close...BOOOOM! Everything trembled. It was the first time I had thrown a grenade. It was good.

*Gerente de boca*, 16 years old

...they [rival factions] come at night in trucks. They don't come during the day time, they come at night. But we know when they enter, they warn us through the radio. They say: "We're gonna invade your favela, we're gonna take it over now". [...] Afterwards...if the war starts, they've even got point thirties [referring to .30 calibre firearms]. They go like this tututututututututututu.

*Fogueteiro*, 12 years old

Although during interviews armed conflict was mostly talked about in defensive terms, interviewed minors had also been involved in offensive invasions of areas pertaining to other factions:

I: Do you remember the first time you used a gun?

T: [...] Ah, it was a war [...] against the Terceiro Comando, another faction.

I: And which faction are you from?

T: Comando Vermelho.

I: Were you defending or attacking?

T: Invading.

I: [...] Why were you invading?

T: Hum, to get more money.

I: [...] How many of you were invading?

T: Oh a lot, about 200.

I: 200 armed men? Seems like a war?

T: It is a war.

I: [...] when you participate in an invasion, are you paid?

T: No, you don't receive money, but you receive a better position afterwards.

I: How does the community see the people that are invading, after you've invaded a Terceiro Comando area?

T: Ah, they get scared. But after a year or so they start trusting us.

I: [...] and how many people [soldados] stay [in the community] after an invasion?

T: Around 70.

I: [...] Did many people die during the invasion?

T: A few.

I: How many is a few?

T: Around 15.

I: How long did the invasion take?

T: Four hours.

*I: And which guns did you use during the invasion?*

*T: Two pistols.*

*I: 200 of you and the police didn't come?*

*T: Oh the police only arrive late.*

*I: Why do they arrive late?*

*T: Oh they're scared to get shot, to be killed. Because this business is serious!*

*Soldado, 16 years old*

One twelve year-old interviewee that was small for his age lamented that he was not able to participate in an invasion due to his size.

*I: Have you already been involved in an invasion? Have you already invaded another community?*

*T: No, I've never been involved in an invasion.*

*I: Would you like to be?*

*T: I would invade, if I were a little bigger. I would be able to hold a G3 [automatic assault rifle], but look at me now, how could I?*

*Fogueteiro, 12 years old*

## **8) Even unarmed children become the targets of small arms fire**

Even if not armed whilst working, faction employees come under fire from both the police and rival factions.

*The guy almost got me, he was trying to shoot me. He had a G3, he was Civil Police*

*Fogueteiro, 12 years old*

*T: I got hit by one of their bullets [...] in the shoulder.*

*I: Whose bullet was it?*

*T: From that favela over there.*

*I: But where were you?*

*T: I was here. They shot from there to here.*

*I: What do you think the distance between the two places is? [Estimated by the researcher as being 1km]*

*T: Ah, I don't know.*

*I: Was it a stray bullet or did they shoot at you deliberately?*

*T: They were shooting at us during Christmas, on Christmas Eve.*

*I: Did this happen when you were already working in drug trafficking?*

*T: Yes.*

*Fiel do gerente geral, 17 years old*

## **9) Children survive in a kill-or-be-killed reality**

Relevant mortality statistics and policing tactics within *favela* communities clearly demonstrate the pressure armed and non-armed minors come under when confronting the police. A twelve-year-old *fogueteiro* explained how he understood relations between drug traffickers and the police:

*T: ...the police [...] set up the bandits in order to kill them.*

*I: Why do the police want to kill them?*

*T: Ah, because that's their job.*

*I: To kill people?*

*T: Yes, the police kill the drug traffickers. That's why we have to exchange gunfire with them at night.*

*I: Have you already exchanged gunfire with them?*

*T: Yes.*

*I: How old were you?*

*T: 12 years old.*

*I: [...] Did they know you were a minor?*

*T: They knew. They knew I was the fogueteiro. There were four fogueteiros, and one of the others got it...pa, pa, pa, pa, pa, pa,*

*I: And why do you think they wanted to kill you?*

*T: Because I'm a fogueteiro [...] we make noise to warn the others that the police are in the favela.*

*I: Have you lost friends in this business?*

*T: Yes, lots.*

*I: How did they die?*

*T: [...] in exchanges of gunfire with the cops, others in the war [with other factions].*

*Fogueteiro, 12 years old*

Many drug faction employees, including minors, do not leave their communities for fear of being arrested or killed by rival faction members.

*I: Is it dangerous for you to leave the community?*

*T: Yes, because there are enemies out there that we have expelled from here. There*

*are X-9<sup>76</sup> that we've expelled from here, that we didn't manage to kill because they escaped. So out there, our lives are at risk. [...] If they see us first, they'll try to kill us and if we see them first, we'll try to kill them because we're exposed.*

*Soldado, 17 years old*

Due to enforcing faction rules and repelling police raids or rival faction invasions, killing is part of the working reality for most minors in drug faction employment. All of those interviewed had lost friends and working colleagues to violent deaths. All interviewees said that they would kill if ordered to do so by a superior or if defending their territory. A number of minors interviewed had already killed.

*I: What's the worst thing about your job?*

*T: Having to kill someone.*

*I: Have you already had to kill anyone?*

*T: Yes.*

*I: [...] and how do you feel when you kill someone?*

*T: Man...How do I feel? I feel scared, because I know that it's not right for me to do this with anyone...*

*Soldado, 16 years old*

*I: Have you ever killed anyone? If so, under which circumstances?*

*T: Yes, I've already killed. Within the context of drug trafficking. Circumstances in which I couldn't mess up either because if I had, I would have been killed too [...] The majority of times within trafficking it's that people inform to the police, or a vapor steals drugs. There are some things that you can't ignore because they've been done various times. Once or twice, that's something, lots of times, that's something else. [...] We have a rule that you have to be armed [...but] we have to be very careful not to hurt anyone. [...] If we accidentally hurt someone, we pay with our lives. If you hurt a community resident, shoot someone, you'll pay with your life.*

*Gerente de maconha, 23 years old*

*I: Have you ever killed anyone?*

*T: Yes.*

*I: In which circumstance?*

*T: Ah, he did something he shouldn't have done in the favela. [...] He robbed a hardware store in the favela. He took a risk and I was passing by at the time. [...] There was another amigo near by, so I called him over and we took him...*

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<sup>76</sup> slang for police informant.



*I: Took him where?*  
*T: Ah, to the cemetery.<sup>77</sup>*  
*I: Within the favela?*  
*T: Yes.*  
*I: So you killed him because he was robbing a shop?*  
*T: Yes, in the favela.*

*Soldado, 16 years old*

*I: If a person receives a 'carga' and doesn't pay for it afterwards, what happens?*  
*T: Ah, if he steals a 'carga' then he dies or gets a beating, depends on the boss. If the boss says that he should die, he dies.*  
*I: Who kills him?*  
*T: We do. We shoot him ourselves. We're already all bad.*  
*I: Have you already killed anyone?*  
*T: Yeah, I've already killed a few.*  
*I: And how do you feel about that? Do you think it's normal?*  
*T: I think it's normal. I'm used to it already. Since I was a kid, I've seen people killed. In the war of 94 [1994], I saw a lot of people killed. I got used to it. Now I don't care anymore.*  
*I: How was the war in 94? Who was it between?*  
*T: Between the enemy and the Comando [Vermelho]. The favela was full of dead people.*  
*I: How long did this war last?*  
*T: Three days.*  
*I: [...] How old were you at this time?*  
*T: I was 10 years old.*

*Soldado, 16 years old*

Some of the children growing up working in this kill-or-be-killed environment saw themselves as justified in killing if the victim was considered to be an enemy.

*T: We have to kill the police and the Terceiro Comando so that [people from the] Terceiro Comando die.*  
*I: Do you think it's wrong to kill people?*  
*T: Not if they're Terceiro Comando. Then we have to kill them.*

*Fogueteiro, 12 years old*

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<sup>77</sup> many *favelas* have clandestine cemeteries where people executed by factions are secretly buried.

## **10) Children are increasingly used in armed combat situations**

As discussed elsewhere, within Rio de Janeiro there has been an increase in use by drug factions of children and adolescents as armed combatants since the early to mid 1980s due to: an increased demand for armed combatants; an increase in the use of small arms by factions; changes in the division of labour of children working for drug factions; and a concerted effort by adult traffickers to 'accept' children as armed combatants.

## THE GROWING UTILISATION OF CHILDREN AND ADOLESCENTS AS ARMED COMBATANTS

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Apart from the increase in child and youth employment in drug trafficking since the early 1980s, what clearly defines the differential usage of children with the arrival of factions, faction fragmentation and territorial conflict, is the fact that children and adolescents use weapons and are involved in armed combat. Children were not armed by dealers in the pre-faction period and there are a number of key reasons for their increased utilisation as armed combatants over the last twenty years:

### 1) The increased demand for armed combatants

*[the changes] took place when factions distinguished themselves from other factions. And so other factions were created to try and take control of drug sales in Rio de Janeiro. I don't know when it's going to finish, because they're all killing each other.*

Favela resident

The growing use of armed violence and territorial conflicts that came as a result of faction fragmentation from the mid to late 1980s onwards, greatly increased the utilisation of children as armed combatants. With the militarisation of factions and the rise in adult employee deaths due to violent competition between territorially-based factions, there was an increase in the demand for armed positions to act in defence of faction territory and against police raids, as well as the invasion of areas controlled by rival factions. Children have been increasingly involved in drug trafficking since the 1960s. With the increased offer of child labour within the drug trade during the 1980s and 1990s, traffickers began to arm children in order to meet this growing demand for *soldados* and armed security. This demand for new recruits also meant that the age of drug traffickers in higher-ranking positions previously only open to adults was also lowered considerably during this period.

*The guy that's the dono already prepares his successor. So when he dies, this one takes his place. Just that the other guy is younger because he's still learning. So the*

*age keeps getting younger [...] and that's the way it goes. The guy leaves earlier and another younger one comes in.*

Favela child

## 2) An increase in the use of small arms by factions

The increased use of small arms by faction employees due to growing inter-faction conflicts and in response to more violent police repression is indicated by the stark rise in the number of weapons apprehended by the police between the late 1960s and 2000. This is clearly demonstrated in **Graph 2b**. As noted in Part 2, in 1998 almost 10,017 illegal firearms were seized by police in Rio de Janeiro, compared with 844 in 1960. With so many guns currently in circulation, the need for combatants and the growing involvement of children in drug trafficking, it was a natural progression to arm children in order for them to participate in inter-faction territorial conflict.

*...with the intensification of the arms trade, high calibre weapons were indiscriminately sold to drug traffickers. They had a huge quantity of these weapons and it didn't make sense to stockpile them. Somebody had to be using them, so then: "Do you want to use the gun kid?" "Yes, I do." "Right then, take it! Use it!" I've seen loads of machine guns being passed to children exactly on those terms. Generally, there weren't enough people to use them, so what are you going to do? Leave the weapons unused [...] Those sub-machine guns that the Rio police used, they were taken and given to kids and the kids were fascinated.*

*Ex-trafficker from the 1980s*

There has also been an increase in the police seizure and use by drug factions of more powerful weapons designed for warfare. Children and adolescents working in an armed capacity for drug factions encountered by researchers during this study, were in possession of weapons designed for combat, such as Kalashnikov AK-47 and Colt AR-15 automatic rifles. Although a child might find it difficult to handle a high calibre repeat-fire weapon well, the weapon's firepower is such that even if they are unable to hit the target deliberately, the number of bullets being fired in the general direction will have the desired affect.

*[A child] doesn't have the strength to be precise when shooting a machine gun, an AR-15 [...] But these heavier weapons have become so common that there's also no*

*point in a boy only using a .38 [calibre], because even if he misses [with a machine gun], the damage will be so great. If he hits what he's supposed to hit, great. If he misses, the damage will still be great enough.*

*Ex-trafficker from the 1980s*

### **3) Changes in the division of labour for children in faction employment**

In many *favela* communities the division of labour amongst low-ranking faction employees, especially children, has diminished over recent years so that children employed as *olheiros*, *fogueteiros* or *vapores* may also be given a gun in order to participate in faction territorial security. This has happened in part due to a combination of the reasons noted above: increased conflict, a high demand for armed employees and a large number of guns in circulation. This combination of factors has led to an acceptance of the widespread use of weapons resulting in the majority of faction employees, children or otherwise, being armed and subsequently involved in armed combat situations. The growth in willing child labour during the 1980s greatly facilitated the process of children and adolescents being armed by factions.

### **4) A concerted effort by adult traffickers to 'accept' children as armed combatants**

As discussed elsewhere, children are not forced to join drug factions but enter 'voluntarily'. However, there are a number of reasons as to why children and adolescents are effective in armed combat and therefore why adult traffickers have made a concerted effort to 'accept' them as combatants and arm them for that very purpose.

'Meio-quilo' ('half a kilo'), a famous and important *dono* in the early to mid 1980s was cited by an ex-trafficker that worked with him as being one of the first to actively employ and understand the worth of child combatants.

*I might be wrong in thinking he was the very first, but he was certainly one of the pioneers to use them as a weapon, to use the presence of children as a weapon.*

*Because [at the beginning] I saw on a number of occasions the police refuse to shoot because there were children. Today that doesn't happen anymore, because children have already lost that aura of, "he's only a child so I won't shoot at him". [Now it's like] "I'll shoot more" because the bones are not well defined and their bodies are slimmer and more flexible, and a child's metabolism is quicker, so "I'll have to shoot to kill. If I don't shoot to kill that kid will survive and will come back and shoot me." Now they shoot to kill. Like they shot to kill me for example. I told you didn't I, I got shot here, in this rib.*

*Ex-trafficker from the 1980s*

Apart from reservations about shooting at children when they were first used as combatants, and accepting that this is now quite the contrary, children are also agile, quick, small, often fearless, can utilise small arms effectively, if not precisely, and are difficult to keep in prison if caught.<sup>78</sup> Even if they are not as effective in combat situations as adults or youths, for these reasons they are perceived by *donos* as a valuable asset.

*...[Meio-kilo] wanted to avoid the loss of soldados and especially children at all costs. They were very valuable to him. Firstly because they didn't go to prison, and if they did, they'd escape<sup>79</sup> [...] Children are faster, they can run more, they're more agile, smaller, can get through small spots in the favela [...] Children were really like little monkeys, they were used like little monkeys [...] It's a utilitarian vision of the situation. A minor, even carrying a heavy weapon, can run faster than an adult [...]. Because he's so small, he can get through the holes and escape with the gun, and not lose the gun.*

*Ex-trafficker from the 1980s*

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<sup>78</sup> The Brazilian juvenile justice system and how it deals with children arrested for drug trafficking and arms related offences is examined in Part 5.

<sup>79</sup> The juvenile detention centres during this period, known as *FUNABEMs*, were notoriously easy institutions to escape from. As discussed in chapter 9.3, today's 'educational' facilities where youth offenders are detained, especially the *CRIMs*, are considered easy to escape from and often suffer mass escapes of detainees.

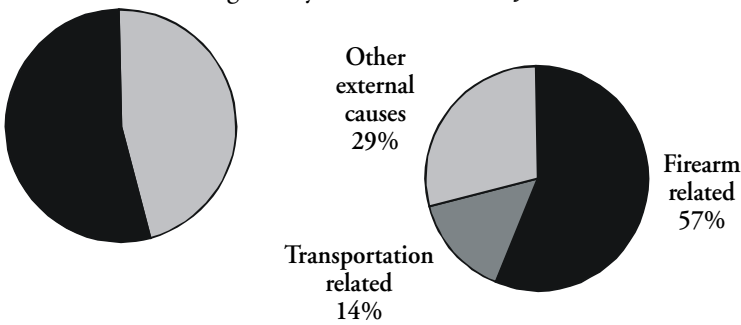
# CHILD AND ADOLESCENT MORTALITY RATES IN RIO DE JANEIRO

External causes were responsible for 54% of all deaths of under eighteen year-olds in the city of Rio de Janeiro in 2000.



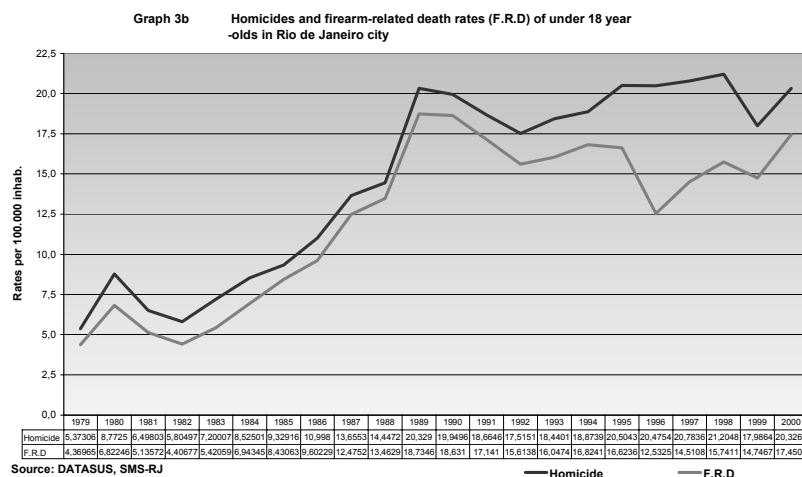
Source: DATASUS

In the same year, the majority (57%) of external causes of death of under eighteen year-olds in Rio de Janeiro were firearm-related injuries.



Source: DATASUS

Similar to the evolution of homicide rates of the general population of Rio de Janeiro city since the 1970s, the majority of homicides of under 18 year olds in Rio de Janeiro are firearm related. As demonstrated by **Graph 3b** below, the homicide and firearm-related death rates of under 18 year olds in Rio de Janeiro have risen substantially since the end of the 1970s.



In 1979 there were 92 homicides of youths under 18 years of age in the city, equivalent to 5.4 per 100,000 inhabitants. 81 of these homicides, (representing 88% of the total), were caused by firearms, equivalent to 4.4 per 100,000 inhabitants. Homicides of minors peaked in 1998 with a total of 364 deaths, equivalent to 21.2 per 100,000 inhabitants. A total of 276 (75.8%) of these homicides were firearm related, giving a rate of 15.7 per 100,000 inhabitants. In 2000, there were 352 homicides of youths under 18 years of age in the city, equivalent to 23 per 100,000 inhabitants. A total of 307 (87.2%) of these were firearm related, equivalent to 17.5 per 100,000 inhabitants.

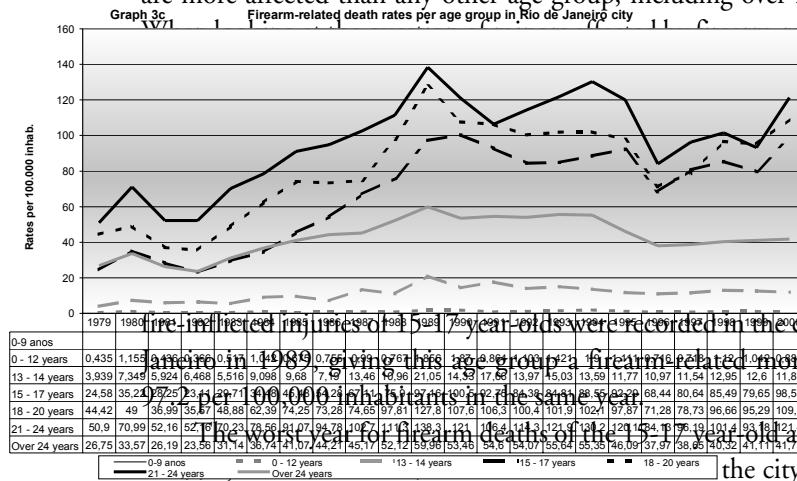
Firearm-related homicides of under eighteen year olds peaked in 1989 with a total of 329 deaths, and have declined slightly, accounting for 307 deaths in 2000. Therefore, between 1979 and 1989, there was an increase of firearm-related homicides of youths under the age of eighteen of 306.2%, and only a slight decline from 1989 to 2000 of 6.7%.

In order to investigate the firearm-related mortality rates of minors and youth more fully, an analysis of the following age groups is presented in **Graph 3c** below: 0-12 years; 13-14 years; 15-17 years; 18-20 years; 21-24 years; over 24 years.



Source: DATASUS , SMS-RJ

When analysing the data presented in **Graph 3c**, we find that the four age groups most affected by firearm-related mortality are 13-14 years, 15-17 years, 18-20 years, and 21-24 years respectively. These four age groups are more affected than any other age group, including over 24 year-olds.



The worst year for firearm deaths of the 15-17 year-old age group was the city, causing the firearm related mortality rate to rise to an extremely high figure of 100.5 per 100,000.

The most recent data shows that in 2000 these age groups are still the third and fourth most affected groups respectively. A total of 29 firearm

related deaths of 13-14 year olds were recorded in 2000, equivalent to 11.9 per 100,000 inhabitants. A total of 267 deaths from gunfire-inflicted injuries of 15-17 year olds were recorded in the city of Rio de Janeiro in 2000, giving this age group a firearm-related mortality rate of 98.5 per 100,000 inhabitants in the same year.

The substantial rise in the number of firearm-related deaths from the 13-14 year old age group to the 15-17 year old age group is notable. In 2000, the number of 15-17 year olds that died from gunshot wounds was 820.7% higher than the number of 13-14 year-olds that died from gunshot wounds in the same year. Although the numbers of firearm-related deaths continue to rise in each subsequent age group, there is not such a drastic percentage increase between any other two age groups than from 13-14 year-olds to 15-17 year-olds.

This reflects what has been identified during this study regarding the working patterns of children in the drug trade. As identified during interviews with drug traffickers, the number of minors employed as *soldados* or working in armed security of drug faction territory, is greatest in the 15-17 year-old age group. What this demonstrates is that as children working for drug factions become older, they become increasingly armed and increasingly involved in armed faction conflicts, and consequently die from firearm-related injuries at a drastically increased rate.

Similar to the patterns of firearm-related mortality rates of the general population, the 13-14 year-old, 15-17 year old and 18-20 year old age groups are dying in particular neighbourhoods of the city. This is demonstrated in **Map 3a**, **Map 3b** and **Map 3c** (Annex). Again similar to the patterns of firearm-related mortality rates of the general population, these neighbourhoods tend to be the areas of the city where faction conflicts are most common, i.e. where *favela* communities dominated by rival factions are in close proximity to one another. Some areas of the city have firearm mortality rates for 13-14 year olds of between 201-501 per 100,000 inhabitants. For the 15-17 year-old age group some areas of the city have firearms mortality rates of over 501 per 100,000 inhabitants.

In addition to a massive rise in the number of under 18 year-olds being killed by small arms in Rio de Janeiro, there has also been an increase in the number of younger children being injured by firearms.

In a group interview carried out during this study with the surgical team at the Souza Aguiar Hospital's emergency unit, doctors explained that the age of patients being treated for injuries provoked by firearms has decreased considerably over the last ten years.

*We're seeing younger victims of gun shot wounds than previously. Before we saw people [with gunshot wounds] in their twenties and thirties.*

*Dr. Josué Kardek, Emergency Unit, Souzar Aguiar Hospital*

*Here in Souza Aguiar I have two cases of under twelve year-olds that have been shot. I've operated on some cases in Getúlio Vargas [another hospital in Rio de Janeiro], of five and six year olds [that had been shot]. There was even one case of a six year-old girl that had been shot that I operated on with a colleague. Six or seven months later she was back at the hospital during my shift with another lesion caused by gunfire, and I operated on her again. There was a girl here a while ago who was caught in a shoot out in the centre of the city [she arrived] with a bullet in her head [...] There's a photo here at the hospital of a twelve year-old boy that was shot [and operated on here]. It's a photo that should be published. It's a shocking photo because the bullet took off his jaw. He has his tongue hanging out without any chin, his face showing terror and panic.*

*Dr. Martinelli, Emergency Unit, Souzar Aguiar Hospital*

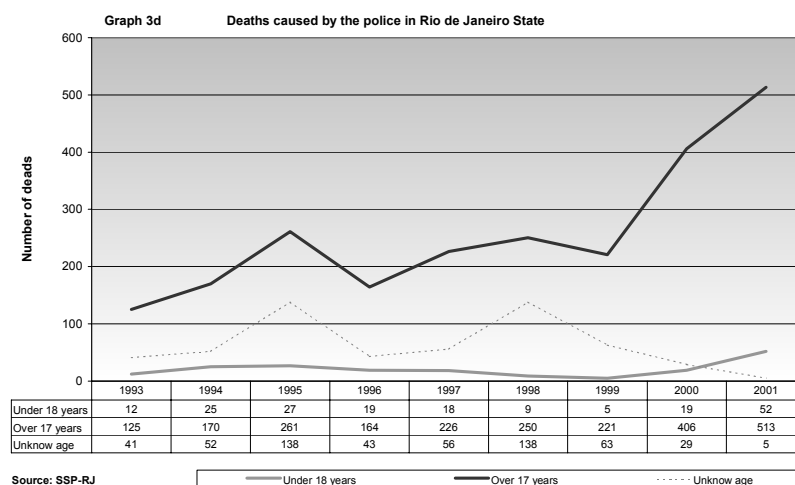
Following their increased involvement in armed combat between factions and with the police, children and adolescents have also become legitimised targets for police executions, and are shot at by police without hesitation during confrontations. Due to the danger posed by children utilising assault rifles in armed conflict situations, police view them as combatants and not as children. In some cases they are considered as being more dangerous than adults. Major Antonio Carlos Carballo Blanco of the Rio de Janeiro Military Police explained this attitude to researchers.

*The offensive potential of a child or adolescent with a firearm is much greater than the offensive potential of an armed adult. [...] Much due to the level of maturity of a child or adolescent, [...] the possibility of an adult firing on a police officer is far less than that of a child or adolescent doing so.*

Major Carballo also told researchers that an experienced police officer will always shoot at an armed child, whereas an inexperienced officer might hesitate before doing so. This, he explained, is because experienced officers

know the danger posed by a child carrying a firearm, whereas inexperienced officers have yet to learn this.

Due to this sort of police mentality, in 2001 there were a total of 52 children and adolescents under eighteen years old officially killed by the police during police actions. Fatal victims of police actions are shown in **Graph 3d** below.



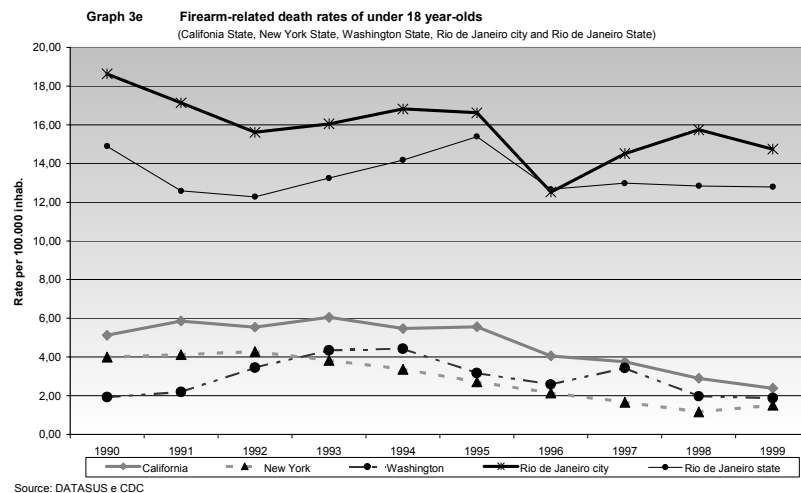
When analysing the data presented in **Graph 3d**, we find that there has been a marked increase in killings by police in Rio de Janeiro between 1993 and 2001. Furthermore, that although the evolution of child and adolescent fatalities caused by police action fluctuated between 1993-2001, it also rose considerably from 12 deaths in 1993 to 52 deaths in 2001, a rise of 333.3%. One reason for this fluctuation may be that in the years when few youths under 18 years of age were registered as fatal victims of police actions, the number of fatal victims of an unidentified age was high.

For example, the two years that have the lowest number of registered child and adolescent fatal victims from police action, 1998 with 9 under eighteen year-old victims registered, and 1999 with only 5 under eighteen year-old victims registered, are also the years that have the highest (138) and the third highest (63) numbers of fatal victims of police actions where the age of the victim is not identified in police records. In contrast, in 2001 when the highest number of child and adolescent fatalities caused by police

action is registered, we see the lowest number (5) of fatal victims of police actions where the age of the victim is not identified in police records. This suggests, therefore, that in some years between 1993-2001, the police were not registering the age of victims under eighteen that they killed, in order to make official statistics of minors killed by the police during police action appear correspondingly lower.

It must also be noted that the above statistics of child and adolescent fatalities caused by police action only include those registered by the police. Due to the existence of clandestine cemeteries that are used by corrupt police officers to dispose of the corpses of those they execute extra-judicially, the numbers of child and adolescent fatalities caused by the police may in fact be higher than presented here.

In order to fully comprehend the significance of the firearm-related mortality rates of under eighteen year-olds in Rio de Janeiro, there follows a brief analysis of firearm-related mortality rates in Rio de Janeiro city, Rio de Janeiro State, California State (USA), Washington State (USA) and New York State (USA). These States were selected due to having documented histories of gang and firearm-related violence in their urban centres.



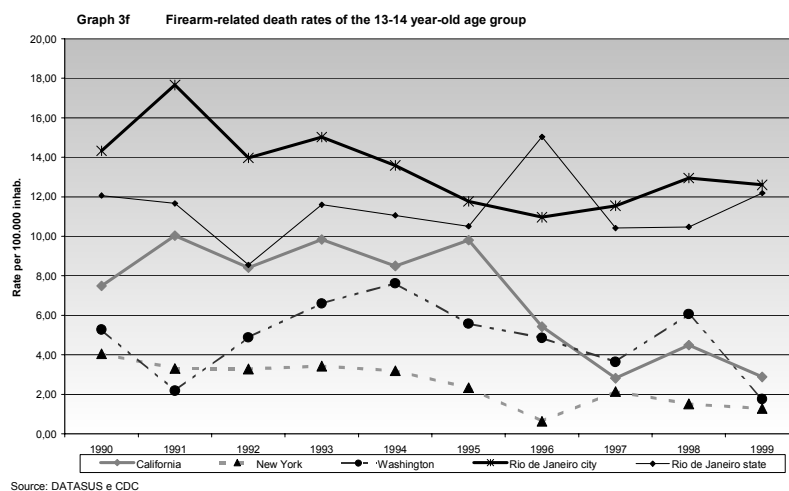
As demonstrated in **Graph 3e**, between 1990-1991, the firearm related mortality rates of under eighteen year-olds in both the State of Rio de

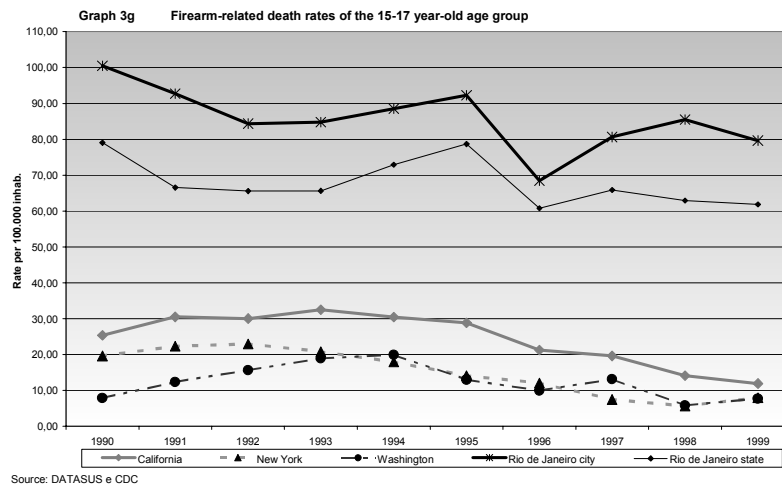
Janeiro and Rio de Janeiro city were considerably higher than those in the US States of California, Washington and New York.

The firearm-related mortality rates of under eighteen year-olds in the State of California in 1999, for example, registered at 2.4 per 100,000 inhabitants, with a total of 213 deaths. In the same year, Rio de Janeiro State registered a firearm-related mortality rate of under eighteen year-olds of 12.8 per 100,000 inhabitants, with a total of 563 deaths. In 1999, Rio de Janeiro city registered a firearm-related mortality rate of under eighteen year olds of 14.7 per 100,000 inhabitants, with a total of 259 deaths.

Also in 1999, the firearm-related mortality rate of under eighteen year-olds in Washington State registered at 1.9 per 100,000 inhabitants, with a total of 28 deaths. The firearm-related mortality rate of under eighteen year olds in New York State in the same year, registered at 1.5 per 100,000 inhabitants, with a total of 67 deaths. The firearm-related mortality rates of under eighteen year-olds in both of these US states were considerably lower than those in Rio de Janeiro State and city.

When looking more closely at firearm-related mortality rates of under eighteen year olds in these selected locations, we find that both the 13-14 and 15-17 year old age groups – those generally most affected by firearm related deaths – are notably higher in Rio de Janeiro State and city than in the above mentioned US States. Please see **Graph 3f** and **Graph 3g** below.





The firearm-related mortality rate of the 13-14 year old age group in the State of California in 1999, for example, registered at 2.9 per 100,000 inhabitants, with a total of 29 deaths. In the same year, Rio de Janeiro State registered a firearm-related mortality rate of 13-14 years olds of 12.2 per 100,000 inhabitants, with a total of 59 deaths. In 1999, Rio de Janeiro city registered a firearm-related mortality rate of 13-14 year olds of 12.6 per 100,000 inhabitants, with a total of 30 deaths.

Also in 1999, the firearm-related mortality rate of the 13-14 year old age group in Washington State registered at 1.8 per 100,000 inhabitants, with a total of 3 deaths. The firearm-related mortality rate of 13-14 years olds in New York State in the same year, registered at 1.3 per 100,000 inhabitants, with a total of 6 deaths. The firearm-related mortality rates of 13-14 year olds in both of these US states were considerably lower than those in Rio de Janeiro State and city.

Firearm-related mortalities are most notably worse for the 15-17 year old age group in Rio de Janeiro than in the above selected US States. The firearm-related mortality rate of the 15-17 year old age group in the State of California in 1999, for example, registered at 11.9 per 100,000 inhabitants, with a total of 163 deaths. In the same year, Rio de Janeiro State registered a firearm-related mortality rate of 15-17 year olds of 61.8 per 100,000 inhabitants, with a total of 482 deaths. In 1999, Rio de Janeiro

city registered a firearm-related mortality rate of 15-17 year olds of 79.7 per 100,000 inhabitants, with a total of 216 deaths.

Also in 1999, the firearm-related mortality rate of the 15-17 year old age group in Washington State registered at 7.7 per 100,000 inhabitants, with a total of 20 deaths. The firearm-related mortality rate of 15-17 year olds in New York State in the same year registered at 8.0 per 100,000 inhabitants, with a total of 56 deaths.

As noted earlier in this chapter, the extremely high firearm-related mortality rate of 15-17 year olds in Rio de Janeiro reflects this study's findings regarding the working patterns of children in the drug trade: the number of minors employed as *soldados* or working in armed security of drug faction territory is greatest in the 15-17 year-old age group.

Even when comparing firearm-related mortality rates of this age group in Rio de Janeiro State with US States known to contain cities that have a documented history of drug, gang and gun-related violence — phenomena known to adversely affect the 15-17 year old age group — we find far higher mortality rates in Rio de Janeiro than in these US locations.

Even more shocking is the fact that firearm-related deaths of under eighteen year olds in Rio de Janeiro State are worse than those in some areas of the world that meet traditional definitions of 'armed conflict' or 'war'. For example, as a result of the conflict between Israel and Palestine regarding the occupied territories, 467 Israeli and Palestinian minors were killed between Dec.1987-Nov.2001.<sup>80</sup> During the same period, in the municipality of Rio de Janeiro alone, 3937 under eighteen year-olds were killed due to small arms related injuries.

More recent statistics show that even with escalating conflict in Israel and the Palestinian occupied territories, more children and adolescents continue to die from small arms-related causes in the municipality of Rio de Janeiro. Amnesty International's report, *Killing the Future: Children in the Line of Fire*<sup>81</sup> calls for the UN Committee on the Rights of the Child to take into account that more than 250 Palestinian and 72 Israeli children were

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<sup>80</sup> Statistics supplied by the Israeli Information Centre for Human Rights in the Occupied Territories.

<sup>81</sup> published in September 2002.



killed as a result of the conflict in the Palestinian occupied territories between September 2000 – August 2002, a 23 month period. The most recent data regarding firearm-related mortality rates in Rio de Janeiro demonstrates that between November 1999 and December 2001, also a 23 month period, a total of 612 under eighteen year-olds were killed by small arms fire.<sup>82</sup>

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<sup>82</sup> Brazilian Ministry of Health, DATASUS - RJ.

## YOUTH PERSPECTIVES: *FAVELAS*, DRUG FACTIONS AND IDENTITY

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This chapter investigates the effect that twenty years of drug faction domination and territorialisation of *favela* communities has had on the perspectives *favela* youth have of armed violence and the community. In order to focus primarily on youth that lived their childhood or adolescence during the 1980s and 1990s, when faction domination became the reality for most of Rio de Janeiro's *favelas*, youth of both sexes between the ages of 14-24 were interviewed. Interviews were carried out via an orally-applied questionnaire completed by 100 youths in six *favelas*, and two separately-held group interviews with a total of thirty youths from a further three *favelas*.

Twelve young people participating in Viva Rio's educational programme *Zeladores*<sup>83</sup> who were already being trained in the application of surveys, were selected to apply a questionnaire with youths that lived in their *favela* communities. The questionnaire was designed to investigate the opinions *favela* youth have of drug traffickers and the police in terms of violence, treatment, protection and identity. Young people selected to carry out the survey worked with researchers from this study in finalising its design, and were then given further training in its application. Training included how to select a cross section of youths in the community so that results didn't represent only the views of specific social groups that may have shared notions of violence, drug trafficking or the police (such as church members from the same church or gang members from the same gang). None of the youths that completed the questionnaires were directly involved in drug trafficking activities.

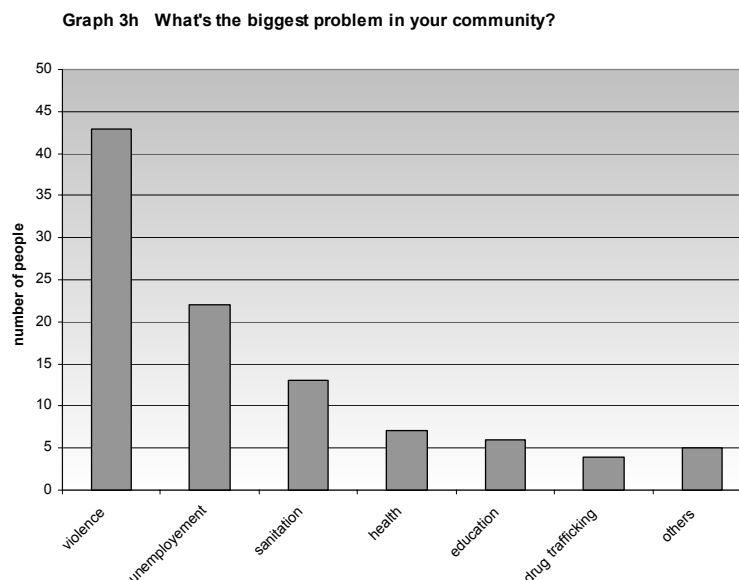
Of the 100 youths between 16-24 years of age that were interviewed, 55% were female and 45% male. At the time of interview, 70% were married, 5% were single and 25% lived with their partners. A total of 41% were employed and 59% were unemployed. Of those employed, jobs ranged from manual to service industry, administrative, military and domestic positions (manual and service industry positions being the most common).

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<sup>83</sup> *Zeladores* institutes primary level education classes and co-ordinates community based voluntary work for 18-24 year olds in *favelas* or poor neighbourhoods within greater Rio de Janeiro.

Over half of those interviewed were studying, of which 57% were completing primary level education and 43% secondary level education. Of those not studying, 51% had abandoned school without completing primary level education. A total of 2% of those interviewed reported no family income whatsoever, 47% reported a family income of less than R\$350<sup>84</sup> per month, and 34% reported a family income of over R\$350 per month. Despite all interviewees living in urban areas defined as *favela* communities, only 81% claimed to live in the *favela*, 19% claiming that they lived in an area<sup>85</sup> of the city that has paved roads. This may have reflected the fact that due to the a socially perceived stigma of living in a *favela*, some *favela* residents may prefer to say that they live in the paved (*asfalto*) areas of the city. Or this may reflect that some of those interviewed lived right on the edge of their *favela* communities and next to urbanised roads.

When asked what they considered to be the biggest problem in their community, a large number (43%) responded that it was violence (see Graph 3h).



<sup>84</sup> Equivalent to around US\$150.

<sup>85</sup> i.e. not *favela*

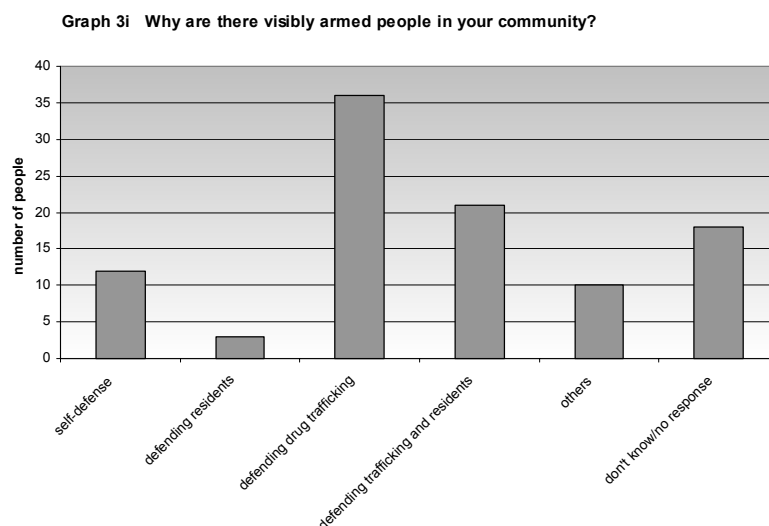
Although the majority saw violence as the principal problem within the community, a significant number of interviewees did not consider their community to be a violent place. When asked if they thought of their community as violent, 52% of interviewees said yes, 46% said no and 2% didn't respond.

In contrast to the fact that a significant number of interviewees did not consider their communities as violent places, the majority (68%) of those interviewed directly knew or knew of someone that had been injured by gunfire within their community, and a total of 71% of interviewees directly knew or knew of someone that had been killed by gunfire within their community. When asked how often armed confrontations occurred in their community, 33% said regularly, 29% said sometimes and 2% claimed that their communities were currently in a state of faction war and so armed exchanges were constant. A total of 27% responded that armed confrontations in their communities were rare, and only 3% responded that armed confrontations never happened in their communities. Furthermore, 28% of those interviewed claimed that stray bullets had hit their house during armed confrontations in the *favela*.

Most interviewees (75%) also commented that there were openly-armed people present within their communities.

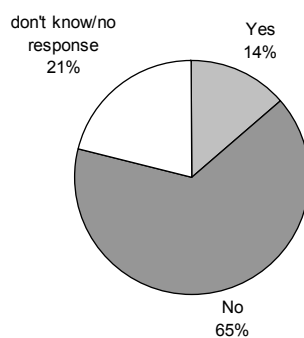
The two primary reasons given for these people being visibly armed in the community, were defence of drug trafficking (36%) and defence of drug trafficking and community residents (21%). A minority (12%) believed that these people were armed for self-defence, and 3% claimed that they were present only to defend community residents (see **Graph 3i**).

When asked from whom they were defending drug trafficking or community residents, 12% responded that the armed people in their communities were defending against the police, 26% responded that they were defending against armed groups from other communities, and 56% responded that they were defending against the police and armed groups from other communities.



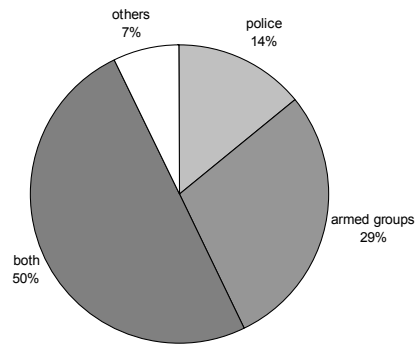
Of the 71% of interviewees that observed openly-armed people in their communities, the majority (65%) did not feel protected by them, and a small minority (14%) did feel protected by them (see **Diagram 3a**).

**Diagram 3a – Do you feel protected by the openly armed people in your community?**



Of the 14% that did feel protected by the presence of openly armed people in their communities, almost all felt that they were being defended from the police (14%), armed groups from other communities (29%) or both (50%) (see **Diagram 3b**).

Diagram 3b – From whom are you being protected?



The vast majority (79%) of those interviewed claimed that they did not identify themselves with any specific drug faction (see **Diagram 3c**). However, when asked if they could frequent any other *favela* community in Rio de Janeiro, half of those interviewed said they were unable to do so (see **Diagram 3d**). Almost all (92%) of those that didn't feel able to visit other *favela* communities, stated that the principal reason for this was the presence of drug factions in some communities that were rivals to the drug factions from their own communities (see **Diagram 3e**).

Diagram 3c – Do you identify yourself with a drug faction?

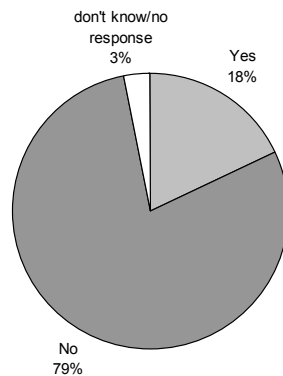


Diagram 3d – Can you frequent any *favela* community in Rio de Janeiro?

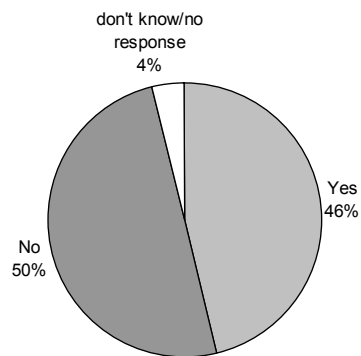
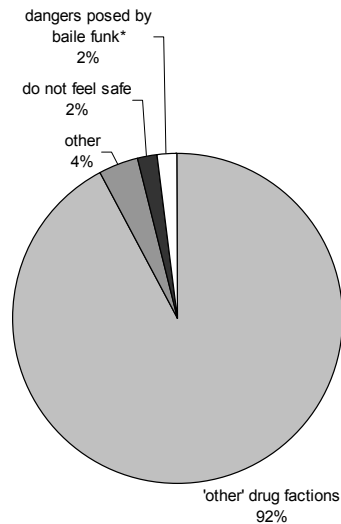


Diagram 3e – Reasons to not frequent any *favela* community



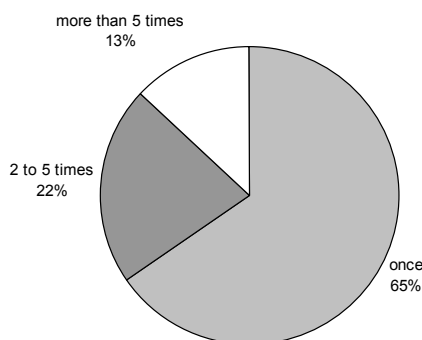
The majority (72%) of those interviewed did not trust the police at all, and most of the remaining interviewees (24%) trusted the police only partially. Only 2% trusted the police a lot, and 2% failed to respond to this question. Reasons given for not trusting the police at all, or only partially, were: the police are corrupt (30%); the police fail to respect *favela* residents (17%); the police are criminals (10%); the police are devious (10%); the police are dishonest (7%); the police are unprepared (7%); the police fail to offer any security (7%); the police are involved in drug trafficking (6%); the police enter the *favela* shooting indiscriminately (4%); the police set people up (2%).

Although the majority (77%) of those interviewed had not been assaulted by the police, a significant number (23%) had been assaulted by them. Of those that reported being assaulted by the police, 65% had been assaulted once, 22% had been assaulted between 2-5 times, and 13% had been assaulted more than 5 times (see **Diagram 3f**).

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\* Baile funk – please see glossary.

Diagram 3f – How many times have you been assaulted by the police?



Analysis of these questionnaires may lead to the following conclusions:

1) Almost all youths recognise high levels of armed violence within their communities, yet a significant number do not consider their communities to be a violent place. There are two possible reasons for this: one reason may be that as the armed violence is not directed specifically at them, but between drug traffickers and the police, youths do not feel personally in danger and therefore do not consider the community as representing violence. Another reason may be that armed violence within the community has become normal for a significant portion of young people in the *favela*.

2) As well as defending the drug trade, a significant proportion of youths believe that armed factions in their communities are defending community residents from other armed groups and the police. Some youths even believe that armed factions are primarily defending community residents from these external threats.

3) Despite many youths seeing armed factions as defending *favela* residents, the majority of youths do not feel protected by them, although a small but significant number do.

4) Although the vast majority of *favela* youths not involved in drug trafficking claim not to identify with drug factions, half of them will not frequent communities controlled by 'other' or 'rival' factions.

5) The vast majority of youths do not trust the police due to police corruption, dishonesty, violence or incompetence. A significant portion of



youth have been assaulted by the police, some of these on more than 5 occasions.

Group interviews held with *favela* youth not involved in drug trafficking from a further three *favelas* corroborated these conclusions. Group interviews also demonstrated that the presence of armed groups that dominate, 'defend' and control their communities has detrimentally affected the outlook of children, adolescents and youth born since the mid 1980s in regard to social relations, members of other *favelas* and the legitimacy of the government and the police as the upholder of law, order and justice. However, what became increasingly apparent during these discussion groups was that although almost all youths shared the same feelings of fear and distrust of the police, when expressing their views on drug traffickers in terms of violence, treatment, protection and identity, youths from the *favela* cannot be treated as a completely homogeneous group.

For example, adolescent males tended to identify far more with factions than adolescent females or older youths above the age of twenty. During discussion, many male adolescents presented factions in a romanticised and positive light, considering themselves to be of the *Comando Vermelho* or *Terceiro Comando* even though they were not involved in drug trafficking activities. This may reflect the fact that adolescents are more likely to have friends involved in drug trafficking, as so many faction members are of this age group. It may also be due to the fact that male adolescents are treated by the police or even rival factions from other communities as being drug traffickers, simply for being from a faction dominated *favela*, and regardless of their actual level of involvement in the drugs trade. When looking at mortality statistics in Rio de Janeiro, we see that adolescents and young males are the groups most affected by firearm deaths. It is not surprising that feeling threatened by the violence that occurs around them, and being treated by the police and rival factions as being 'involved', leaves many male adolescents feeling safer when in their *favela* and protected by the local faction. This results in many 'non-involved' male adolescents from *favelas* feeling a shared identity with their local drug faction.

Without doubt, notions of the community and the identity of local factions have become intertwined for many children and youth growing up since the 1980s and 1990s. Whether they identify with their local faction

or not, youths are the social group most affected by drug-related violence: there are areas of the city in which they cannot travel due to the presence of 'other' or 'rival' factions; and all youth face police abuse and the stigma of society when travelling outside of their *favela*, due to their association with drug factions even if they are not themselves involved in drug trafficking.

Links between identity, community and drug factions were also very present amongst children and adolescents drug traffickers. Some of the younger children working for drug factions were unable to understand that the community exists apart from their faction, instead perceiving the community and the drug faction as being one mutually representing entity.

*I: What is the Comando Vermelho?*

*T: It's...the people in the favela. Only Comando Vermelho live here so they can't meet with Terceiro Comando...If the Terceiro Comando come in, the men from the Comando Vermelho kill them...*

*I: But is everyone in the community from a faction?*

*T: In a Comando Vermelho favela everyone is part of the faction...*

*I: So, for example, mum, dad, son, brother, cousin, everyone that lives in a Comando Vermelho community is Comando Vermelho?*

*T: They are Comando Vermelho.*

*I: Even if they're a taxi driver or a housewife?*

*T: ...yes, but they are Comando Vermelho.*

*Olheiro, 12 years old*

These children were primarily born after the mid-eighties and had subsequently grown up in a period where territorial divisions between drug factions were already defined and disputed along *favela* community borders. Having grown up post-1990, this boy had little other reference than visible and domineering drug traffickers when reflecting on who represented and maintained control of his community, and consequently, what non-involved individual members of the community represented, namely the *Comando Vermelho*. As seen during group discussions with *favela* youths, identity for primarily young male adolescents in *favelas* dominated by drug factions is defined by affiliation to the local faction, even if only through geographical location.



Photo 1 – a *vapor*, 16 years old, with two 9 mm calibre pistols. (Photo: Luke Dowdney)



Photo 2 – a *soldado*, 17 years old, with a Colt AR-15 assault rifle. (Photo: Luke Dowdney)



Photo 3 – a *soldado*, 17 years old, with a Colt AR-15 assault rifle and a *vapor*, 16 years old, with two 9 mm calibre pistols. (Photo: Luke Dowdney)



Photo 4 – a *vapor/olheiro*, 12 years old, with a 38 calibre revolver. (Photo: Luke Dowdney)



Photo 5 – a *gerente de boca*, 16 years old,  
with a Kalashnikov AK-47 assault rifle.  
(Photo: Luke Dowdney)



Photo 6 – a *vapor*, 16 years old, with two 9mm pistols and a *carga* of cocaine next to a *soldado*, 15 years old, holding a Kalashnikov AK-47 assault rifle.  
(Photo: Anja Kessler)



Photo 7 – a *vapor*, 16 years old, with a *carga* of cocaine next to a *soldado*, 15 years old, holding a Kalashnikov AK-47 assault rifle close to children playing in the community. (Photo: Anja Kessler)

PART FOUR:

*ORGANISED ARMED VIOLENCE:*  
PROPOSED DEFINITIONS  
AND INTERNATIONAL PERSPECTIVES

TRADITIONAL DEFINITIONS AND NEW CONCEPTS:  
*ORGANISED ARMED VIOLENCE*

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This report concentrates primarily on the role of children in small arms violence caused by drug faction disputes within Rio de Janeiro. However, in order to fully define the status of children in this setting, we must first define the context in which they act. At this point, therefore, it seems relevant to open the debate as to whether Rio's drug faction territorial conflict pertains more closely to accepted definitions of 'war', 'armed conflict' or 'organised crime'. This chapter examines these definitions, comparing them to the realities of armed confrontations between rival drug factions and the police in Rio de Janeiro. Subsequently, a new category to define drug faction conflict is presented, referred to as *Organised Armed Violence*.

**The rhetoric of war**

Since drug factions achieved territorial domination of *favela* communities in the early to mid 1980s, small arms violence between factions and with the police has been increasingly likened to 'war' by the national press, public figures and even Rio de Janeiro's Federal Police superintendent.

The press have repeatedly used the word 'war' in front page headlines when reporting prolonged exchanges of gunfire, or the use of grenades and bazookas between rival faction members and the police. The following press cuttings are taken from the period in which this research programme was carried out.

*THE ROUTINE OF WAR: United Nations report confirms that Rio's police force kill more than any other in the world.*

O Globo, 11 / 04 / 01

**DRUG TRAFFICKING WAR CLOSES BUSINESSES IN CATUMBI:** *death of drug trafficker in the Mineira favela causes forced mourning in three commercial streets.*

O Dia, 25 / 10 / 01

**DRUG TRAFFICKING WAR ZONE:** *bandits kill four, injure seven and terrorise the streets of Estácio and Catumbui.*

O Globo, 11 / 03 / 02

Recent breaking news from the Globo website (23 / 04 / 02) demonstrated warlike reporting of an armed dispute between rival factions:

*Gun Battle in Jorge Turco: Rio – Rival drug traffickers are in conflict, exchanging fire, in Jorge Turco's<sup>86</sup> favela in Rocha Miranda. Police from the 9<sup>th</sup> Battalion are at the location. Residents are in panic. According to police at the scene, it is impossible for them to intervene. They state that the gun battle is intense. Rifles, automatic rifles and machine guns of different calibre are being used.*

The President of the Brazilian Bar Association (*Ordem dos Advogados do Brasil*), Rubens Approbato Machado, stated publicly in January 2002 that,

*...the government should recognise the state of war in which Brazil finds itself, whereby criminal groups linked to drug trafficking already control extensive urban areas of important Brazilian cities such as Rio de Janeiro and São Paulo. In these areas [...] the civil population follow behavioural rules laid down by traffickers who are better armed than the police. The reality can no longer be hidden: we are in a state of war'.<sup>87</sup>*

Such fears seem to be shared by the Brazilian public. In a recent poll 84% of Brazilians were in favour of calling in the army to combat criminal violence.<sup>88</sup>

In a public interview, the superintendent of the Federal Police in Rio de Janeiro, Marcelo Itagiba, referred to drug factions as,

*...groups that use guerrilla war tactics and weapons within the favelas of Rio de Janeiro. The police...can get into the favelas but are immediately confronted [by*

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<sup>86</sup> Jorge Turco was one of the founders of the *Comando Vermelho*.

<sup>87</sup> OAB/Conselho Federal – Notícias, 22/02/2002.

<sup>88</sup> Instituto Datafolha, Folha-on-line, 19/03/02.



*traffickers]. You can't maintain a permanent [police] occupation, and when you leave, the favela is again occupied by those groups.<sup>89</sup>*

Terminology employed by drug traffickers themselves and their local structure, as described in earlier chapters, is of highly organised fighting units that would normally be found in war or conflict situations. Furthermore, as the following press reports demonstrate, it has also been well documented recently that ex-Brazilian army servicemen have been hired by drug factions to train faction *soldados* in guerrilla warfare tactics, and defend against BOPE.<sup>90</sup> There have even been reports of ex-paratroopers acting as a mercenary unit within drug faction armed conflicts during 2002.

*Ex-military service men train drug traffickers in Rio: courses given by corporals and soldiers from the reserve cost up to R\$8 thousand per month*

*O Globo 03 / 02 / 02*

*...across the city at least 15 ex-military servicemen give lessons to 265 bandits, in classes of 20, regarding urban warfare tactics, jungle survival and maintenance of combat grade weapons. Using uniforms and grenades stolen from the army, the instructors receive payments of up to R\$3 thousand per lesson or R\$8 thousand per month.<sup>91</sup>*

*Traffickers count on ex-military servicemen*

*Jornal do Brasil 04 / 04 / 02*

*In camouflaged uniforms, armed with rifles, machine guns and grenades, 32 ex-military servicemen originating from the Army Paratroopers Brigade, are active in the streets of Rio in tactical missions for criminal factions, currently at war for the control of drug sales points. Known as the 'green bonde', the group hold no loyalty to any one faction, acting always as mercenaries.*

## **Traditional definitions: war, conflict and organised crime**

Despite such public concern, the constant usage of descriptive 'war' terminology and the involvement of ex-military servicemen as mercenary groups, existing definitions must first be examined before Rio de Janeiro's drug faction disputes can be correctly defined.

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<sup>89</sup> O Globo, p24, 'Traficantes atuam com táticas de Guerilha' 21/10/01.

<sup>90</sup> Special Operations Battalion / *Batalhão de Operações Especiais*.

<sup>91</sup> Equivalent to around US\$1 thousand per lesson or US\$ 2,700 per month.

**War:** 1. Sustained inter-group violence in which state military forces participate on at least one side.<sup>92</sup> 2. An armed conflict with at least 1,000 military battle deaths, where at least one of the parties is the government of a state.<sup>93</sup>

**Major Armed Conflict:** 1. The use of armed force between the military forces of two or more governments, or of one government and at least one organised armed group, resulting in the battle-related deaths of at least 1,000 people in any single year and in which the incompatibility concerns control of government and / or territory.<sup>94</sup>

**Organised Crime:** 1. Any association or group of people taking part in continuing illegal activity for profit, regardless of national boundaries.<sup>95</sup> 2. Economically motivated illicit activity undertaken by any group, association or other body consisting of two or more individuals, whether formally or informally organised, where the negative impact of said activity could be considered significant from an economic, social, violence generation, health and safety and / or environmental perspective.<sup>96</sup>

**Crime:** 1. An act committed or omitted in violation of a law forbidding or commanding it, and for which punishment is imposed upon conviction. 2. Unlawful activity in general.<sup>97</sup>

In order that the armed territorial disputes between Rio de Janeiro's drug factions can best be defined, the following common points regarding their structure and objectives are proposed:

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<sup>92</sup> Silliman, G. Sidney, *International Conflict: War and Peace*, © 2000, California State Polytechnic University.

<sup>93</sup> The Nobel Foundation, *Wars in the 20th Century, Definitions and Categories*, <http://www.nobel.se/peace/educational/conflictmap/about.html>

<sup>94</sup> Seybolt, Taylor B., *Major Armed Conflict*, SIPRI Yearbook 2001: armaments, disarmament and international security, Oxford University Press: Oxford, 2001.

<sup>95</sup> Interpol.

<sup>96</sup> Porteous, Samuel D., *ORGANIZED CRIME IMPACT STUDY HIGHLIGHTS*, Porteous Consulting, Public Works and Government Services of Canada, 1998, Cat. No. JS42-83/1998, ISBN 0-662-63748-8.

<sup>97</sup> *The American Heritage Dictionary of the English Language*, American Heritage Publishing Co., Inc., 1971.

1) **Factions are highly structured at the local level:** factions are hierarchically structured as a organised armed unit at the local level within the *favela*.

2) **Factions are less structured at the city level:** Although there exists some debate as to whether the *Comando Vermelho*, *Terceiro Comando* or *Amigos dos Amigos* are headed by individual traffickers, at a city-wide level factions are not unified through a traditionally understood military or corporate hierarchy, and exist as a group of independent *donos* joined through mutually beneficial alliances that propagate a faction name and allegiance.

3) **Factions are economically motivated:** The four main factions in Rio de Janeiro cannot be separated in terms of ideology or objective. Although different groups may have slightly different codes of conduct, organisational structure and notions of justice, they have one identical financial objective, the control of illicit drugs sales within the city. Factions also have almost identical strategies to realise that control: domination of the community as a power base for local sales.

4) **Factions are financially self-sustainable:** As an armed group they are financially self sufficient due to their very objective, the control of illicit drug sales, and do not depend on other crimes or donations in order to arm themselves.

5) **Indoctrination of youth:** Despite the fact that there are no ideological differences between them, factions actively demonise their rivals, indoctrinating community members, specifically youth, to hate and fear other competing factions and people from communities dominated by rival factions.

6) **Factions are territorial:** Factions are geographically defined through dominating *favela* communities where sales are based.

7) **Factions control *favela* communities:** Factions control *favela* communities through quasi-political domination. Control is enforced via extra-judicial rules and punishments.

8) **Factions are a constant armed presence in the community:** Factions are a constant armed presence within the *favela* communities they dominate and are armed with war-grade weapons.

9) **Factions participate in high levels of small arms violence:** Factions partake in prolonged and high levels of armed violence that culminate in

numbers of small arms related deaths higher than some traditionally defined 'war' or 'conflict' zones.

**10) Children are employed by factions and utilised in armed territorial disputes:** Children and adolescents have been increasingly involved in armed confrontations between rival factions and with the police.

By comparing the above definitions with these definitive points regarding drug factions in Rio de Janeiro, we can see that Rio de Janeiro cannot be considered in a traditionally defined state of 'war' or 'armed conflict' for the simple reason that the state is not the deliberate object of attack. Drug factions are economically oriented by their very definition. Despite paramilitary organisation at the local level, territorial and political domination of geographical areas, high numbers of armed combatants (including ex-military service men), a constantly armed presence in the communities they dominate, military-grade weapons and levels of armed violence that kill well over 1000 civilians and combatants during a one year period, drug factions have no interest in taking the place of the state.

A number of incidents took place in Rio de Janeiro during this study in which traffickers were accused of attacking state infrastructure and organs of state power. The headquarters of the State Secretariat for Human Rights was machine-gunned and a grenade thrown at the building by two men on evening of May 14, 2002. The press and police claimed this attack followed an order from a top-ranking drug trafficker angered by not being given certain rights within prison, although this was never proven. On the night of June 24, the Mayor's office was also machine-gunned by unidentified men and a grenade that failed to explode was thrown at the building. Again drug traffickers from the city were condemned for the attack although this has yet to be proven. In both incidents, there were no human injuries or loss of life, and no organisation, criminal or otherwise, claimed responsibility for the attacks. Rio de Janeiro's press ran a number of articles after these events, claiming that Rio was in a state of war with drug factions as the government was being attacked. However, even if these attacks were carried out by drug factions,<sup>98</sup> it does not change the fact that factions have

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<sup>98</sup> It must be noted that there are a number of politically interested groups that have an interest in destabilising government, or at least showing them publicly as incapable of controlling Rio's crime wave, for political gain. 2002 was an electoral year in Brazil and it was conceivable that such events would be used for political leverage by some parties.

no interest in replacing the state, as an opposing military force would do if in a state of traditionally defined war.

Furthermore, drug factions are never in true opposition to the state, as despite rhetoric to the contrary, they are not completely unified groups. Although there exist internal organisation, codes of conduct and a loose chain of command, factions are not structured as a military organisation whereby all members serve under the same leader regardless of which local unit they represent. For this reason, although they have a shared economic objective, they cannot be compared to organised military groups, such as the FARC (*Fuerzas Armadas Revolucionarias de Colombia*) guerrilla movement, that fight against the state in a united fashion under one military chain of command.

Factions are highly structured in a paramilitary fashion at the local level and act as a constantly armed presence in the community only in order to defend their sales points from equally well-organised rival faction invasion and police raids. They arm themselves with war-grade weapons and are involved in high levels of small arms violence to protect the illicit commerce of drugs, their primary economic objective. Territorialisation is an economic issue as *favela* communities provide defensible power bases from which drug sales can be based. Territory is dominated simply for economic gain, not in direct opposition to the state.<sup>99</sup> Quasi-political domination of *favela* communities is primarily a security issue enabling factions to entrench themselves within the community in order to defend themselves and their illicit economic activity.

Due to their control of *favela* communities, there have been a number of references in the Brazilian media to drug factions as being a 'parallel power' that have taken the place of state government within faction dominated *favelas*. If this were the case, factions could be seen as being in direct

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<sup>99</sup> Interviewed traffickers claimed that when fighting against rival faction invasion or police raid, they were defending their lives, faction-controlled drug sales points and the community itself. Many drug traffickers grow up in the communities in which they work and know that if a rival faction takes over, or the police successfully dominate their area, their friends and families are at risk of violent reprisals, expulsion (in the case of a rival faction) or even death (in the case of both rival factions and the police). Yet despite this, faction territorialisation is in principle an economic strategy and has been developed not to oppose the state but to further economic gain.

competition, and hence in conflict, with state government. However, as discussed in Part 2, faction control of the community can only be seen as concurrent to state control, not superseding or directly competing with it, as there are no areas within Rio de Janeiro that the state is unable to enter or occupy if it so chooses. Furthermore, the state does have (an admittedly limited) presence within *favela* communities. The acceptance by *favela* inhabitants of faction control is not due to the complete absence of the state, but rather due to the lack of legitimate government alternatives. The state has failed to maintain a social contract with *favela* residents, something that factions uphold very effectively. Factions fill the socio-political space that the state has failed to effectively occupy. However, if the state so chooses, it is able to reclaim those areas from 'faction control' and thus factions cannot be seen as being in direct competition, or conflict, with state government.

Indoctrination of children and youth within the community to hate and fear rival factions is a defensive measure to guarantee community support and also to motivate young *soldados* to kill when necessary. It is a motivational tactic that secures support in order to advance economic gain and not representative of any religious, ethnic, social or ideological difference between communities or factions. However, it must be noted that due to continued territorial disputes between *favela*-based factions since the mid 1980s and the consequent number of innocent deaths, people growing up in faction-dominated communities since the 1980s are likely to have lost a family member, friend or acquaintance as a result of faction-related violence of some kind (including police action). There exists, therefore, especially amongst children and youth, an understandably real fear of communities dominated by rival factions.

### **The state as 'secondary'**

Although the state may not be the specific object of attack it is a player in this 'conflict' situation because of continual armed confrontation with organised drug factions. However, its involvement is a secondary one. State representatives, such as the military police, are targets for armed attack only as a defensive measure when important traffickers are hunted for arrest, extra-judicial execution or when corrupt police officers fail to fulfil their

part of a deal,<sup>100</sup> i.e. when the state interferes with a faction's ability to advance itself economically.

As the state is not the object of attack, it is impossible to define drug faction territorial disputes as 'war' or 'major armed conflict'. Looking at the above definitions, it would seem that 'organised crime' best defines the situation. However, due to the sheer scale, the number of deaths, quasi-political community domination, the high levels of armed violence and war-grade weapons involved, the situation must surely go beyond traditional notions of 'crime' and 'organised crime.' More importantly, the armed functions that children and adolescents fulfil as described in Part 3, are more fitting to the rhetoric of war and not truthfully represented if put into the context of organised crime as it is traditionally understood. In order that the seriousness of the situation in which children and adolescents are involved be fully understood, a new definition must be sought.

### **'New war'**

Accepting that Rio de Janeiro is *not* in a state of war, it is still useful to understand changing trends in modern warfare in order to find a comprehensive definition for drug faction conflicts within the city. There has been an emerging school of thought that has proposed changing methods of warfare over the last forty years. Recent events involving the United States and the Middle East have shown new tactics and non-state actors playing a decisive role in international conflicts. Such wars have been termed by military analysts as *fourth generation wars*.

"If we look at the development of warfare in the modern era, we see three distinct generations...Third generation warfare was conceptually developed by the German offensive in the spring of 1918...Is it not about time for fourth generation war to appear?"<sup>101</sup>

*Fourth Generation warfare* is distinguished from its predecessors as it may transcend national boundaries and typically, at least one side is some-

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<sup>100</sup> Revenge killings also occur when police officers are killed in retaliation for the death of a trafficker. This may include the killing of a particular officer or the indiscriminate killing of any police officer.

<sup>101</sup> Lind, Nightingale, Wilson, et. Al., Marine Corps Gazette, October 1989

thing other than a state army operating under the control of a national government.

Apart from non-state actors playing a decisive role in international conflicts, wars have typically become more internalised in nature over the last forty years (Machel 2000, Klare 2001). Even when conflicts remain within national borders, Machel (2000) has identified several internationally related causes to internal conflicts that have taken place since the end of the Cold War. These include:

- The fight over natural resources (diamonds, oil, narcotics);
- International complicity via the global market as a receptor of exported natural resources;
- Conflict perpetuation by international weapons sales and accessibility of small arms;
- External debt weakening national economies and opening space for national non-state actors seeking profit.

Klare (2001) has also identified similar 'distinctive characters' of contemporary conflict. Examining forty-five current conflicts, Klare proposed the following commonalities among them.:

- Current conflicts are generally protracted (continue over a long period of time),
- Conflicts are internal and are carried out within poor countries.
- They involve identity politics (evoking of ethnic or religious grievances), non-state actors, some form of illicit economic activity and terrorism or terror tactics.
- There is a predominance of small arms and light weapons usage.

Both Machel and Klare also state that such modern wars are very detrimental to children and youth as they become targets for recruitment into armed service, especially when neglected by the state with respect to provision of healthcare, education, and job training.

These distinctive features can be seen as "expressions of a common dynamic or system of conflict" (Klare, p.6, 2001) that focuses on internal wars and illicit economic gain involving the global market. "Essentially, we



are seeing a form of internal conflict in which various components of the social fabric...are fighting for control of the state or of particular areas within it. To sustain their operations, these factions typically invoke longstanding ethnic grievances and / or engage in illicit economic activities that, in turn, provide an additional motive for the ongoing violence” (Klare, p.6, 2001).

Klare cites Kaldor (1999) of the London School of Economics, when referring to ‘new war’. Kaldor also sees the economic component of modern conflict as paramount to its initiation and continuation, blaming principally the processes of globalisation. Kaldor explains that “during the 1980s and 1990s, a new type of organised violence has developed” and that this ‘new war’ is distinctive as it blurs the “...distinctions between war (usually defined as violence between states or organised political groups for political motives), organised crime (violence undertaken by privately organised groups for private purposes, usually financial gain), and large-scale violations of human rights (violence undertaken by states or politically organised groups against individuals)” (Kaldor, p.1-2 1999).

Financial motivations behind modern internal conflicts are also cited as being of paramount importance by the economist Paul Collier of the Development Research Group at the World Bank (Collier 2000). Collier proposes the *predation theory* when determining the true cause of modern civil wars: “It is the feasibility of predation which determines the risk of conflict”. By this he means that motivation or “grievance” is unimportant in determining whether a civil conflict will occur. Instead, what matters is whether an armed organisation can sustain itself financially. Sierra Leone is a good example of this. Although rebel forces had over 20,000 recruits and plenty of genuine grievances, internal conflict against the state army was only possible due to funds gained from the illegal exportation of diamonds. “Rebels may be motivated by grievance, real or imagined, but rebellions occur when rebels can do well out of war” (Collier, p.4, 2000).

Collier analyses forty-seven civil wars between 1965–1999 and suggests that with the following conditions, predatory rebellions are more profitable. These conditions are:

- A country’s high dependency on primary commodity exports (as this is an easy source for rebels forces to tap in order to guarantee hard currency income);

- Low average income in the country;
- Slow economic growth (p.9-11, 2000).

Collier makes comparisons between organised crime and rebel groups in civil wars, referring to rebel organisations as “rational economic agents” and suggests that they are bigger than traditional mafia groups only because they will have to come into contact with government forces in order to advance their economic gains by controlling primary economic commodities. Thus, “...it is because rebel organisations need to be large and to confront government forces in order to function as predators that conflicts can produce cumulative mortality in excess of 1,000 and so qualify empirically as civil wars” (p.10, 2000).

When looking at what has been defined as ‘new war’, we therefore see primarily internal conflicts that have a dependency on illicit economic commerce linked to the global market, and a focus upon child and youth armed participation. If we also accept Collier’s explanation that ‘grievance’ whether legitimate or not, is secondary to predatory gain, we begin to see economic objective as a fundamental part of modern civil war. At this point we may begin to draw worthwhile similarities to the current situation of Rio de Janeiro’s territorial drug faction disputes.

## Opening the debate: Organised Armed Violence

The similarities between what has been described as ‘new war’ and faction conflict in Rio de Janeiro are striking.

- **Poverty:** Brazil is not a poor country; however, wealth disparity in Brazil is one of the worst in the world and drug faction disputes are concentrated in and dominate very poor *favela* communities. Economic growth is slow, its currency is in crisis (depending on loans from the IMF) and there is a low average income especially for *favela* populations.<sup>102</sup>

- **External debt:** Brazil is in severe external debt that has resulted in the weakening of the national economy.

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<sup>102</sup> Brazil’s minimum wage is R\$220 per month, equivalent to around U\$80 per month.

- **Illicit economic activity:** The main objective of drug factions is the control of illicit drug sales within the city. Rio de Janeiro is also a major export point for cocaine and although the local market is their primary source of income, there are no direct links to the global market. Brazil does not have a dependency on the export of a primary commodity; however, illicit drug sales make faction disputes economically viable as they can afford to be very well armed.

- **Small arms usage:** a predominant usage of small arms and light weapons and their easy accessibility perpetuates and intensifies faction disputes.

- **Organised armed groups:** armed faction units at the local level are of sufficient number to defend themselves against rival factions and state representatives (the police). These confrontations produce cumulative mortality in excess of 1,000 civilians and combatants a year.

- **Geographical territorialisation and political dominance of *favela* communities:** although they are not seeking to replace the state, drug factions are territorially defined and do effectively control entire communities within the city.

- **Identity politics:** although there exists no ideological, religious or ethnic difference between them, factions actively demonise their rivals and indoctrinate children and youth to despise rival factions and 'other' communities through music and other cultural tools.

- **Involvement of children and adolescents:** employment of children and youth as armed combatants.

Even though the state remains a 'secondary player' as opposed to a direct target for take over, due to definitions of 'new wars' and the subsequent blurring of war and organised crime, are we not now in a position to open the debate and include conflict situations in which there is no political rhetoric or motivation whatsoever? These situations are those where economic gain is the stated principle and yet war tactics and military organisation, on a similar scale to those seen in many modern armed conflicts, are utilised purely for economic gain.

We have seen examples of modern civil wars where illicit commerce has overridden political objectives and become an end in itself. Can we now open the debate for conflict situations that have never propagated political

objectives, but have always been straightforward in their desire for illicit economic advancement? We must raise awareness of the seriousness of conflict situations in which non-state actors have organised themselves in a military fashion and adopted extremely high levels of armed violence, against the state if necessary, in order to pursue only economic goals. These are conflict situations that can neither be truly represented as ‘organised crime’ nor ‘war’. Defining this state of affairs is a necessary step because accurate definitions help us to understand such phenomena correctly and subsequently suggest solutions, raise awareness, share experiences with similar conflict situations in other parts of the world and tackle the principal problem addressed by this report: the participation and subsequent small arms-related deaths of children and adolescents in such new and previously undefined conflict situations, hereby termed as *Organised Armed Violence*.

## **Organised Armed Violence**

Following this argument, we are now in a position to define Rio de Janeiro’s drug faction conflicts. Accepting that neither traditional notions of ‘organised crime’ or ‘war’ are sufficient, the reality of drug faction territorial disputes in Rio de Janeiro lies somewhere between these two defined situations. *Organised Armed Violence* is proposed here as a new category to best define Rio de Janeiro’s drug faction conflicts.

*Organised Armed Violence: An intermittent armed conflict situation that involves over 1,000 deaths of combatants and civilians in a one-year period as the result of organised or semi-organised armed non-state groups with no political, religious, ethnic or ideological motivation, that are territorially defined and hold effective control over the communities which they dominate, utilise small arms and paramilitary organisation at the local level primarily for illicit economic gain, focus on children and adolescents as armed combatants and may confront the state through the use of armed violence if their economic advancement is threatened, yet have no intention of replacing state government or attacking government apparatus for political or territorial advantage.*

It is important to recognise that this definition of *Organised Armed Violence* specifically refers to the situation of drug faction territorial disputes in Rio de Janeiro. Following presentation of this study to interna-

tional experts in conflict and child protection issues from a number of international agencies, NGOs and foundations at the *Seminar on Children Affected by Organised Armed Violence*, hosted by Viva Rio in Rio de Janeiro on 9-10 September, 2002, this definition was modified to create a working definition of *Organised Armed Violence* that could be used to include other areas of the world where children are affected by similar situations.<sup>103</sup>

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<sup>103</sup> Please see p. 245-248 for the working definition of “Children in Organised Armed Violence” and a list of the Seminar’s international participants.

## CRIMINALS OR 'CHILD SOLDIERS': HOW TO DEFINE CHILDREN EMPLOYED BY RIO DE JANEIRO'S DRUG FACTIONS

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This chapter aims to correctly define children employed in an armed capacity by Rio de Janeiro's drug factions, making useful comparisons with traditionally defined 'child soldiers' and finally calling for heightened awareness to the plight of *Children in Organised Armed Violence*.

### Comparisons with 'child soldiers'

The working functions of children in faction employment and their involvement in the levels of armed violence as described in Parts 2 and 3, makes their presentation as 'juvenile delinquents' or 'criminals' far from a realistic representation of their life situation. Although children working for Rio de Janeiro's drug trafficking factions are not in a 'war' situation, the definition of a 'child soldier' certainly appears closer to their working reality than that of 'juvenile delinquent' or 'criminal'.

A child soldier is any child – boy or girl – under the age of eighteen who is compulsorily, forcibly, voluntarily recruited or otherwise used in hostilities by armed forces, paramilitaries, civil defence units or other armed groups. Child soldiers are used for sexual services, as combatants, as forced 'wives', messengers, porters or cooks.<sup>104</sup>

The list of commonalities unique to children and adolescents employed by drug factions within Rio de Janeiro (as presented in Part 3) is used below in order to make a direct comparison between children in Rio's drug factions and the experiences of 'child soldiers' in traditionally defined war situations. This is a useful comparison, as even though Rio de Janeiro is not in a state of 'war', the levels of armed violence and participation of minors in small arms-related homicide rates and territorial conflict is not comparable to most cities that are at peace, regardless of how big a crime problem they might have. This comparison is also made in order to stress the seriousness of the problem faced by children and adolescents employed by drug factions in Rio de Janeiro, and to highlight the fact that they should not be

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<sup>104</sup> Coalition to Stop the Use of Child Soldiers, 2000

thought of or treated as ‘juvenile delinquents’ just because Rio de Janeiro is not in a traditionally defined state of war.

#### 1) ‘VOLUNTARY’ RECRUITMENT

The process of recruitment of children into drug faction employment is very similar to that of many child soldiers elsewhere. Although some child soldiers are forcibly recruited or kidnapped, as with drug faction children in Rio de Janeiro many child soldiers enter ‘voluntarily’. This has been documented in numerous case studies including a Human Rights Watch report on child soldiers in Liberia.<sup>105</sup> Furthermore, just as the notion of ‘voluntary’ recruitment for children entering faction employment has been questioned here, cultural, social, economic and political pressures have also been cited in order to question the ‘voluntary’ nature of child soldier recruitment in war zones (Brett & McCallin 1999, Coalition 1998).

The types of children recruited by drug factions in Rio also resemble those recruited as child soldiers: primarily the poor and disadvantaged, inhabitants of conflict zones and children separated from their families. In Rio de Janeiro, all children employed in an armed capacity by factions are from poor *favela* communities dominated by faction disputes. While they are not usually separated from their families, the vast majority of child faction employees are missing a stable family unit when entering faction employment: 30% of child and adult traffickers interviewed had lost one or both parents whilst still a child. 60% of child and adult traffickers interviewed lived alone immediately having entered the drug trade (from as young as twelve years of age) and a further 30% continued to live only with a single mother.

#### 2) AGE

“Although most child soldiers are between 15-18 years of age, significant recruitment starts at the age of ten, and in some cases the use of even younger children has been recorded.”<sup>106</sup>

A focus on similar ages has also been documented by Human Rights Watch in Uganda where the Lord’s Resistance Army preferred to use com-

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<sup>105</sup> *Easy Prey: Child Soldiers in Liberia*, Human Rights Watch, New York, 1994.

<sup>106</sup> *Stop the Use of Child Soldiers* (p.1), Coalition to Stop the Use of Child Soldiers 1998.

batants between fourteen to sixteen years of age.<sup>107</sup> This has also been documented in El Salvador where, "... children from 10 years of age would become combatants, although mainly children from 14-15 years up participated in fighting".<sup>108</sup>

We find the same for minors armed by drug factions. Although the recruitment process may start as early as eight years of age, armed combatants are most commonly aged between 15-17 years old. This does not mean, however, that younger children are not armed and participating in combat situations, as they clearly are, just that the majority of under eighteen year olds employed and armed specifically as *soldados* are in the 15-17 year-old age bracket. This is most prominently demonstrated in Rio de Janeiro's municipal firearm related mortality rates, that show a massive rise of 820.7% from the 13-14 age group to the 15-17 age group: in 2000 there were 29 firearms related homicides of 13-14 year-olds compared with 267 firearm related homicides of 15-17 year-olds.

### 3) CHILDREN WORK WITHIN A HIERARCHICALLY STRUCTURED UNIT ENFORCED BY ORDERS, RULES AND PUNISHMENT

Children employed by factions at the local level work within hierarchically structured units in which they follow the orders of ranking superiors. Despite entering 'voluntarily', faction employees are subject to rules and punishments that apply equally to children and adults. For those that do not adhere to the rules, severe beatings, torture, being shot in the hands or feet and execution are punishments commonplace within drug factions in Rio de Janeiro, even for children.

This can be directly compared to child soldiers who function within non-state military organisations. When being disciplined or punished, many child soldiers are treated in the same way as their adult colleagues.<sup>109</sup> In Mozambique, child soldiers were reported to have been "... severely punished if they disobeyed the orders of their superiors. The punishments varied from simple corporal punishment, deprivation of food, amputation of

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<sup>107</sup> *The Scars of Death: Children abducted by the Lord's Resistance Army in Uganda*, Human Rights Watch, New York, 1997.

<sup>108</sup> Brett & McCallin, *Children The Invisible Soldiers, Radda Barnen*, 1998.

<sup>109</sup> p. 99-108, Brett & McCallin, *Children The Invisible Soldiers, Radda Barnen*, 1998.



fingers, nose, ears, and even execution carried out by one of the more ‘mature’ children”.<sup>110</sup>

In Rio’s drug factions, children are also used to carry out executions of faction employees or community members that have broken rules, as seen in the interviews cited in Part 3.

#### 4) CHILDREN ARE PAID FOR A SERVICE

Drug faction children are paid in cash for their services. Child soldiers may be paid in cash that comes from looting or, if they are kidnapped, only in food and with the reward of not being killed. However, what is comparable between the two groups is that they are both being utilised for a service, whether paid or forced, within structured groups that are being run by adults.

During the process of recruitment to armed services, child soldiers “...may start out as porters, messengers or spies, but too often they will end up in the front line...as members of armed forces, in situations of armed attack ...”.<sup>111</sup> Drug faction children also work their way up to being armed combatants by earning trust and showing they are capable and ‘prepared’ to use a weapon. The following services carried out by child soldiers were listed by Human Rights Watch in Liberia.<sup>112</sup> In brackets after each service is the equivalent function carried out by faction children in Rio de Janeiro:

- running errands (same)
- carrying ammunition (same)
- body guards (*fiel* or *gerente de confiança*, *soldados*)
- spies and informants (*olheiros*)
- manning checkpoints (armed *favela* security in the *bonde*)
- carrying out ambushes (invasion of rival faction territories)
- fighting on the front lines (prolonged armed confrontation with rival factions and the police in a defensive and / or offensive capacity)
- executioners of suspected enemies (executioners of rule-breakers and members of rival factions)

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<sup>110</sup> p.100, Brett & McCallin, *Children The Invisible Soldiers*, Radda Barnen, 1998.

<sup>111</sup> *Stop the Use of Child Soldiers* (p.1), Coalition to Stop the Use of Child Soldiers 1998.

<sup>112</sup> *Easy Prey: Child Soldiers in Liberia*, Human Rights Watch, New York, 1994.

5) CHILDREN ARE ON CALL 24 HOURS A DAY

Once employed in an armed capacity, faction employees, including minors, will be expected to defend their *boca de fumo* at any time of the day or night, seven days a week. They are also at constant risk of rival faction attacks, police execution or police arrest. Comparable to child soldiers, working for a drug faction is a constant occupation that defines a child's entire status within the community and in regard to rival factions or the police.

6) CHILDREN ARE ARMED BY DRUG FACTIONS

Children in drug faction employment are given war-grade small arms and light weapons to defend the faction territory. Small arms that were witnessed and identified by researchers in the hands of children and adolescents included:

- Kalashnikov AK-47
- Colt AR-15
- H&K G3
- Glock 9mm automatic pistol
- Magnum .38
- Barreta .45 automatic pistol.

Other weapons used were listed by interviewed child traffickers and included hand-held grenades, bazookas, R-18, calibre .762 machine guns, and Uzi sub-machine guns.

Child soldiers are also armed with similar war-grade weapons by the armed groups or militaries for which they work. Light weapons are simple to use and light enough for children to successfully manipulate in combat situations. As noted by Graça Machel in her report for the United Nations on the *Impact of Armed Conflict on Children* (1996), the proliferation and easy access to inexpensive light weapons is a major contributory factor to the increased use of child soldiers. Being functionally adept in armed combat due to their ability to use small arms makes children attractive employees for Rio's drug factions.

7) CHILDREN ARE ACTIVELY INVOLVED IN SMALL ARMS VIOLENCE AND TERRITORIAL ARMED CONFLICT

As with child soldiers in major armed conflicts and wars, the involvement of drug faction children in conflict situations that generate well over 1,000 small arms deaths per year are well documented (see Parts 2 and 3).

#### 8) EVEN UNARMED CHILDREN BECOME THE TARGETS OF SMALL ARMS FIRE

As a result of children employed by drug factions being involved in armed combat with the police or rival factions, all children from communities dominated by factions fall under suspicion of involvement and consequently become targets of hostile gunfire from rival factions, as well as police arrest, torture and execution.

This is also noted in the case of child soldiers “... as members of armed forces, in situations of armed conflict children become lawful targets for attack”<sup>113</sup> and subsequently all children come under suspicion. “When children are involved in conflict, all children are potential victims and will be treated as adults”.<sup>114</sup>

#### 9) CHILDREN SURVIVE IN A KILL-OR-BE-KILLED REALITY

Due to working for armies or military organisations in conflict, child soldiers kill and are killed.

Even though they are not in a war situation, due to enforcing faction rules and repelling police raids or rival faction invasions, killing is part of the working reality for most minors in drug faction employment. All of those interviewed had lost friends and working colleagues to violent deaths. All interviewees said that they would kill if ordered to do so by a superior or if defending their territory. A number of minors interviewed had already killed.

Although used for various functions, due to a partial break-down in the division of labour of low ranking child and adolescent employees, once they are working for a drug faction children tend to be armed and involved in small arms combat. In traditional war situations ‘child soldiers’ may refer to any child used for non-armed functions such as messengers, forced ‘wives’, porters or cooks. As the majority of minors in Rio’s drug factions act as armed combatants, they may even be more likely to kill or be killed than non-combatant ‘child soldiers’ in traditionally defined ‘war’ and ‘armed conflict’ situations.

As discussed in Part 3, relevant mortality statistics clearly show that in Rio de Janeiro children are being killed by small arms fire at an alarming

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<sup>113</sup> p.1-2, *Stop the Use of Child Soldiers*, Coalition to Stop the Use of Child Soldiers 1998.

<sup>114</sup> p. 108, Brett & McCallin, *Children The Invisible Soldiers*, Radda Barnen, 1998.

rate. Many of these deaths can be seen as the result of violent punishments for rule-breaking and involvement in armed confrontations between rival drug factions or with the police.

#### 10) CHILDREN ARE INCREASINGLY USED IN ARMED COMBAT SITUATIONS

The longer a conflict continues, the greater the chance of recruiting child soldiers as “...the shortage of manpower, due to increasing casualties and escalation of the conflict, leads to an ever more desperate search for fresh recruits to fill the ranks”.<sup>115</sup>

Although minors have worked in drug trafficking since the 1970s, due to increased inter-faction conflict and the division of labour in the lower ranks, children have been increasingly used in territorial armed combat situations since the mid to late-1980s. Similar to any prolonged conflict situation, the use of children as armed combatants can also be interpreted as the result of a high incidence of imprisonment and small arms related fatalities amongst adult faction members and a subsequent demand for new armed employees.

In addition to the similarities in terms of function and involvement in intensive armed disputes, when we compare the firearm-related mortality rates of children in Rio de Janeiro with war and non-war situations, we find more of a similarity to war situations than to situations in other urban centres that have problems of gang-related violence but are not at war.

### Children in Organised Armed Violence

As seen above, there are stark similarities between children employed in Rio de Janeiro's drug factions and 'child soldiers' in almost every functional and definitive aspect. However, Rio's drug faction children are primarily armed workers in economically defined groups within the category of *Organised Armed Violence*. They are not 'soldiers' fighting within a traditionally defined 'armed conflict' or 'war'. Hence, to refer to them as 'child soldiers', despite the similarities, is problematic as it may:

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<sup>115</sup> p. 5, *Stop the Use of Child Soldiers*, Coalition to Stop the Use of Child Soldiers, 1998.

1) Legitimise the state's use of force against them and, as discussed earlier, this is not seen as a productive strategy to deal with the problem;

2) Have serious consequences in how they would be dealt with by a society that still has a functioning youth juvenile justice system. If their definition as 'child soldiers' were to be accepted, there are implications for their legal status if they are apprehended by the state. For example, should 'child soldiers' be tried in a military court and subsequently face military penalties rather than those stipulated by the *Statute of the Child and Adolescent* (1991)?

Defining children in armed drug faction employment as 'child soldiers' fails to represent the unique realities of *Organised Armed Violence* and is counter-productive when devising strategies and programmes that will help them. There are therefore serious problems and dangers in categorising children in armed drug faction employment as 'child soldiers', and consequently as non-civilians.

Despite these problems, however, children in drug faction employment do act in a very similar fashion to 'soldiers', fighting in organised local units and continuing to die in large numbers due to armed confrontations that register more small arms related deaths than many 'major armed conflicts'. For this reason, there are also serious semantic and practical problems in categorising these children as 'criminals' or 'juvenile delinquents'.

Due to the need to reflect the similarities between their lives and those of 'child soldiers' in war situations, and also due to the fact that, as discussed above, Rio de Janeiro, however violent, is not in a state of war, it is proposed here that children (under the age of 18 years) working in an armed capacity within Rio's drug factions should be referred to as *Children in Organised Armed Violence*.

## INTERNATIONAL PERSPECTIVES: THE RIGHTS OF THE CHILD IN CONFLICT SITUATIONS AND DEALING WITH CHILDREN IN ORGANISED ARMED VIOLENCE

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### International humanitarian law and the rights of the child in conflict situations

Since the publication of Graça Machel's report on the *Impact of Armed Conflict on Children* (1996), members of the international community, including non-governmental organisations, charitable foundations, government bodies and international organisations such as the United Nations and Unicef, have become increasingly aware of the plight of child soldiers and other child groups affected by war.

Graça Machel's report has helped to give children in conflict situations further protection under international humanitarian law.<sup>116</sup> International humanitarian law relevant to children affected by hostilities is listed chronologically in the table below.<sup>117</sup>

1949	The Geneva Convention on the Treatment of Prisoners of War (Articles 16, 49) The Geneva Convention Relative to the Protection of Civilian Persons in Times of War (Part II Articles 14, 16, 17, 18, 21-26, Part III Section I Article 27, Section II Article 38, Section III Articles 49-51, 68, 76, Section IV Articles 81, 82, 85, 89, 91, 94, 119, 127, 132, Section V Articles 136-140)
1977	Additional Protocol Relating to the Protection of Victims of International Armed Conflicts (Articles 8, 52, 70, 74-78) Additional Protocol Relating to the Protection of Victims of Non-International Armed Conflicts (Articles 4-6)
1989	Convention on the Rights of the Child (Article 38)
1990	African Charter on the Rights and Welfare of the Child (Article 22) Statute of the International Criminal Tribunal for Former Yugoslavia (Article 4)
1994	Statute of the International Criminal Tribunal for Rwanda (Article 2)
1998	Rome Statute on the International Criminal Court (Articles 6, 8) <sup>118</sup>
1999	Convention on the Worst forms of Child Labour (Articles 1, 3)
2000	Optional Protocol on Involvement of Children and Armed Conflicts (Articles 1-6) <sup>119</sup>

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<sup>116</sup> The law that governs armed conflict.

<sup>117</sup> As cited by the International Red Cross.

<sup>118</sup> Not yet in force at the time of publication.

<sup>119</sup> Not yet in force at the time of publication.

The main aims of the above legislation include offering children a special protective status in times of war, in addition to the general protection granted to civilians offered by the Geneva Conventions.

This international legislation also sets a minimum age requirement for recruitment into armed forces and participation in hostilities. After the Second World War, the Geneva Convention established this age limit at 15 years, primarily because it coincided with the school-leaving age of most Western nations at the time. Article 77 of the additional protocol (1977), further stipulates that states are obliged to take “all feasible measures” to prevent children under 15 years of age from taking a direct part in hostilities, and that if they recruit young people between the age of 15-18, they should “endeavour to give priority to those who are oldest”.

A minimum age limit of 15 years for active participation in armed conflict was maintained by the Convention on the Rights of the Child (1989), even though Article 1 of the Convention defines a child “as every human being under the age of 18 years unless, under the law applicable to the child, majority is attained earlier”.

The African Charter on the Rights and Welfare of the Child (1990) was the first international legislation to raise the minimum age for recruitment into the armed forces to 18 years. Article 2 defines every human being under the age of 18 years as a child, and the Charter stipulates that African parties must refrain from recruiting any child into the armed forces and “take all necessary measure to make sure that no child takes a direct part in hostilities”.

Article 8 of the Rome Statute on the International Criminal Court (1998), maintains the age limit at 15 years, making it a war crime to enlist children under the age of 15 into the armed forces (or armed groups), or using them to participate actively in hostilities, in either international or non-international armed conflicts.

Articles 1-3 of the International Labour Organisation’s Convention on the Worst forms of Child Labour (1999), states that parties must “take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency, including the forced or compulsory recruitment of children for use in armed conflict”.

The Optional Protocol on Involvement of Children and Armed Conflicts (2000) goes the furthest to date in terms of international humanitarian law that establishes a minimum age requirement for recruitment and direct participation in hostilities. It stipulates that parties must take “all feasible measures to ensure that persons who have not attained the age of 18 years do not take a direct part in hostilities” (Article 1), and that they must ensure that under 18 year olds are not compulsorily recruited into armed forces (Article 2). The optional protocol also mentions recruitment by non-state armed groups, stipulating that: “Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years. The State’s Parties must take all feasible measures to prevent such practises, including the adoption of legal measures necessary to prohibit and criminalize them” (Article 6).

Following the establishment of the *Coalition to Stop the Use of Child Soldiers* and its tireless and dedicated efforts, 92 countries have signed and 11 ratified the Optional Protocol to the Convention on the Rights of the Child (as of 24 / 05 / 02).

In addition to international legislation that affords special protection for children in war situations and the establishment of a minimum age for recruitment and participation in hostilities, the United Nations Security Council has now passed three resolutions on children and armed conflict:

- Resolution 1261 condemns recruitment of children for use during war and urges Member States to facilitate reintegration;
- Resolution 1314 requests that peace agreements take into account the need to demobilise and rehabilitate child soldiers;
- Resolution 1379 requests both UN agencies and the World Bank to fund demobilisation and rehabilitation and urges regional organisations to shut down recruitment of child soldiers.<sup>120</sup>

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<sup>120</sup> All three resolutions also touch on issues regarding refugees and displaced children and girls in war.



## **International perspectives: dealing with *Children in Organised Armed Violence***

Despite the extremely high numbers of children dying from firearms related injuries in Rio de Janeiro's drug faction territorial disputes, and despite the functional and definitional similarities between children participating in Rio's drug faction conflicts and *child soldiers* in traditionally defined conflict zones, the above international humanitarian law can have little or no bearing on the situation of *Children in Organised Armed Violence* in Rio de Janeiro for the following two reasons.

- 1) International humanitarian law governs armed conflict, and for all the reasons cited earlier, Rio de Janeiro is not at war.
- 2) Drug factions are not completely unified groups represented by a single hierarchical leadership structure. Therefore it would be complicated to determine who to hold responsible at an organisational level for the involvement of children in combat situations.

This study does not propose that the above-mentioned international humanitarian law be applicable to the case of Rio de Janeiro and other areas of the world where children are involved as combatants in similar non-war situations. However, where international legislation of this kind is useful, is in setting the agenda for additions to existing conventions, such as the Convention on the Rights of the Child, to take into account the situation of *Children in Organised Armed Violence*.

At the time of publication, the office of the United Nations Special Representative for the Secretary General for Children and Armed Conflict was compiling a list of areas in the world where child soldiers are most active and children most affected by armed conflict. The list will highlight relevant areas that are in need of focused assistance, both at the level of international legislative pressure on governments and armed rebel groups, as well as more pragmatic approaches to on-the-ground prevention and rehabilitation programmes.

Due to restrictions imposed by the United Nations Security Council, the Special Representative's office is unable to expand its mandate to areas of the world that are not officially defined as being at war, regardless of the participation of children as combatants in armed and territorial disputes

such as those found in Rio de Janeiro's *favelas*. However, even if the Special Representative's office were able to include areas such as Rio de Janeiro on its list, the specificity of Rio's situation is such that regardless of similarities between *Organised Armed Violence* and war, successfully stopping the recruitment of *children*, or demobilising those already active, calls for different measures than may be needed in a traditionally defined conflict scenario. Specific measures to deal with *Children in Organised Armed Violence* must be developed, as existing legislative structures and humanitarian programmes for war situations are not adequate to deal with this very particular phenomenon.

From an international perspective this study calls for:

1) International recognition of the seriousness of *Children in Organised Armed Violence* as being similar, in terms of the levels of violence, armed functions of children and mortality rates, to that of child soldiers in traditionally defined war zones or areas of armed conflict.

2) The documentation of other areas of the world where children are utilised as armed combatants in *Organised Armed Violence* or situations that are similar to it.

3) The development of the correct economic, social and public security measures to successfully deal with the problem of *Children in Organised Armed Violence*.<sup>121</sup>

4) Additional protocols to international legislation, such as the Convention on the Rights of the Child, in order to account for the plight of *Children in Organised Armed Violence*, so that governments and the international community may be held accountable for implementing the necessary measures to effectively solve the problem.

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<sup>121</sup> In the case of Rio de Janeiro these are discussed in Part 5.

PART FIVE:

LOCAL SOLUTIONS: DEALING WITH THE  
PROBLEM OF CHILDREN  
IN DRUG TRAFFICKING IN RIO DE JANEIRO

GETTING OUT: FUTURE PERSPECTIVES OF CHILD TRAFFICKERS

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The myth that once involved in drug trafficking, a trafficker is unable to leave, was denied by all drug traffickers interviewed. As long as a trafficker does not owe any money, he (or she) may speak with the *gerente geral* and ask permission to get out of the drug trade. If no money is owed, then this permission is invariably given.

When asked if they wanted to get out of drug trafficking, around half of the child traffickers interviewed during this study expressed little or no desire to change their lifestyles and stop working in the drug trade.

The other half of child traffickers that were interviewed expressed a preference to get out of drug trafficking altogether. However, when talking about this preference, most were unable to say when they would leave drug trafficking, or explain to researchers the steps they would take to make this happen. Furthermore, they found it difficult to envision specific activities that they would undertake once they had the drug trade, and made generalised statements such as “*get a job*” or “*study more*”. These children expressed a generalised desire to leave rather than an actual plan to do so.

What nearly all the child traffickers interviewed did hold in common, however, was a very negative view of drug trafficking as a lifestyle. Those adolescents who had already become fathers insisted that they would not let their children anywhere near the drug trade when they grew up. Other children and adolescents interviewed said that if they had children in the future, they would not want them to be involved in trafficking.

In contrast to a negative perception of their own lifestyles, interviewed children and adolescents were very clear over what they considered to be a ‘good’ or ‘better’ lifestyle than the one they lived. The following quote is an example of a typical response given by child or teenage traffickers when asked to imagine an ideal lifestyle.

*The right life is when you work, study, have your family, all of this. Raise your son in the right order, so he studies, works. All of these things.*

Vapor, 16 years old

Despite being clear about what they considered to be a correct or good life, nearly all child and adolescent traffickers interviewed held very pessimistic views of their own future, and didn't expect to live until mature adulthood.

*My future will be decided here [in the boca de fumo]. If I manage to stay alive until I'm 18 years old will depend on me not messing up. If I don't mess up, if the police don't get me and kill me, then I'll make it.*

Olheiro, 14 years old

*I sleep at night thinking about what will come tomorrow, what's going to come next, if I'll be alive today and dead tomorrow. That's day-to-day life [in drug trafficking].*

Soldado, 16 years old

*My future? My future, I'm here with you now, talking. I could walk through this door here, and you'd see me shot down, stretched out on the floor."*

Gerente de segurança, 17 years old

Although it may be a 'choice' to enter the drug trade, it can only be a choice to leave it if there are realistic alternatives. As discussed in this study, drug trafficking appears to many children and adolescents as 'the best alternative among limited options'. Around half of the child traffickers interviewed expressed no desire to stop trafficking. Yet, they were articulate in expressing their negative views of the drug trade. They were clearly able to imagine a better lifestyle and saw premature and violent death as the likely conclusion of their chosen occupation. This suggests that expressing no desire to 'get out' was more related to an inability to perceive realistic alternatives than to an affinity toward drug trafficking as an occupation. This was corroborated by the fact that those that expressed a desire to leave were unable to explain how they would achieve this, or what they would do once they were no longer involved, and presented it only as a very generalised desire.

Children and adolescents need proper support and alternative options in order to 'choose' not to get involved in drug trafficking or, once involved, to make the choice to get out.

## SOLUTIONS: SOCIAL INVESTMENT – OPTIONS FOR THE COMMUNITY, CHILDREN AND YOUTH

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*There's a lack of people that work with social projects in the community, listening to what the community has to say.*

Favela resident

This chapter looks at possible solutions to the problem of children in drug trafficking. The chapter is based on interviews with *favela* community residents, child traffickers, non-involved children from the *favela* and social workers working with 'at risk' youth that are currently active in the field. Based on these interviews, this chapter aims to highlight common and recurring themes that appeared when discussing solutions to the problem of the involvement of children in the drug trade.

Researchers from this study visited the following relevant social programmes co-ordinated by non-governmental organisations and foundations: Afroreggae, Aldeias Infantis SOS Brasil, Associação Beneficente Rio Criança Cidadã – ABRCC, Fundação São Martinho, Casa do Menor São Miguel Arcanjo, Fundação Abrapia, Fundação Bento Rubião, FIA – Fundação da Infância e Adolescência, Viva Rio (Tele Salas; Zeladores; Jardineiros do bairro; Criança Esperança; Luta pela Paz).

Relevant government social programmes that were also visited during this study included: Projeto Rio Jovem (Secretaria Municipal de Desenvolvimento Social); Vida Nova / Jovens Pela Paz (Secretaria Estadual de Ação Social); Programa – Acompanhamento com pais e responsáveis; PASE – Programa de Acompanhamento Sócio – Educativo (2ª Vara da Infância e Adolescência); Polos de Liberdade Assistida; Centro de Tratamento para Dependentes químicos; Centros Profissionalizantes; Projeto “Nossa Casa”; Projeto Preservida (DEGASE); CMDCA – Conselho Municipal dos Direitos da Criança e do Adolescente; Conselho Tutelar.

When initially approaching the problem of the involvement of children, two common themes were immediately identified: **prevention** and **rehabilitation**.

What also become apparent during this study is that, despite often intensive armed combat, the usage of war-grade small arms, high firearms-

related mortality rates and other factors specific to both *Organised Armed Violence* and traditionally-defined conflict situations, treating the question of child participation in drug faction disputes in Rio de Janeiro is not a military or primarily a public security issue.

Since the objective of faction territorial disputes and related armed violence is economic, there can be no military solution to the problem. The demand for illicit drugs will continue to exist as long as society's members continue to provide a market for its consumption. As long as there is a market, there will always be competition for sales and, consequently, disputes for territorial retail control.

Furthermore, Rio de Janeiro's relevant public security forces, mainly the Military and Civil Police, are accomplices in drug-related armed violence, and continue to support the drug and small—arms trade through their collaboration with active arms and drug traffickers. Police reform and the institution of honest, community-based policing is undoubtedly part of the solution. However, child combatants in Rio's drug factions cannot be dealt with strictly as a criminal matter. These children cannot be viewed as juvenile delinquents or deviants who need to be taken out of society if the situation is to be solved.

As identified by those interviewed, since the drug trade shows no signs of ending, and since the police are continually involved in its maintenance, if the prevention of the participation of children as armed combatants in Rio de Janeiro's drug faction disputes is to be successful, then social investment in the community to provide alternatives to the drug trade is the answer, rather than an increase in repressive policing policies that target child and adolescent traffickers.

A further issue identified during this study is that when dealing with the problems associated with the drug trade and the involvement of children in it, what must be addressed is the question of drug-related armed violence, rather than the act of selling drugs itself.

Illegal drugs are consumed in every major city in the world. Each of these cities also faces the problems, be they violence-oriented or medical, which are associated with the consumption and illicit sale of such substances. However, even in cities such as New York that is considered to have a sizeable illicit drug market, the street-based drug trade does not generate any-

where near the levels of armed violence and firearm related deaths that are caused by the drug trade in Rio de Janeiro. Drugs can be bought in almost any urban centre in the world. This is a commonality we find in modern urban settings. Rio de Janeiro's notable difference, however, is that the violence generated by disputes for the control of these sales is on a scale of warlike proportions.

What must be understood is why this is the case in Rio de Janeiro, and more specifically in Rio de Janeiro's *favelas*, but not the case in other areas of the world that also have a flourishing and competitive illicit drugs market. Furthermore, within the city itself, the following question must be posed: Why is it possible to buy drugs on the streets of Copacabana, a middle class area of Rio de Janeiro city, and not, as found in the *favela*, encounter armed groups of traffickers patrolling the streets and enforcing behavioural rules that the local population are forced to follow?

This study focuses on the involvement of children in armed drug trafficking disputes, not the illegality of drug sales and consumption. In order to deal with the problem of children's involvement in the drug trade effectively, it is important to understand that the levels of 'drug related' violence specific to Rio de Janeiro's *favelas* are associated with a number of non-drug related factors, such as:

- A very limited state presence within the *favela* and the government's failure to uphold its part of the social contract;
- Historically developed structures for social control and the upkeep of social order in Rio's *favelas* that have been instituted by non-state actors due to the government's failure in this regard;
- Poverty and difficulties in accessing the labour market for poorly-educated and socially-excluded people from the *favela*, means that for many there are few other economic alternatives than involvement in the drug trade;
- Repressive, corrupt and violent policing that has increased the alienation of *favela* populations from the state as the protector of citizen's rights, and encouraged the militarisation of drug factions and their increasingly violent tactics.

What has become apparent during this study is that drug trafficking and drug trafficking-related violence in *favela* communities within Rio de Janeiro is a symptom of these problems. Furthermore, what leads children to choose employment in the drug trade as the 'best alternative among limited options', reflects the disadvantages that *favela* communities as a whole face. Therefore, in order to prevent the involvement of children in Rio's drug trade, what was clearly demonstrated by those interviewed is that as well as investing in children, there must be investment in the community as a whole.

Interviewees highlighted the need for social investment in *favela* communities. This need was identified primarily in two major areas:

- 1) The provision of a basic physical and social infrastructure in the *favela* to deal with the lack of sanitation, housing, healthcare, education etc.
- 2) The provision of preventive, protective and honest policing in the community by non-corrupt police officers not involved in drug trafficking or other crimes.

One child from the *favela* interviewed during this study suggested that the Brazilian president should be made to live in a *favela* for one week. This, claimed the interviewee, would make the president see at first hand the police abuse of community residents and the lack of social structure in the community that has resulted from decades of governmental neglect.

In addition to addressing these identified problems, faced by all residents of *favela* communities, the two issues of **prevention** and **rehabilitation** highlighted earlier are discussed below. It must be noted, however, that without social investment in the community as a whole, the impact of specific projects aimed at preventing child participation in drug trafficking, or rehabilitating those already involved, will be limited.

Without substantial governmental investment in *favela* communities in the two above noted areas, for every child that leaves drug trafficking due to successful rehabilitation projects, there will be twenty to take his / her place, regardless of the prevention programmes being instituted.



## 1) Prevention

Understanding what drug trafficking as an occupation offers children is crucial in preventing future generations of children from becoming involved in Rio de Janeiro's drug faction disputes.

As demonstrated in this study, drug trafficking offers children and adolescents what society fails to offer them: status, money, access to consumer goods and the prospect of upward mobility in a world that children from the *favela* understand. Drug trafficking is exciting and has been glorified through *funky* music — to many children, local *donos* are larger-than-life heroes that have beautiful girlfriends, are powerful and refuse to accept the poverty undeservedly bestowed upon all *favela* residents.

Many children are also influenced to join a faction through the involvement of their parents or friends in the drug trade, or the lack of a stable family unit. Furthermore, interviews with child traffickers have demonstrated that individualistic children looking to take responsibility for their life situation are attracted to drug trafficking. They see the drug trade as a vehicle to better their lives and 'choose' trafficking as the best means for advancement and realising their needs. Interviews with child traffickers also demonstrated that hatred of the police caused by abuses of authority or extra-judicial killings leave many children feeling angry and defenceless. One method of resolving such feelings of powerlessness and injustice is to become part of a group perceived to be strong, in this case the local faction, and thus to be in a position to take revenge or at least to feel less vulnerable and more protected.

Children 'choose' to work for a drug faction. As drug trafficking will always exist while there is a market for the consumption of illicit substances, attempts to stop drug trafficking will not be successful in preventing children from working in the drug trade. As identified by those interviewed, what will be successful is giving children and adolescents the correct alternatives, support and direction, so that joining a faction becomes the worst option, as opposed to the best of poor options.

According to interviewees, social projects implemented in *favela* communities that can be successful in preventing the participation of children in the drug trade, should combine the following aspects. Each aspect listed below is accompanied with examples of projects that were considered to be successful in this regard.

- **Start young:** Young children are influenced by the dominance of the drug trade in the community and begin ‘hanging-out’ with traffickers from an early age. Social programmes must also be open to children from an early age, starting with the provision of crèches and activities for small children.

The *Instituição Aldeias Infantis*, present throughout Brazil, is an example of preventive work that offers education for children from 2 years of age, by providing socio-educational development activities to heighten self-esteem. These activities accompany the child throughout his / her participation in the programme. Another example is the *Instituição São Martinho* that also works with young children through pedagogical and leisure activities.

- **Cultural alternatives:** Drug trafficking is a lifestyle rather than just a working occupation. Cultural alternatives must be offered to children that are more attractive than participating in drug faction sub-culture.

Yet, this alternative must not be established in direct competition to the drug trade. Drug factions are a powerful reality in *favela* communities. They cannot be vilified as many children have relatives and friends that are involved, and such a policy will only prove counter-productive. Instead of presenting drug trafficking as ‘bad’, children have to understand how much they have to lose by becoming involved, and how much they have to gain by choosing an alternative lifestyle.

Children need cultural alternatives that are exciting, that they enjoy, and that can become a lifestyle choice. Examples of this may be found in music, sports or dancing programmes. As one community resident explained, social work must include “leisure, pleasure and culture.”

For adolescents, having a particular lifestyle or identity is very important. The programme developed by Afro Reggae addresses these needs by bringing youth into contact with art and culture as a positive alternative to drug trafficking.

- **Self-esteem:** anger and low self-worth are natural responses to police abuse and the stigmatisation of *favela* populations as second-class citizens by Brazilian society. Obviously, abuses of power and discrimination are problems that must also be dealt with separately. However, successful projects must instil self-esteem and self-worth in children as being important citizens who deserve the same treatment by society as those from outside of the *favela*.

- **Being part of something worthwhile:** being part of a drug faction means being part of something that gives children a sense of identity and worth. Children must be offered the chance to be part of something else that will give them a sense of identity and pride.

An important part of this is the creation of youth leaders that provide positive role models that children can respect. Drug factions and traffickers have been idolised by children in many *favelas*. Children need other idols, and just as importantly, ways to become like their idols. This was also seen by those interviewed as an important step to combating the problems of negative influences from children's reference groups, specifically parents and friends.

Young people often need to feel that they belong to a group, that their identity is recognised, that they are 'someone'. Some institutions and projects encourage children to become youth leaders, inviting them to join programmes where they can develop work skills as coordinators, monitors and even as teachers, sharing the knowledge they have acquired in the programme with other young people. Afro Reggae, Luta Pela Paz (Viva Rio), IBSS and Casa do Menor are examples of such institutions and projects.

- **Support and integrate the family:** the lack of a stable family unit has been identified by this study as an influential factor in the initial involvement of children in the drug trade. Home visits or regular meetings with staff, as well as relevant lectures and discussion groups, were some of the suggestions made by interviewees for successfully involving parents in social projects. The provision of food stamps (*cesta básica*) for the family was also highlighted by many community residents as an important measure to compensate for family income lost when children participate in a social project rather than working.

The Centro Regional Integrado de Atendimento ao Adolescente (CRIAA) works with the families of children and adolescents who are involved in drug trafficking and crime. CRIAA provides new perspectives and support for the families of these youths. CRIAA's social workers evaluate the economic situation of the families and try to identify job opportunities and offer legal assistance.

- **Education:** the provision of primary and secondary education, or extra lessons to help with school subjects was also seen as important. Making sure that children are attending school and that they understand why it

is important to do so, can become the responsibility of staff working for a social project.

Some interviewees also claimed that the formal state education system had to do a better job at developing the cognitive thought processes of children. Social projects are able to develop this outside of the formal school curriculum through discussion groups and workshops for participants that revolve around subjects that children and adolescents find interesting.

The Casa do Menor São Miguel Arcanjo works with education from the moment a child joins the institution. In addition to providing formal education by matriculating young people in the public school system, the institution also teaches them notions of self and mutual respect. Viva Rio also works providing formal education through the Tele Salas educational project, which seeks to give youth, through basic education, a basis for exercising their rights as citizens and preparing them for adult life. This project also assists youth in detention centres or minors who have committed criminal offences. The project Luta Pela Paz provides incentives for youth to continue studying or to go back to school by facilitating their matriculation in the public school system and by providing extra-curricular tutoring.

- **Job Training:** the provision of training programmes that teach skills to be utilised in the formal work market. Interviewees saw selecting professional areas that are currently expanding or stable as fundamental, so that job training will actually lead to a job.

- **The prospect of a better life and realistic methods of attainment:** drug trafficking offers children and adolescents status and rewards for successful participation, such as money and upward mobility. Social projects should not attempt to compete with the immediacy of material gain and improved status offered by drug trafficking employment. However, attainable and clearly perceptible life improvements, even if only at the completion of a job training scheme or education programme, were highlighted by interviewees as fundamental to the success of any preventive programme.

The major problem with many social projects that was identified by interviewed community members is that they fail to lead directly to perceived and long-term improvements in the quality of life of project participants. More specifically, they fail to lead to a job.

The realisation that it would still be extremely difficult to access the formal work market despite having completed an educational course or job training scheme, was seen by many interviewees as the major factor for children and adolescents not completing social projects, or opting to enter the drug trade where rewards are immediate and clear.

Unless the participation in preventive projects demonstrably leads to attainable improvements in the quality of life and the ability to earn an income, social projects will always remain in second place to drug trafficking for many children and adolescents seeking to improve their lives.

Partnerships with business or government were seen as one way of doing this. Partnerships with the private or public sector can provide part-time work placements that may be undertaken while an adolescent is still at school. Obviously, such a position will not pay as well as drug trafficking. Despite a lower income, however, many child traffickers themselves perceived 'honest' work to be more worthwhile than drug trafficking. They claimed during interviews that money earned through licit work has more value. This was expressed by their use of the expression, "*clean money lasts longer*" ("*dinheiro limpo dura mais*").

Without creating any false expectations, the Afro Reggae project shows youth that in order to 'win' they need to have talent and willpower. Afro Reggae has created its own labour market, and the project's music bands are the showcase for the social work they carry out. The bands demonstrate to children and adolescents that by working with music as opposed to participating in the drug trade, it is possible to earn money, buy clothes and 'designer' sneakers, gain the respect of the community and earn a living.

- **Don't create victims or dependency but let children and adolescents achieve with dignity:** it was seen as important by many of those interviewed that support for children participating in social projects through food stamps or financial scholarships must not create dependency. Instead, social projects should prepare young people to actively participate in the labour market, rather than giving them a handout or temporary favours.

*Youths from some government social programmes earn up to R\$240.00 per month. They start to support their family. Suddenly they stop earning R\$240.00 when they leave the project. The community is too used to handouts and ends up becoming dependent on the drug traffickers or the politicians.*

Favela resident

The Casa do Menor project provides youth participants with professional training courses, real opportunities for remunerated work, and therefore the capability to earn a living in a dignified and honest manner. The project also works to develop awareness that this assistance is only part of the programme and that no one should simply sit back and rely solely on this help. The Luta Pela Paz project indicates youth participants for professional internships that provide financial assistance in exchange for 4 hours of work per day, either before or after school hours.

## 2) Rehabilitation programmes

There are two routes for children working for drug factions in Rio de Janeiro to get out of their current situation:

- 1) Making a personal decision to leave drug trafficking;
- 2) Arrest and subsequent imprisonment.

The first depends on not owing money to superiors within the drug trade, the will to make such a decision and the appropriate support from governmental agencies and non-governmental organisations. In addition to these factors, the second route, in the case of those offenders who are over 12 years old,<sup>122</sup> also depends on an interest by state, through the youth juvenile justice system,<sup>123</sup> in rehabilitating youth offenders through prescribing and effectively carrying out the correct social and educational measures (*medidas socio-educativas*) as defined by the Statute of the Child and Adolescent 1990 / *Estatuto de Criança e Adolescente* 1990).

Many of the existing prevention programmes that were visited during this study were managing to successfully reintegrate child faction workers by adapting preventive strategies to suit the needs of those individual children and adolescents that had taken the initiative to leave the drug trade. Some examples of civil society organisations where this approach was wit-

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<sup>122</sup> If arrested for an illegal activity, those under the age of 12 years are dealt with by the *Conselho Tutelar* and cannot be held in detention. As discussed at a later point in this chapter, those between the ages of 12-18 years are dealt with by the *2ª Vara da Infância e da Juventude*. The judge responsible for evaluating the case may sentence the offender to either total or semi-detention at an educational establishment.

<sup>123</sup> *2ª Vara da Infância e da Juventude* and *DEGASE - Departamento Geral de Ações Socio-Educativas*.

nessed are: Afroreggae, Luta Pela Paz (Viva Rio), Crianças Soldados Nunca Mais (IBISS), Casa do Menor São Miguel Arcanjo.

However, there is undoubtedly a lack of financial investment in rehabilitation programmes and there needs to be further integration between the youth juvenile justice system and civil society organisations, such as those mentioned above, to re-integrate children and adolescents leaving youth detention centres (*establecimiento educacionais*). Failure to do so will result in adolescents continuing to leave detention facilities and returning to work in an armed capacity in the drug trade.

As noted above, some social programmes, although limited in number, are successfully rehabilitating child and adolescent traffickers who have chosen to leave the drug trade. However, there was not sufficient investment found in the psychological treatment of ex-combatants who had been involved in killings and torture or witnessed killings and torture.

Furthermore, the sharing of local solutions for the rehabilitation of children and adolescents that have been involved in armed combat situations, whether within situations of *Organised Armed Violence* or traditionally defined combat zones, is an important step to creating more effective and successful channels for the rehabilitation and demobilisation of *Children in Organised Armed Violence* or child soldiers.

As discussed in Part 4, drug faction territorial disputes in Rio de Janeiro, defined as *Organised Armed Violence*, have similarities with both commonly understood notions of crime and war. If prevention programmes presented above are viewed in a similar way to gang out-reach and prevention programmes found in urban areas within the United States, for example, then the rehabilitation of child and adolescent armed workers in Rio de Janeiro's drug faction disputes should have more in common with the demobilisation programmes instituted for child soldiers in conflict situations.

This similarity comes as the result of:

- 1) *Children in Organised Armed Violence* in Rio de Janeiro often being experienced combatants who have participated in intensive armed disputes;
- 2) *Children in Organised Armed Violence* in Rio de Janeiro being accustomed to survival within a quasi-military structure based on rules that are enforced through violent punitive punishments including death;

3) *Children in Organised Armed Violence* in Rio de Janeiro having killed or tortured others or having witnessed killings and torture;

4) *Children in Organised Armed Violence* in Rio de Janeiro often being stigmatised by the communities in which they live, and / or the local police as the result of having worked in an armed capacity for a drug faction.

Due to such shared backgrounds, rehabilitating *Children in Organised Armed Violence* in Rio de Janeiro means that, as in the case of child soldiers being demobilised from armed groups, in addition to the implementation of the above-mentioned strategies for prevention programmes, the following provisions for rehabilitation programmes must be made:

1) The training of children in other professions where they can earn a livelihood that is not based on participating in armed combat;

2) Reintegration into society and the necessary adaptation for participating in schools or employment not based on quasi-military structures, as learned while working for drug factions;

3) Psychological treatment to deal with the consequences of participation in combat situations, killing and torturing others or witnessing the killing and torturing of others;

4) Reintegration into the local community and dealing with the problems of stigmatisation by the local population and the local police, following, for example, a child or adolescent's involvement in the killing of locals or armed confrontations with the police.

Re-integrating *Children in Organised Armed Violence* who have the desire to leave the drug trade back into the local community was seen by those interviewed as fundamental to the success of any rehabilitation programme.

Researchers encountered two cases during this study where adolescents had been unsuccessful in leaving the drug trade due to an inability to be successfully re-integrated back into the community.

An adolescent youth known by researchers was assassinated by a rival faction member two years after having left the drug trade and having spent time in a youth detention centre. Despite the fact that he was no longer working in drug trafficking and was holding down a steady job as a cleaner, a rival faction did not believe that he was no longer a trafficker and killed



him to avenge the death of one of their members who had been killed by the faction for which the adolescent had worked.

Another adolescent met by researchers had left his local drug faction after his mother paid money that he owed to his superiors. He was constantly harassed and beaten by the police while working as a lunch delivery boy within his *favela*, as they also refused to believe that he was no longer involved in drug trafficking. As a result, the boy lost a number of deliveries, and fearing that he would lose his job and never be accepted again as a 'normal' citizen, returned to work for the local drug faction.

## THE YOUTH JUVENILE JUSTICE SYSTEM IN RIO DE JANEIRO STATE

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### **Brazilian legislation regarding children and adolescents**

Brazil has a long history of legislation relating to the situation of children and adolescents and the penal system that dates back to 1693 and the implementation of the *Carta Régia*.

Until 1921, the criteria for assessing the penal responsibility of children and adolescents that committed an infraction of the law was based on the discretion of the judge, rather than on a chronologically-stipulated age limit. The judge's discretion in such a case would be based on whether a child or adolescent was deemed capable of comprehending the character of the act he / she had committed.

In 1921, the Federal Government for the first time united the treatment of abandoned children and juvenile delinquents within the same system through the implementation of 're-educational measures' (*medidas reeducativas*). However, it was not until 1927 that Judge José Cândido de Albuquerque Mello Mattos<sup>124</sup> presented a bill that unified legislation pertaining to the treatment of children and adolescents. This was to become known as the *Mello Mattos Code* (*Código Mello Mattos*) and its implementation instituted a system of protection and assistance to under eighteen year-olds, in which they were classified as belonging to one of two groups: abandoned or delinquent (Leal 2001).

The *Mello Mattos Code* was to act as the basis for all legislation that regulated what was then referred to as the *Rights of the Minor* (*Direito de Menores*), until the introduction of the Statute of the Child and Adolescent in 1990 (*Estatuto da Criança e do Adolescente*). Judge Mattos's Code gave any acting judge the power to pardon those children or adolescents brought before him, and measures stipulated for the treatment of minors depended on their age.<sup>125</sup>

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<sup>124</sup> Latin America's first child and adolescent judge.

<sup>125</sup> Up to the age of 14 years, children were unable to be processed (unless considered 'perverted' or 'sick'). Between the ages of 14-16 years, adolescents were given case specific treat-

Following the implementation of the Code for Minors (*Código de Menores*) in 1979, terminology considered to be derogatory that was previously utilised in the *Mello Mattos Code*, was reformulated. Previously separated definitive categories of 'abandoned' and 'delinquent' children or adolescents, were replaced by the all-encompassing term 'minors in an irregular situation'. Minors considered to be in irregular situations were categorised in six separate groups by Article 2 of the code, and were: 1) those deprived of the essential conditions necessary for subsistence, health or instruction; 2) victims of bad treatment or beatings by parents or guardians; 3) those considered to be in mortal danger; 4) those deprived legal representation or legal assistance; 5) those responsible for bad conduct; 6) those responsible for breaking the law.

Within the Code for Minors (*Código de Menores*), minors who broke the law were exempt from the penal code, however, they were subject to measures prescribed within 'special legislation'. These measures were based on three elements: the person (psychological evaluation; social and economic scale); the act (categorised as either 'typical anti-social acts' or 'atypical anti-social acts'); the special legislation itself. Prescribed measures depended very much on the discretion of the judge, and could vary from returning the child to his / her parents or legally responsible guardian, to parole or detention within a financially and administratively autonomous institution known as FUNABEM (National Foundation for the Well Being of Minors / *Fundação Nacional do Bem-estar do Menor*). If there was not adequate space within a FUNABEM, minors could be held in adult prisons, although they were separated from the adult prison population.

The Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescente*) was drafted by jurists and diverse Brazilian institutions, and was presented before the National Congress with the supporting signatures of 200,000 children and adolescents. With its implementation in 1990, The Statute of the Child and Adolescent fully substituted the Code for Minors, and is the basis for the juvenile justice system today. The statute has again changed previously utilised terminology, replacing such terms as 'minor' and 'irregular situation', considering them to now be derogatory terms, and

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ment, medical treatment or interned at a reformatory school. Between the ages of 16-18 years, lawbreakers that were considered to be dangerous were interned in special establishments (Leal 2001).

is divided in two books: the General Part (Parte Geral) that stipulates fundamental rights for all under 18 year olds; and the Special Part (Parte Especial), that stipulates policies for attending to and assisting children and adolescents in situations of personal or social risk.

Under 18 year-olds that break the law, referred to as children or adolescents 'in conflict with the law', are dealt with according to their age. Under 12 year olds are evaluated by the Guardianship Council (*Conselho Tutelar*), following measures laid out in Article 101, Items I-VIII, and cannot be detained in an 'educational establishment'. Those between the ages of 12 and 18 years are sent to a special court, which decides to what degree the charged adolescent is responsible for the execution of any criminal act. If found responsible for such an act by the judge, an adolescent will be ordered to carry out social or educational measures (*medidas socio-educativas*) that, depending on the case, may be any of the following:

- 1) A verbal warning from the judge (*Advertência*);
- 2) Obligation to compensate or repair damages caused;
- 3) Community service;
- 4) Probation;
- 5) Semi-detention;
- 6) Detention – insertion in an 'educational establishment'. There is no fixed term. Cases are re-evaluated every 6 months and the maximum time an adolescent may spend in an 'educational establishment' is three years).

## **2<sup>nd</sup> civil district for adolescents and youth (2<sup>a</sup> vara da infância e da juventude)**

The 2<sup>nd</sup> Civil District for Adolescents and Youth (2<sup>a</sup> Vara da Infância e da Juventude) is situated in Rio de Janeiro's port district and is responsible for determining social and educational measures (*medidas socio-educativas*) for all 12-18 year olds that commit criminal offences within the municipality of Rio de Janeiro.

During this study, a researcher was given permission by Judge Guaracy<sup>126</sup> to accompany the legal process of adolescents apprehended for drug traf-

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<sup>126</sup> Presiding Judge at the 2<sup>nd</sup> Civil District for Adolescents and Youth / Juiz titular da 2<sup>a</sup> Vara da Infância e da Adolescência.

ficking or related offences. The cases were accompanied from the point at which the adolescent in question was brought into the building of the 2<sup>nd</sup> Civil District for Adolescents and Youth, until they met with the judge and were given their sentence, referred to as a 'social and educational measure' (*medida socio-educativa*).

The system functions in the following way:

1) The adolescent arrives from a DPCA<sup>127</sup> or the CTR<sup>128</sup> accompanied by police officers;

2) The adolescent is presented to the employees of the Public Ministry (Ministério Público) with a written report (boletim de ocorrência) relating to the act for which he / she was apprehended, at which point the case is prepared for the public prosecutor and judge to review;

3) The adolescent is heard by the public prosecutor, in the presence of his / her parents or legal guardian if they can be contacted, or without the parents or legal guardian if they cannot be contacted, at which point the public prosecutor makes a recommendation to the judge;

4) The adolescent is then seen by a team of social workers (Plantão Interinstitucional) and given a brief psychological evaluation. A report is made and sent with the public prosecutor's report to the judge;

5) The adolescent is then heard by the judge, with or without the presence of his / her parents or legal guardian, and the judge makes his / her decision for the social and educational measures (*medidas socio-educativas*) to be applied.

If an adolescent is sentenced to detention or another form of observation by state authorities, then the adolescent in question is sent to the General Department for Social and Educational Actions (DEGASE – Departamento Geral de Ações Socio-Educativas).

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<sup>127</sup> Delegacia de Proteção a Criança e Adolescente / Police Precinct for the Protection of Children and Adolescents.

<sup>128</sup> Centro de Triagem / Selection Centre.

## **General department for social and educational actions (DEGASE - Department geral de ações sócio-educativos)**

During this study researchers visited the following institutions managed by DEGASE:

- Observation facility (Pólo de Liberdade Assistida da Ilha do Governador).
- Semi-detention facilities (CRIAM – Centro de Recursos Integrados de Atendimento ao Menor) at Santa Cruz, Bangu, Ricardo de Albuquerque, Penha e Ilha do Governador;
- Detention facilities (Educandários de Internação): Educandário Santo Expedito (ESA), Escola João Luís Alves (JLA).

The juvenile justice system has problems throughout, but some of the worst problems are found in the semi-detention and detention programmes.

The semi-detention programme (CRIAM) was created in 1986 as part of an effort to decentralise and reformulate public policies relating to youth offenders. According to Sidney Telles da Silva, former director of João Luís Alves, and current general director of the juvenile justice system (DEGASE):

*The CRIAM has been totally dismantled. The project was completely scrapped in relation to the original proposal, which was formulated during the 80s, in the middle of a process of decentralisation of services. At that time, sixteen new CRIAM units were constructed in Rio de Janeiro: four were added to the existing twelve in the city, three were added in the Baixada Fluminense suburban area of the city, and nine in other regions of the State. What happened? During the 90s, the CRIAM teams lost many important elements. As a result, they could no longer uphold the original aims of the project, which were to administer cases of semi-detention, attend to community services and otherwise support the communities, to raise awareness, and to help organise communities around the activities of the CRIAM.*

Structural problems were evident in semi-detention facilities visited by researchers. Physical infrastructure is poor: lack of furniture and utensils, low walls that needed to be repainted, corroded bars, etc. Furthermore, offenders are able to leave facilities when they choose, and the institutions themselves are divided by factions, so that only offenders of a particular faction are sent to a particular facility. This serves to legitimise the strength and importance of drug factions within the minds of offenders, and hinders moves toward integration.

Detention facilities (Educandários de Internação) were designed to remove youth offenders from society for a determined period of time, during which the offender participates in correction programmes (social and educational measures). In Rio there are four such institutions: **Santo Expedito** – for male adolescents from 16-21 years of age, **João Luís Alves** – for male adolescents from 12 to 15 years of age, **Santos Dumont** – for female adolescents, and **Instituto Padre Severino** – for male adolescents from the interior of the State who are serving time and others who are awaiting trial, a process that can take up to 45 days.

Researchers encountered extreme difficulties in gaining access to Instituto Padre Severino, and were unable to visit this facility. The report provided by the Human Rights Commission of the Rio State Legislative Assembly from the year 2000 suggests a situation of total abandon, including reports of violence and torture (physical and psychological) on the part of staff. Another problem noted is that the facility houses both those who have already been tried and those who are awaiting trial. The Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescent*) prohibits any contact between these two groups.

Educandário Santo Expedito was constructed as a prison unit for young first-time offenders between the ages of 18 and 25. Near the end of the construction phase, a large rebellion took place at Educandário João Luís Alves, resulting in several deaths. Following these events, Educandário Santo Expedito temporarily became a corrections facility for adolescents between 16 and 21 years of age that had previously been housed at Educandário João Luís Alves. Over time, the lack of resources for construction of a new unit and the lack of political will on the part of the state, have meant that the unit has remained a corrections facility for youth offenders, in spite of its structural irregularities. The facility is designed as a prison and therefore is not adequate for the institution of social and educational correctional measures, as stipulated in the Statute of the Child and Adolescent (*Estatuto da Criança e do Adolescent*).

It is also staff policy within Educandário Santo Expedito to separate offenders pertaining to different drug factions. This results in reinforcing division between these groups. Due to this lack of integration, numerous internal conflicts have occurred. For example, in March 2002, during a rebellion within the facility, a group of faction members killed an adoles-

cent from a rival faction. According to a report by the Legislative Assembly's Human Rights Commission carried out in 2000, there have been frequent rebellions of this type within this facility.

As far as researchers were able to identify, Educandário João Luís Alves comes closest of all facilities visited to meeting the criteria necessary for the implementation of social and education correctional measures. This institution can be considered the “showpiece” of Rio de Janeiro State's juvenile justice system, in terms of both structure and organisation.

The juvenile justice system is unable to meet its objectives in numerous areas. Undoubtedly, the system merits further study and extensive investigations in order to uncover and detail the problems pointed out here. The following necessities were highlighted during interviews with youth offenders and staff members of detention and semi-detention facilities:

**1) Need for an improved physical structure** – the majority of units visited by researchers were overcrowded. In addition, furniture and equipment are scarce and in disrepair.

*... the furniture in the cafeteria is very old— but we managed to get some newer donations. We are still waiting because we do not have anything, not even a place to sit. I thought of buying a chair for myself, because I have to stay in here all day.*

*Staff member*

**2) Need for more and better-trained staff** – The number of adolescents in these facilities has grown considerably over the past five years, with no corresponding increase in staff. In addition to the increase in demand for treatment, the profile of youth offenders is also changing, requiring more qualified staff members.

*There are various factors that distinguish the youth of seven years ago from those of today. Principally, this relates to education. The majority of the youth were, at one time, illiterate. Today we see 14-year-old children who have studied up to 5<sup>th</sup>, 6<sup>th</sup> or 7<sup>th</sup> grade. So the profile of the youth offenders is changing. We can say that their culture, their cultural orientations, has also changed. In the past [education] was an urgent necessity and we focused our efforts on that need until it was addressed. Today, [our greatest concern is] that these kids revere drug traffickers for the power they hold in the communities. As economic conditions deteriorate, the lack of resources for these young people and even the lack of family structure also deteriorates.*

*Staff member*



*Now another thing that grabs my attention from 1998 through to the present is that at that time, we received more adolescents who violated article 157 [robbery] and today there has been a switch...more young people come now because of article 12 –drug trafficking. Generally with article 12 the kid is armed, so he comes in under article 10 [illegal possession of a firearm] as well. So I noticed that the pattern has changed: from article 157 and 155 to the high incidence now of articles 12 and 10...normally kids are caught with a gun.*

*Staff member*

**3) Need for co-ordinated and unified projects that reach all facilities within the juvenile justice system** – there are few educational and rehabilitation programmes within the system. Those that exist are sporadically implemented and not uniformly instituted in all facilities.

*The projects developed for the juvenile justice system by DEGASE are few, and we do not have direct access to professional training programmes, like the mechanics workshops, the silk screening courses, and computer skills courses."*

*Staff member*

*We have run into problems with the structure, with the lack of investment once again. Because we cannot buy materials to make the offices run, and we do not have enough people on security detail or to orient the kids. Instruction for the educators is lacking as well. The truth is that the lack of investment by the state only seems economically efficient at the beginning—because the state pays the price later when the kid goes back to the community and takes up criminal activities again.*

*Staff member*

**4) The need for complete integration of offenders:** DEGASE's facilities divide the distribution or housing of offenders by drug faction. Offenders from different factions are kept separately or in different institutions. CRIAMs are clearly divided along factional lines. For example, the unit at Bangu only receives adolescent offenders from the *Terceiro Comando*. This strengthens and legitimises the importance of drug factions in the perception of offenders, and does not help in the rehabilitation of those apprehended for drug trafficking offences.

*In the past three months, two and a half years maybe, even though we do not like to respect the divisions according to drug factions, we have seen that the division is*

*real. It exists, and it cuts across the entire system, minors and adults. Right after we got here, most juveniles were Comando Vermelho. They had a very clear code of ethics among them, that is, we could perceive it clearly, and they always resolved their problems among themselves — most of the time, through discussions and dialogue. There was always a leader who articulated and dominated discussions. Then, there was a moment of transition from the Comando Vermelho to the Terceiro Comando, and now it is basically just Terceiro Comando in here. What I have noticed is that they are not able to develop leadership. The code of ethics is very diffuse and they are extremely violent. There has been an increase in violence that is absolutely crazy...*

*Staff member*

**5) Other needs include:**

- more secure units (offenders break out of CRIAM units with relative ease);
- more funding for facilities and rehabilitation projects;
- more state-led initiatives to encourage civil society participation;
- further investigation into abuses of authority and torture by staff members within the system;
- investment in civil society projects that continue to work with children and adolescents once they have left the juvenile justice system.

## CONCLUSIONS

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1) IT IS PROPOSED BY THIS STUDY THAT ARMED TERRITORIAL DRUG FACTION DISPUTES IN RIO DE JANEIRO BE TERMED AS *ORGANISED ARMED VIOLENCE*.

The specificity of the retail drug trade in Rio de Janeiro involves paramilitary organisation at the local level, territorial and quasi-political domination of geographical areas upheld by drug factions through a system of 'forced reciprocity', up to 10,000 armed combatants working for drug factions, a constantly armed presence by drug factions in the communities they dominate, the utilisation of military-grade weapons and levels of armed violence that are largely responsible for making Rio de Janeiro's firearm-related mortality rates higher than conflict related deaths of civilians and combatants in many modern major armed conflicts. However, despite similarities with previously termed 'new war' situations, drug faction disputes in Rio de Janeiro fail to meet one fundamental criterion that would allow them to be defined as war or major armed conflict: the Brazilian government is not the deliberate object of attack and drug factions have no interest in taking the place of the state.

Drug factions are economically oriented and their utilisation of war-grade weaponry, their quasi-political control of *favela* communities and their disputes for the control of *favela* territories have been developed primarily to control and defend the illicit sale of marijuana and cocaine within the city. The state's involvement is a secondary one, as its forces (principally the police) are only attacked when interfering with a faction's ability to advance itself economically.

Although illicit economic gain is also the objective of organised crime, drug faction disputes in Rio de Janeiro are responsible for the deaths of over 1,000 civilians and combatants a year, one criterion used for the definition of a major armed conflict. In addition to this, the types of armed combat in which factions participate, as documented in this study, are similar to armed non-state groups in many civil conflicts. Certainly, such a situation goes far beyond traditionally-defined notions of organised crime.

Correctly categorising Rio de Janeiro's drug faction disputes is necessary in order that the phenomenon is correctly understood and dealt with.

Furthermore, correct conceptual and practical definitions are fundamental in developing the correct strategies for the problem addressed by this report: the participation and consequent small arms-related deaths of children and adolescents in such new and previously undocumented situations.

2) IT IS ALSO PROPOSED BY THIS STUDY THAT UNDER EIGHTEEN YEAR-OLD CHILDREN AND ADOLESCENTS WORKING FOR DRUG FACTIONS IN RIO DE JANEIRO AND PARTICIPATING IN ARMED TERRITORIAL DISPUTES BE CATEGORISED AS *CHILDREN IN ORGANISED ARMED VIOLENCE*.

Changes in the scale and structure of retail drug trafficking in Rio de Janeiro since the 1980s have led to the increased employment of children and adolescents in the drug trade. Furthermore, although ranked positions within *favela*-based factions are specific, crossover responsibilities amongst the lower ages and lower ranks are commonplace, resulting in the active participation of most minors working for drug factions in armed *favela* security and defence against rival faction invasion and police raids. Consequently, children and adolescents are dying from firearm-related injuries at an alarming rate. This is most notable in the 15-17 year old age group, for whom comparative firearm-related mortality rates are considerably higher than those for the same age group in both US states known for high levels of drug, gang and armed violence, and situations that are defined as armed conflict, such as that found in the Palestinian occupied territories.

Due to stark similarities between children employed in Rio de Janeiro's drug factions and 'child soldiers' in almost all functional and definitive aspects, there are serious semantic and practical problems in categorising child faction workers as 'criminals' or 'gang members'. However, defining children working for drug factions as child soldiers, even those in specifically combat-oriented roles, are problematic and counter productive as this may legitimise the use of fatal state force against them, and create problems in how they may be dealt with by a country that is not in a state of war. Furthermore, although there is much to be learned from solutions designed to deal with the problems of both child soldiers in armed conflict and gang members in urban centres, defining children working for drug factions in Rio de Janeiro as either child soldiers or gang members fails to reflect their illicit working and combat-oriented roles within *Organised Armed Violence*.

3) THIS STUDY CALLS FOR INCREASED INVESTMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF SPECIFIC PROGRAMMES DESIGNED TO BOTH PREVENT THE PARTICIPATION OF CHILDREN IN DRUG FACTION DISPUTES IN RIO DE JANEIRO, AND TO REHABILITATE THOSE ALREADY INVOLVED.

It is estimated that between 5,000 and 6,000 armed children are currently working within *favela* communities for Rio de Janeiro's drug factions. Despite their involvement in often-intensive armed combat situations, as the objectives of drug factions are economic, child participation in drug faction disputes in Rio de Janeiro cannot be treated as a military or primarily a public security question. As long as the market for the consumption of illicit drugs continues to exist, so will territorial disputes for the control of sales. As children 'choose' to join drug factions as the 'best of limited options', they will continue to participate in these disputes.

The involvement of children in drug faction employment within Rio de Janeiro's *favelas* is a symptom of related problems such as poverty and the failure of the government to uphold its part in the social contract. Furthermore, Rio de Janeiro's relevant public security forces, mainly the Military and Civil Police, are accomplices in drug-related armed violence, and continue to support the illicit drug and small arms trades through their collaboration with active arms and drug traffickers.

To prevent the involvement of children in Rio de Janeiro's drug trade there must be investment in the community as a whole, primarily through state investment in social and physical infrastructure and the provision of preventive, protective and non-corrupt policing. Without such substantial governmental investment in the *favela*, for every child that leaves drug trafficking due to a successful rehabilitation project, there will be many others to take his / her place, regardless of the prevention programmes being instituted. In addition to treating these identified problems, children living in *favela* communities need proper support and alternative options in order to 'choose' not to get involved in drug trafficking, or make the choice to get out once involved.

Understanding why children enter the drug trade is a fundamental step towards successfully preventing them from doing so. To be successful, prevention programmes need to offer a combination of real cultural and economic alternatives to the drug trade, education, genuine inclusion in the formal work market and the prospect of a better life with realistic meth-

ods of attainment. In Rio de Janeiro there currently exist a number of civil society programmes that are successfully combining these prevention methods. These programmes must be supported and replicated.

Although a limited number of existing prevention programmes in Rio de Janeiro are successfully taking *child combatants* out of the drug trade, there is a real need for the development and institution of specific rehabilitation programmes in Rio de Janeiro that include the training of *child combatants* in other professions, strategies for their reintegration into society and the local community, and psychological treatment to deal with their previous participation in combat situations or their involvement in killings and torture.

Rehabilitation of *Children in Organised Armed Violence* in Rio de Janeiro must also include specific reform measures for the juvenile justice system, most notably within educational facilities managed by DEGASE,<sup>129</sup> where youth offenders are detained. Undoubtedly, the system merits further study and more extensive investigations than carried out here. However, reform measures highlighted in this study include the need for an improved physical structure, more and better trained staff, the complete integration of youth offenders, co-ordinated and unified projects within all detention facilities, and the development of projects, civil society or state-led, that continue to work with children and adolescents once they have left the juvenile justice system. Failure to do so will result in adolescents continuing to leave detention facilities and returning to work in an armed capacity in the drug trade.

Prevention and rehabilitation programmes in Rio de Janeiro have much to learn and much to offer from the sharing of local solutions with gang-related violence in urban cities and child soldiers in war situations.

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<sup>129</sup> General Department for Social and Educational Actions / Departamento Geral de Ações Socio-Educativas.

4) THIS STUDY CALLS FOR INTERNATIONAL RECOGNITION OF THE PLIGHT OF *CHILDREN IN ORGANISED ARMED VIOLENCE*, THE DOCUMENTATION OF OTHER AREAS OF THE WORLD WHERE CHILDREN ARE UTILISED AS ARMED COMBATANTS IN SIMILAR NON-WAR SITUATIONS, AND THE APPROPRIATE AMENDMENTS TO RELEVANT INTERNATIONAL CONVENTIONS TO ADDRESS THIS PROBLEM.

In addition to severe poverty, Rio de Janeiro's *favela* population lives amidst daily armed confrontations between rival drug factions and between drug factions and the police, retributive punishments including expulsion from the community and assassinations for not adhering to behavioural codes imposed by drug factions, an almost total abandonment by the state and continual police abuses of authority that include torture and extra-judicial executions. *Favela* inhabitants in Rio de Janeiro are the victims of a situation for which they are not responsible, and for which they are offered little help or protection by the authorities responsible for their protection. Furthermore, it seems that these same authorities have played an active role in the creation of this social dilemma, as much by failing to take serious measures to remedy the situation as by actively participating in its continuation.

The seriousness of the situation is most clearly demonstrated by the fact that more people are dying in Rio de Janeiro city from armed violence than soldiers and civilians in six major armed conflicts presented here, all of which have received worldwide press coverage and attention from the international community. The tragedy of the situation is perhaps most vividly illustrated by the fact that the stories of murder, torture, intensive exchanges of small arms fire and the involvement of children as both perpetrators and victims of fatalities — that seem so shocking in their presentation here — have become an accepted reality for *favela* residents who are forced to suffer this fate in silence. Even more tragic, perhaps, is the fact that many children and adolescents in the *favela* see joining a drug faction as their best option, despite knowing that death is the most likely outcome of such a 'choice'.

As Rio de Janeiro's drug faction disputes cannot be defined as war, the suffering and loss of life incurred by *favela* populations and children participating in drug faction disputes have so far gone unrecognised by the international community, and unaddressed by the Brazilian government. The international recognition of the plight of *Children in Organised Armed*

*Violence* in Rio de Janeiro is an important step in the treatment of this situation, both in terms of international aid and pressuring the Brazilian government to take responsibility for what it has in part, at least, created.

Current international humanitarian law that affords protection to children affected by hostilities can have little or no bearing on the situation of *Organised Armed Violence* in Rio de Janeiro. However, such international legislation can offer important guidelines for the appropriate amendments to existing conventions, such as the Convention on the Rights of the Child, to take into account the situation of *Children in Organised Armed Violence* and facilitate relevant action.

Furthermore, through accepting the seriousness of *Organised Armed Violence* in Rio de Janeiro, the international community may start to recognise the occurrence of similar situations elsewhere and consequently begin to set the international agenda for the elimination of this serious problem.



## SEMINAR ON CHILDREN AFFECTED BY ORGANISED ARMED VIOLENCE

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On 9-10 September, 2002, Viva Rio hosted the *Seminar on Children Affected by Organised Armed Violence* in Rio de Janeiro, Brazil. The seminar had a number of primary objectives:

- 1) Present research results from Viva Rio and ISER's study of child and adolescent involvement in territorial drug faction disputes in Rio de Janeiro;
- 2) Open the international debate regarding children's participation in small arms violence in areas of the world such as Rio de Janeiro that are not officially in conflict or at war, following the study's proposition that such situations be defined as *Organised Armed Violence*;
- 3) Reach a consensus amongst representatives of international non-governmental organisations, government agencies and relevant United Nations' agencies participating at the seminar for a working definition of children's participation in *Organised Armed Violence*.
- 4) Propose some necessary steps so that the international community may recognise and address this problem.

In addition to participants from diverse Brazilian non-governmental organisations and government agencies, such as representatives from the state juvenile justice system — including the General Department for Social and Educational Actions<sup>130</sup> and the 2<sup>nd</sup> Civil District for Adolescents and Youth<sup>131</sup> — the following international non-governmental organisations, foundations, foreign government representatives and UN agencies present at the seminar included: The Coalition to Stop the Use of Child Soldiers (CSC) — Regional and Colombian offices; Human Rights Watch; International Alert; Save the Children Sweden; Save the Children UK; DFAIT and CIDA of the Canadian Government; United Nations Office of the Special Representative of the Secretary-General for Children in Armed

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<sup>130</sup> Departamento Geral de Ações Socio-Educativas (DEGASE).

<sup>131</sup> 2ª Vara da Infância e da Juventude.

Conflict; Quaker United Nations Office in Geneva; UNESCO Brazil; UNICEF – Regional Office for Latin America and the Caribbean; UNICEF – Brazil Office; International Action Network on Small Arms (IANSA); The Ford Foundation; World Vision; Association for the Reconstruction of Hope (*Associação Reconstruindo a Esperança*) Mozambique.

Presentations on the first day of the seminar included research results from ISER and Viva Rio's study on child and adolescent involvement in territorial drug faction disputes in Rio de Janeiro — presented by Luke Dowdney (Viva Rio) —, the involvement of children in armed groups within the city of Medellín, Colombia, presented by Ívan Ramirez (CSC Colombia), and international perspectives on children's involvement in such situations from Rachel Brett (UN Quakers Office) and General Dallaire (DFAIT – Canadian Government).

The second day of the seminar consisted of a round table meeting held at Viva Rio headquarters and attended by international participants and Viva Rio staff. The aim of the round table meeting was to give participants the chance to exchange ideas, formulate definitions and develop a joint working plan regarding the issue of children's participation in *Organised Armed Violence*. Discussions were divided into the following themes: 1) definitional criteria; 2) information network and local solutions; 3) further regional and international research; and 4) international solutions;

Following presentations made during the first day of the seminar and the round table meeting held on the second day, there follows a brief summary of consensus and conclusions reached by participants:

### **Definitional criteria**

It was agreed by all seminar participants that it would not be constructive or correct to refer to Rio's drug faction territorial disputes as 'war' or children participating in these armed disputes as 'child soldiers'. Such a definition was considered as problematic as it could serve to create a group of children open to being targeted by military forces, rewarded by social programmes at the expense of other children and / or given enhanced status within their communities and by other children.

However, it was also agreed by participants that there are clear parallels between currently defined 'child soldiers' and children employed by Rio's

drug factions, and that existing categories are not sufficient to accurately define drug faction territorial disputes or children's participation within them. Although some participants made the point that categorising any group of children may lead to semantic and other related problems, the majority of participants agreed on the importance of establishing at least a *working definition* of children employed in an armed capacity by Rio de Janeiro's drug factions. Such a definition was seen as important in order to carry out further studies on children's armed participation in similar and previously uncharted situations around the world, and raise international awareness as to their plight. Consequently, a majority consensus was reached on the following category to act as a *working definition* of children within non-war situations of armed violence:

*Children in Organised Armed Violence:*

Any person under the age of 18 who is employed or otherwise participates in Organised Armed Violence where there are elements of a command structure and power over territory, local population or resources.

## **Sharing local solutions**

Participants commented that due to some similarities between *Children in Organised Armed Violence* and both adolescents in urban gangs and child soldiers in war situations, there exists ample scope for adapting successful prevention and rehabilitation projects to problems of *Children in Organised Armed Violence* in diverse cultural and country settings. Examples of projects working with children in Northern Ireland and Turkey were cited by participants as further examples of programmes that could be replicated and adapted at the local level. Sharing local solutions to related problems of children and armed violence and the successful implementation of such projects were seen by participants as important steps towards changing public policy on these issues within affected countries.

## **Further regional and international research**

It was concluded by all participants that there is more information needed regarding *Children in Organised Armed Violence*. Participants agreed on the need for further regional and international studies so that different

variations to this problem may be highlighted and subsequently addressed in the international forum.

## **International solutions**

Participants discussed whether existing international legislation and conventions were already sufficiently advanced to treat *Children in Organised Armed Violence* within the international forum, or whether new international legislation or additional protocols to conventions already in existence needed to be established. Participants did not reach a consensus on this point, although it was generally agreed that at the present time and until *Children in Organised Armed Violence* is better defined and charted, current structures within the international forum should be utilised in order to focus on the problem and investigate international solutions.

Participants suggested that the following international mechanisms may be useful to highlight the problem of *Children in Organised Armed Violence*: the Convention on the Rights of the Child (Article 19); the Committee on the Rights of the Child; ILO convention 138 and 182; UN Commissioner on Human Rights; UN Special Rapporteur on Children; the UN's study on Children and Violence.

It was agreed by participants that as many options as possible should be investigated within the international forum in order to raise awareness and seek solutions regarding *Children in Organised Armed Violence*. However, the following two immediate goals were agreed upon by participants as being the most effective within the short term:

- 1) Presentation of current and future research of *Children in Organised Armed Violence* to the Committee on the Rights of the Child;
- 2) Advocate for acceptance of *Children in Organised Armed Violence* as a theme for further investigation on the upcoming UN Study on Children and Violence.

A copy of ISER and Viva Rio's research findings regarding child and adolescent involvement in territorial drug faction disputes in Rio de Janeiro and a brief report of this seminar were sent to the Committee on the Rights of the Child with the Brazilian Minister, Marília Sardenberg, on September 14, 2002.

## EXECUTIVE SUMMARY

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As Rio de Janeiro is not officially in a state of war, children and adolescents working in an armed capacity for drug factions within the city are categorised as juvenile delinquents, criminals or gang members. However, the role of children and adolescents participating in the territorial disputes of drug factions within Rio de Janeiro may have more in common with the lives of ‘child soldiers’ in war situations than with the lives of traditionally-defined gang members found in other urban centres around the world. Correctly categorising child drug faction workers in Rio de Janeiro is crucial if their plight is to be recognised, understood and addressed within Brazil and by the international community.

The specificity of the illicit retail drug market in Rio de Janeiro and the levels of armed violence and firearm-related mortality rates that it is generating, is unlike any other retail drug trade previously documented elsewhere in the world. Understanding these factors is considered here as key to understanding the participation of children and adolescents in the territorial disputes of drug factions within Rio de Janeiro. Furthermore, correctly defining this situation, which appears to be inadequately described by traditional definitions for either ‘war’ or ‘organised crime’, is fundamental to fully comprehending its reality, charting its occurrence elsewhere, and developing the correct local and international strategies to successfully deal with this situation.

The changes in scale and structure of Rio’s drug trade since the beginning of the 1980s coinciding with the arrival of cocaine, the formation and militarisation of drug factions, their subsequent fragmentation and increased inter-faction armed disputes, has had a highly detrimental effect on *favela* communities. Following these changes drug traffickers within the community became an open and more heavily armed-presence, increasingly violent, younger in age, less respecting of community members and no longer protective toward children.

Currently, the retail drug market in Rio de Janeiro is dominated by three *favela*-based drug factions that control the sale of cocaine and marijuana within the city. Factions are best viewed as a network of affiliated independent actors (*donos*) that offer each other mutual support for defen-

sive and offensive purposes. *Donos* control retail drug sales within *favela* communities through workers organised in a hierarchical and militarised structure. Security experts estimate that drug faction employees account for around 1% of Rio's *favela* population, or a total of 10,000 people, the majority of whom are armed. It is estimated that between 5,000 – 6,000 of these workers are under the age of eighteen.

Based upon pre-existing local structures of control and protection, drug factions have developed a system of 'forced reciprocity' to serve their needs for defence and the needs of the community for 'law and order'. 'Forced reciprocity' is maintained through a double tactic of mutual support and a punitive system of violence for non-collaboration.

*Favelas* are not the only place where drugs are sold and although they are essential logistical and defensible bases, they represent drug trafficking's poorest and least sophisticated manifestation. Faction workers are usually from within the community and they are accepted by the community as a legitimate socio-political force due both to fear and the absence of serious alternatives. It is not the complete absence of the state that enables drug factions to dominate *favela* communities, but rather its failure to maintain a social contract with *favela* residents. This social contract is something that factions do uphold very effectively.

Policing in *favela* communities follows a repressive policy of 'invasion' and 'occupation'. Invasions are carried out as a military operation in which police officers enter the *favela*, attain their objective and immediately withdraw. Occupation of a *favela* community by police officers occurs if there is a civil disturbance within a community, or a particularly violent conflict between drug factions. Police abuses of community members are common and the police's 'guilty until proven innocent' and 'shoot first' mentality means that the killing of innocent *favela* residents by the police occurs regularly. Police corruption that includes bribery by drug traffickers, the sale of drugs and firearms to drug traffickers and the kidnapping of drug traffickers for ransom are also commonplace. The behaviour of police in *favela* communities stimulates equally violent behaviour by drug factions and creates a feeling amongst *favela* residents that they have been effectively abandoned by the state.

Rio de Janeiro has become increasingly violent since the 1970s. This is most clearly demonstrated in the rising number of homicides within the

city that are on average 80% firearm related. Exaggerated firearm-related mortality rates are found in areas of the city where there are regular inter-faction armed confrontations caused by a high concentration of rival factions in close proximity to one another. The marked rise in firearm-related homicides in Rio de Janeiro has been accompanied by an increase in police seizures of firearms (including high-powered firearms) within the state. Drug traffickers have increasingly utilised high-powered firearms and light weapons, such as Kalashnikov AK-47s, H&K G3s and hand grenades, since the mid to late 1980s, in territorial disputes and other related crimes that cause a number of direct effects on *favela* communities and their surrounding urban areas. This includes the closure of local commercial premises and municipal schools during intensive exchanges of fire or following orders given by drug traffickers to do so.

As demonstrated by comparative analysis of firearm-related mortality rates between 1990-1999, firearms are killing considerably more people in the State of Rio de Janeiro and Rio de Janeiro city than in the US states of California, Washington and New York, states known for gang and gun-related violence within their urban centres. Furthermore, comparative analysis of battle-related fatalities in modern conflicts and firearm-related fatalities in Rio de Janeiro city demonstrate that, during certain periods, there have been more recorded deaths from firearms in Rio de Janeiro city than battle-related deaths in Colombia, Sierra Leone, Yugoslavia, Afghanistan, Uganda and Israel.

Although children and adolescents have always been involved in drug trafficking, they are more involved in drug trafficking within *favela* communities now than ever before. However, children employed by dealers before the establishment of factions tended not to be armed and usually received 'gifts' as opposed to money or a fixed salary in exchange for their services. The increase of children working in the drug trade began in the early 1980s when drug factions first became established in Rio de Janeiro's *favelas*, and rose most notably from 1993, when drug faction disputes became increasingly intensive. From this period onward, children and adolescents began to substitute working positions of older traffickers, as many were being imprisoned or killed due to armed confrontations with rivals.

Children are exposed to drug trafficking from an early age within the *favela*, and those that become interested in the drug trade will begin to

“hang around” with traffickers, entering fulltime employment between the ages of ten and fifteen. Children enter voluntarily and are not forced or coerced by factions to start working. ‘Choosing’ to enter drug trafficking may be redefined as ‘the best alternative among limited options’. These limited options are most starkly illustrated by a set of pre-existing factors common to all children in Rio de Janeiro’s *favelas*, including faction domination of the community, poverty, a lack of access to the formal work market and drug trafficking as an accepted form of employment. ‘Choice’ is further affected by the attractiveness of drug trafficking and other influences identified as common to those already involved, such as the involvement of family members and other reference groups.

Working positions within drug factions in Rio de Janeiro’s *favelas* that are open to children and adolescents are primarily: *olheiro / fogueteiro; vapor; gerente da boca, soldado; and fiel*. At the lower levels of faction employment the division of labour is not always specific, and crossover responsibilities result in the active participation of most minors in armed *favela* security and defence against rival faction invasion and police raid.

There are a number of shared experiences and functions that serve to identify child traffickers as a distinct group. These include: recruitment processes; age; working within a hierarchical structure enforced by rules and punishments; being paid for a service; being on call 24 hours a day; being armed by faction superiors; increasing involvement in armed combat; and surviving in a kill or be killed reality.

Firearm-related homicide is the leading external cause of death of children and adolescents in Rio de Janeiro. Firearm-related death rates of youths under the age of 18 in Rio de Janeiro have risen substantially since the end of the 1970s. The 15-17 year-old age group is most affected by firearm-related deaths, particularly in areas of the city where faction conflicts are most common, and this reflects the fact that the number of minors working in armed security of drug faction territory is greatest in this age group. Between 1990-1999, the firearm-related mortality rates of under eighteen year-olds in both the state of Rio de Janeiro and Rio de Janeiro city were notably higher than those in the US states of California, Washington and New York. Furthermore, firearm-related deaths of minors in Rio de Janeiro state are worse than those in some areas of the world that meet traditional definitions of armed conflict. For example, eight times more minors died



from firearm-related injuries in Rio de Janeiro between 1987-2001, than Israeli and Palestinian children who died in the Israeli-Palestinian conflict over the occupied territories during the same period.

As well as defending the drug trade, a significant proportion of youths from *favelas* not involved in drug trafficking believe that armed factions in their communities are defending community residents from other armed groups and the police. Although the vast majority of *favela* youths not involved in drug trafficking claim not to identify with drug factions, half of them will not frequent communities controlled by 'other' or 'rival' factions. Violent and corrupt policing and the presence of drug factions in *favelas* has detrimentally affected the outlook of many children and adolescents growing up in *favelas* since the mid 1980s in regard to social relations, members of other *favelas*, and the legitimacy of the government and the police as the upholder of law, order and justice.

If we compare traditional definitions of 'war' with specific observations on drug factions in Rio de Janeiro, we can see that Rio de Janeiro cannot be considered in a traditionally defined state of 'war' or 'armed conflict' for the simple reason that the state is not the deliberate object of attack. Drug factions are economically-oriented by their very definition. Despite paramilitary organisation at the local level, territorial and quasi-political domination of geographical areas, high numbers of armed combatants (including ex-military service men), a constantly armed presence in the communities they dominate, military-grade weapons and levels of armed violence that kill well over 1,000 civilians and combatants during a one year period, drug factions have no interest in taking the place of the state.

Although the state may not be the specific object of attack, it is a player in this 'conflict' situation because of continual armed confrontation with drug factions. However, its involvement is a secondary one. State representatives, such as the military police, are targets for armed attack only as a defensive measure when important traffickers are hunted for arrest or extra-judicial execution, or when the state interferes with a faction's ability to advance itself economically.

Accepting that Rio de Janeiro is *not* in a state of war, it is still useful to understand changing trends in modern warfare in order to find a comprehensive definition for drug faction conflicts within the city. The similarities between what has been described by Kaldor (1999) as 'new war' and faction

conflict in Rio de Janeiro are striking, yet fail to completely define drug faction disputes in Rio de Janeiro.

There needs to be international awareness of armed combat situations that are not adequately represented by current definitions of 'organised crime' or 'war'. This is a necessary step because accurate definitions help us to understand such phenomena correctly and consequently suggest solutions, raise awareness, share experiences with similar conflict situations in other parts of the world and tackle the principal problem addressed by this report: the participation and subsequent small arms related deaths of children and adolescents in such new and previously undefined conflict situations, hereby termed *Organised Armed Violence*.

Stark similarities exist between children employed in Rio de Janeiro's drug factions and 'child soldiers' in almost every functional and definitive aspect. However, Rio's drug faction children are primarily armed workers in economically-defined groups within the category of *Organised Armed Violence*. They are not 'soldiers' fighting within a traditionally defined 'armed conflict' or 'war'. Despite demonstrated similarities, defining children in armed drug faction employment as 'child soldiers' fails to reflect the unique realities of *Organised Armed Violence* and is counter-productive in devising strategies and programmes that will help them. There are also serious semantic and practical problems in categorising these children as 'criminals' or 'juvenile delinquents', and it is proposed by this study that children (anyone under the age of 18) working in an armed capacity within Rio's drug factions should be referred to as *Children in Organised Armed Violence*.

Specific measures to deal with child combatants in *Organised Armed Violence* at the international level must be developed, as existing international humanitarian law and humanitarian programmes for child soldiers are not adequate to deal with this very particular phenomenon. There is a need for international recognition of the role of *Children in Organised Armed Violence* and documentation of other areas of the world where children are utilised as armed combatants in similar situations.

Local solutions to this problem must also be addressed. These may vary depending on each country and different cultural contexts. For example, the question of armed child drug faction workers in Rio de Janeiro is not a military or primarily a public security matter because, as long as the market for the consumption of illicit drugs continues to exist, so will terri-

torial disputes for the control of sales. Drug trafficking and related violence in *favela* communities within Rio de Janeiro is a symptom of other problems such as poverty and a very limited state presence. To prevent the involvement of children in Rio's drug trade, therefore, there must be investment in the community as a whole. In addition to treating these identified problems, there are two common issues that must be addressed when dealing with the participation of children in Rio's drug factions: prevention and rehabilitation. Children working for drug factions in Rio de Janeiro need proper support and alternative options in order to 'choose' not to get involved in drug trafficking, or make the choice to get out once involved.

In Rio de Janeiro, more prevention programmes must be implemented in *favela* communities, by the state or civil society, that offer real cultural and economic alternatives to the drug trade for children and adolescents, programmes that offer education, genuine inclusion in the formal work market and the prospect of a better life with realistic methods of attainment. Rehabilitation programmes must be designed specifically for children and adolescents working in the drug trade. These should include training in other professions, mechanisms for reintegration into society and the local community, and psychological treatment to deal with their previous participation in combat situations or their involvement in killings and tortures. Lessons for the rehabilitation of *Children in Organised Armed Violence* can be learnt from demobilisation programmes of child soldiers in war situations. Rehabilitation of *Children in Organised Armed Violence* in Rio de Janeiro must also include improvements in the juvenile justice system and the implementation of civil society and state programmes that continue to work with young offenders once they have left detention. Failure to do so will result in adolescents continuing to leave detention facilities and returning to work in an armed capacity in the drug trade.

## Conclusions

- 1) It is proposed by this study that armed territorial drug faction disputes in Rio de Janeiro be termed *Organised Armed Violence*.
- 2) It is also proposed by this study that under eighteen year-old children and adolescents working for drug factions in Rio de Janeiro and

participating in armed territorial disputes be categorised as *Children in Organised Armed Violence*.

3) This study calls for increased investment in the development and implementation of specific programmes designed to both prevent the participation of children in drug faction disputes in Rio de Janeiro and to rehabilitate those already involved.

4) This study calls for international recognition of the plight of *Children in Organised Armed Violence*, the documentation of other areas of the world where children are utilised as armed combatants in similar non-war situations, and the appropriate amendments to relevant international conventions in order that this problem is addressed.

Following presentation of this study to international experts in conflict and child protection issues from a number of international agencies, NGOs and foundations at the *Seminar on Children Affected by Organised Armed Violence*, hosted by Viva Rio in Rio de Janeiro on 9-10 September, the following working definition of *Children in Organised Armed Violence* was agreed upon by participants in order that further studies of children affected by similar situations in other countries may be carried out.

*Children in Organised Armed Violence:*

Any person under the age of 18 who is employed or otherwise participates in *Organised Armed Violence* where there are elements of a command structure and power over territory, local population or resources.

## GLOSSARY

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<b>Alemão</b>	Literally translated, <i>alemão</i> means ‘German’. However, it is used by drug traffickers and <i>favela</i> community members to mean ‘enemy’, generally a member of another drug faction.
<b>O Amigo</b>	Used by drug traffickers to refer to the highest-ranking member of a <i>favela</i> based drug faction. Also referred to as the <i>dono</i> .
<b>Os Amigo</b>	Grammatically incorrect slang term used to refer to those working within the drug trade at the <i>favela</i> level.
<b>Amigos dos Amigos</b>	Friends of Friends – Rio de Janeiro’s third largest drug faction.
<b>Asfalto</b>	Areas of the city that are not considered to be in the <i>favela</i> .
<b>Atacadista</b>	Illicit drugs and / or arms wholesaler that sells to faction <i>donos</i> . Will have international contacts for the importation of illegal substances and / or arms.
<b>Atividade</b>	Used by drug traffickers to mean drug dealing or the carrying out other activities related to drug trafficking.
<b>Aviãozinho</b>	Carrier of small quantities of drugs or messages between traffickers and / or clients. Usually a child or adolescent.
<b>Baile Funk</b>	Parties, usually held within <i>favela</i> communities, that play <i>funk</i> music. Some <i>funk</i> parties are sponsored by local <i>donos</i> as a method of increasing drug sales.
<b>Boca de fumo</b>	Sales point for illicit drugs within a <i>favela</i> community.
<b>Bonde</b>	<i>Bondes</i> are made up of cars that are hijacked at gunpoint in asphalted (non- <i>favela</i> ) areas usually neighbouring the <i>favela</i> . An armed motorcade is then formed that is capable of resisting police apprehension and used to transport drugs or small

	arms between <i>favela</i> communities. <i>Bonde</i> may also be used to refer to a defensive patrol of faction soldiers within the <i>favela</i> .
<b>O Cara</b>	Used by traffickers to refer to the highest ranking member of a <i>favela</i> based drug faction. Also referred to as the <i>dono</i> .
<b>Comando Vermelho</b>	Red Command. Rio de Janeiro's first and largest drug faction.
<b>Comando Vermelho Jovem</b>	Young Red Command. A break away group from the <i>Comando Vermelho</i> that became a separate and independent drug faction during the 1990s.
<b>Contenção</b>	<i>Favela</i> based drug trafficker on lookout duty.
<b>Dono /</b>	Used by drug traffickers to refer to the highest ranking
<b>Dono do Morro</b>	member of a <i>favela</i> based drug faction.
<b>Dono da boca</b>	Manager of a drug sales point ( <i>boca de fumo</i> ) within the <i>favela</i> .
<b>Endolador</b>	Responsible for packaging illicit drugs for sales within the <i>favela</i> or on the street.
<b>Favela</b>	Shanty-town or slum. Used to describe a collection of illegally constructed dwellings within an urban area.
<b>Fiel</b>	Personal armed security guard and trusted obedient to the <i>gerente geral</i> or a <i>sub-gerente</i> .
<b>Fogueteiro</b>	Lookout that uses fireworks to warn fellow drug traffickers of a rival faction invasion or a police raid.
<b>Funk de apologia</b>	<i>Funk</i> music containing lyrics relating to drug factions, drug faction confrontations and famous drug traffickers.
<b>Gerente da boca</b>	Manager of a drug sales point ( <i>boca de fumo</i> ) within the <i>favela</i> .
<b>Gerente geral</b>	The <i>dono's</i> general manager for drug sales and other responsibilities within the <i>favela</i> .

<b>Gerente de Maconha</b>	Manager responsible for all marijuana sales within a <i>favela</i> community. May also be referred to as <i>gerente de preto</i> or <i>sub-gerente</i> .
<b>Gerente de Pó</b>	Manager responsible for all cocaine sales within a <i>favela</i> community. May also be referred to as <i>gerente de branco</i> or <i>sub-gerente</i> .
<b>Gerente de Soldados</b>	Manager responsible for all drug faction armed security within a <i>favela</i> community, including the management of faction soldiers ( <i>soldados</i> ). May also be referred to as <i>sub-gerente</i> .
<b>Olheiro</b>	Lookout. <i>Olheiros</i> are placed at strategic points around the <i>favela</i> to warn of a police raid or a rival faction invasion.
<b>Matuto</b>	Transporter of large quantities of drugs and / or arms from an <i>atacadista</i> to a <i>favela dono</i> .
<b>Morro</b>	Literally translated as ‘hill’ but used by the general population in Rio de Janeiro to mean <i>favela</i> .
<b>Movimento</b>	During the 1980’s drug trafficking within Rio de Janeiro became known as the ‘movement’ ( <i>movimento</i> ).
<b>Quadrilha</b>	Used to refer to a gang of armed drug traffickers.
<b>Soldado</b>	Soldier. Ranked position within a drug faction at the <i>favela</i> level responsible for armed security of faction territory and invading rival faction territory.
<b>Sub-gerente</b>	One rank below gerente-geral, including <i>gerente de maconha</i> , <i>gerente de pó</i> and <i>gerente de soldados</i> .
<b>Terceiro Comando</b>	Third Command. The second largest drug faction in Rio de Janeiro.
<b>X-9</b>	Police informant.
<b>Vapor</b>	Works for the <i>gerente de boca</i> and is responsible for selling drugs directly to clients at the <i>boca de fumo</i> .

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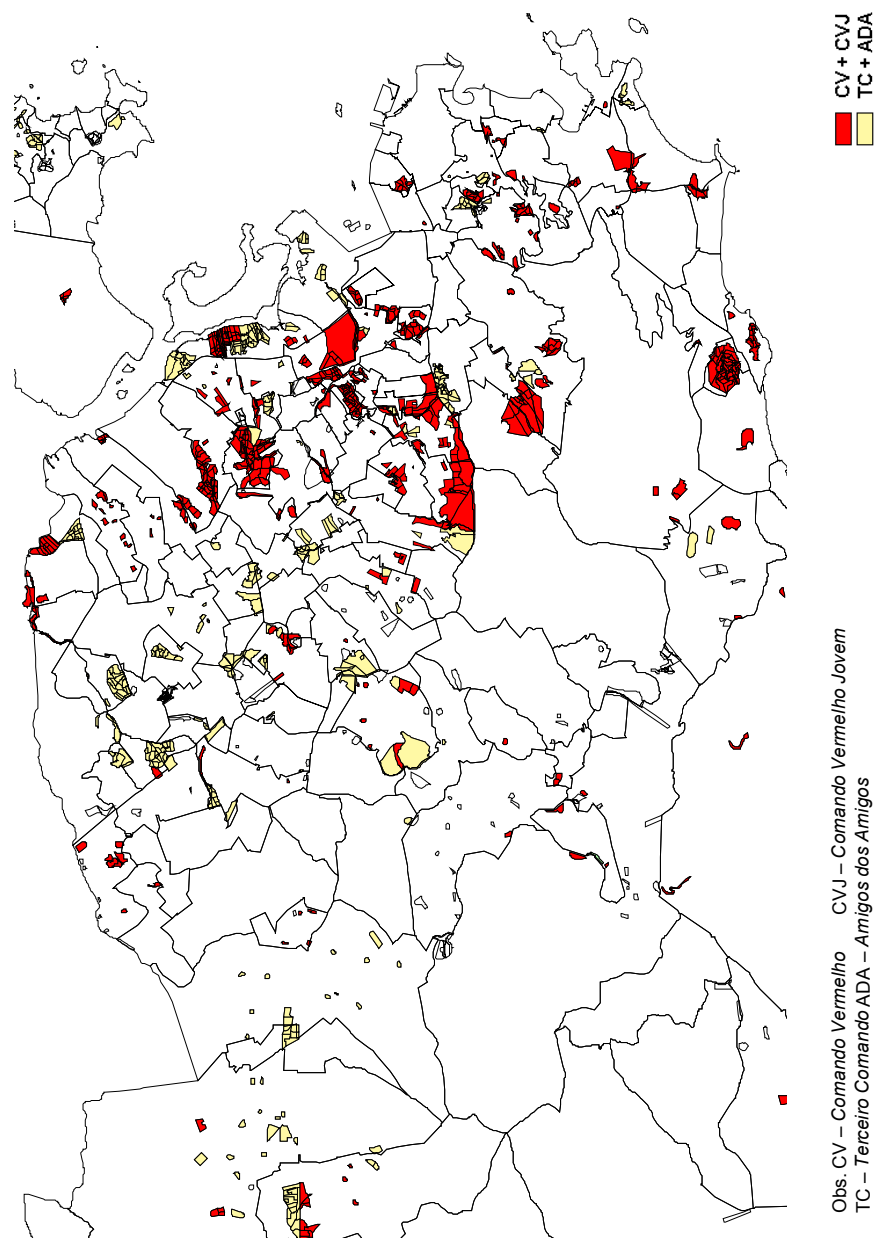


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## ANNEX – MAPS

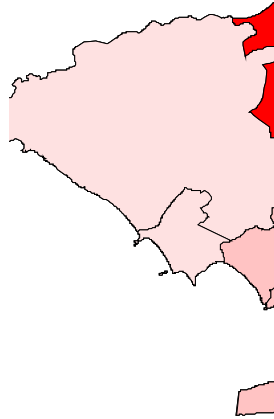
Map 2a – *Favelas* dominated by rival drug factions in Rio de Janeiro



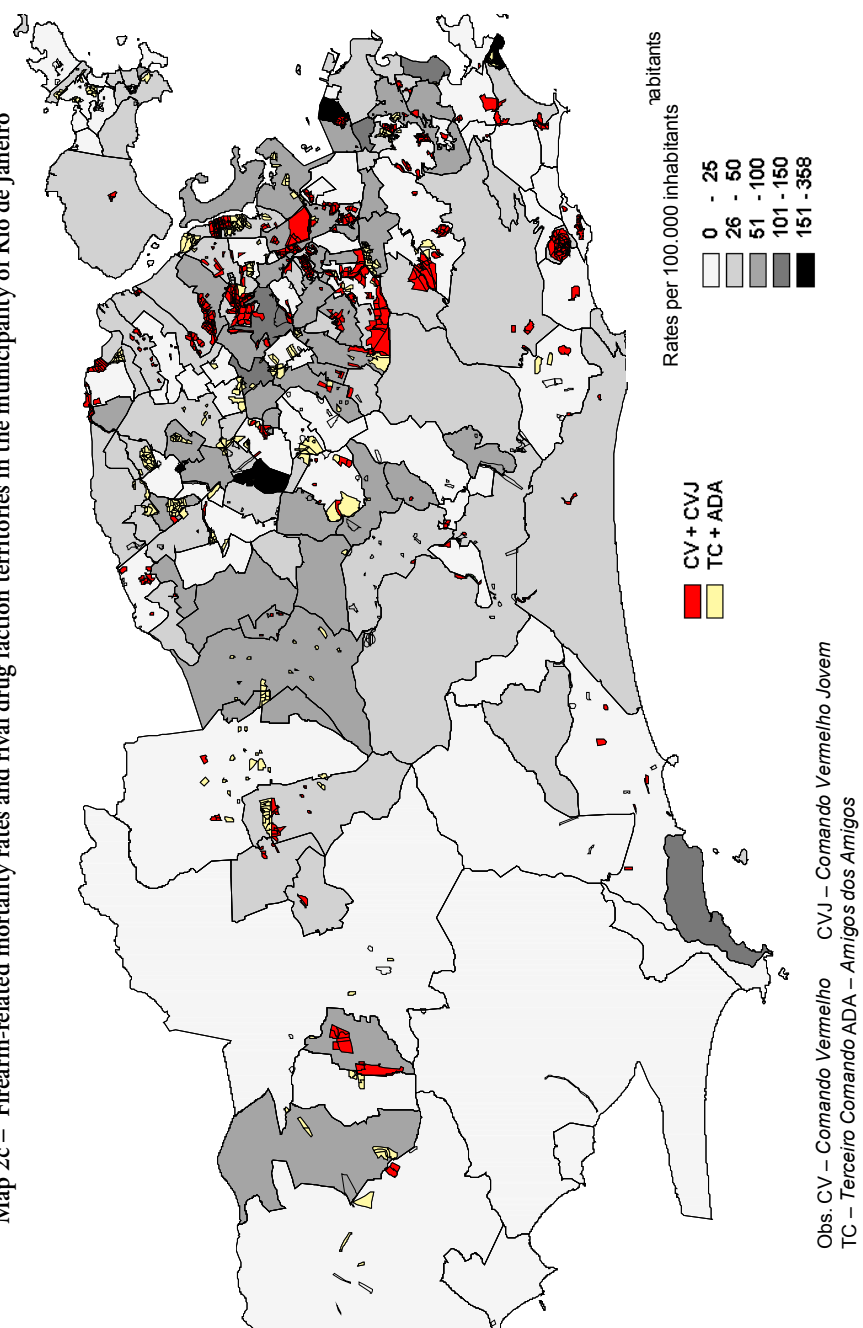
Map 2b – Firearm-related mortality rates by neighborhood in the municipality of Rio de Janeiro (general population)

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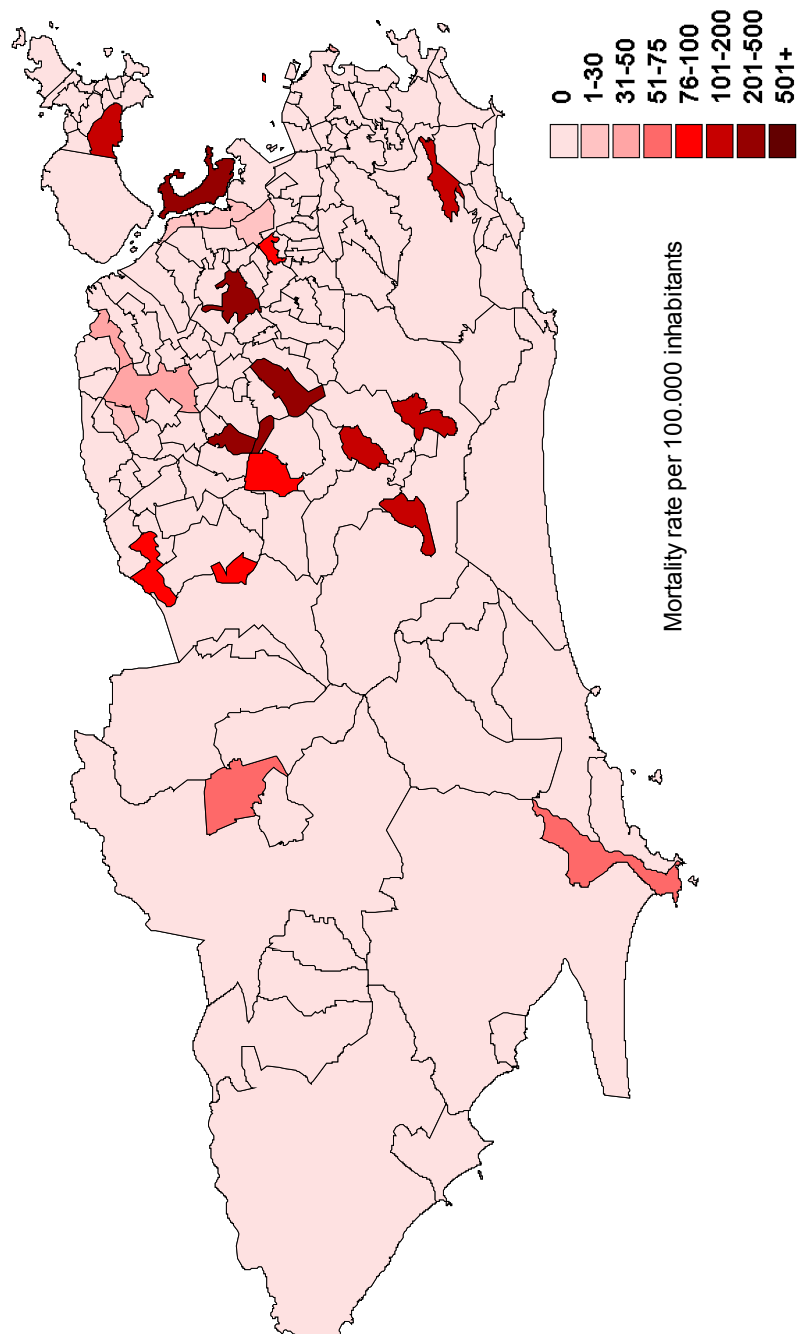
Mortality rates per 100.000 inhabitants



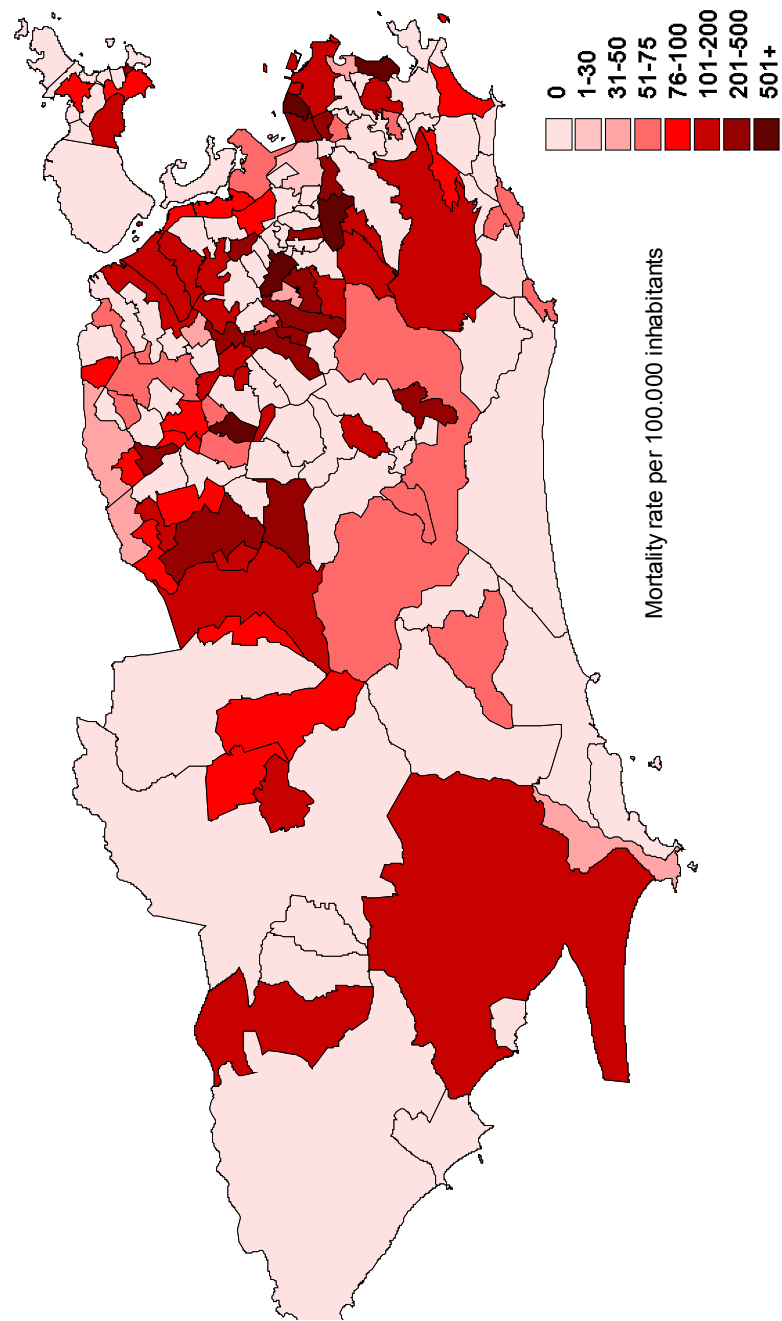
Map 2c – Firearm-related mortality rates and rival drug faction territories in the municipality of Rio de Janeiro



Map 3a – Firearm-related mortality rates of adolescents (13-14 years of age) by neighborhood in the municipality of Rio de Janeiro



Map 3b — Firearm-related mortality rates of adolescents (15-17 years of age) by neighborhood in the municipality of Rio de Janeiro



Map 3c – Firearm-related mortality rates of youths (18-20 years of age) by neighborhood in the municipality of Rio de Janeiro

