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## **Organized Crime 'Made in Brazil': the Primeiro Comando da Capital (PCC) as a Transnational Violent Non-State Actor**

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### **ABSTRACT:**

This paper aims to analyze the evolution of criminal organization 'Primeiro Comando da Capital' (PCC—First Command of the Capital) in light of Peace Research, especially concerning its transformation from a group advocating human rights to a transnational violent non-state actor. Created in the late 1990s by violent criminals jailed at Taubate Prison, PCC is well known by its attacks in Sao Paulo, Brazil. In May 2006, after orders of PCC leaders, around 50 prison rebellions erupted and 251 attacks in one week resulted in 90 buses torched, 453 dead and 53 wounded among police officers, civilians, suspects and criminals. Since then, the group continues highly operative, also coordinating drugs and arms smuggling in Brazil and abroad. To study PCC's case, a combination of sources supported the analysis—mainly Brazilian official judicial reports, NGOs works focused in PCC violence and news released from reputed sources. The paper shows an even more worrying expansion of PCC. Its activities have gained strength, also expanding operations in cooperation with criminal groups in South America. The results suggest that PCC's expansion takes advantage of structural violence seen in South America, which in its turn negatively affects the building of a peaceful society.

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“Transnational networks create vectors of violence that blaze trails of death and destruction through some of the world’s most vulnerable regions. Crime prevention is conflict prevention: together they build safer and healthier societies (...). Together, let us prevent drug trafficking and organized crime from threatening international peace and security and all our hard-won work, across our agenda” (*Ban Ki-Moon at 6277th Meeting of UN Security Council, Feb. 24th 2010*).

## 1. Introduction

Created in the late 1990s by violent criminals jailed at Taubate Penitentiary, the *Primeiro Comando da Capital* (PCC—First Capital Command) is a criminal organization known by its attacks in Sao Paulo, Brazil. In May 2006, after orders of PCC PCC leaders (in the prisons’ slang, the *sintonia fina geral* – general final tune), around 50 prison rebellions erupted and 251 attacks in one week resulted in 90 buses torched, 453 dead and 53 wounded among police officers, suspects, civilians and criminals (Adorno and Salla 2007: 7-8; Biderman et.al. 2014: 4; Resk 2016). Since then, the group continues highly operative, also coordinating drugs and arms smuggling in different parts of Brazil and abroad (MPF-SP 2015; Neher 2017; Ribeiro 2016).

The social dynamics of PCC within the prisons controlled by the group were extensively analyzed in last ten years by sociologists and anthropologists (see Bailey and Taylor 2009; Dias and Salla 2013; Dias and Drake 2016; Dias and Salla 2017; Biondi 2017; Biderman et.al. 2014). Nevertheless, is not seen in literature a more thorough analysis of how PCC structured and moved *beyond* prisons to become an important transnational violent non-state actor, becoming a threat for regional peace.

Addressing this gap, this paper aims to analyze how PCC has changed its operations from a criminal group advocating human rights in São Paulo’s prisons to an important transnational violent non-state actor. The study is conducted in light of Peace Research discussions, especially the concept of violence and the role of non-state actors. A combination of sources supported the interpretative

analysis of the case. Narratives of Brazilian judicial reports—like provided by Brazilian Prosecutors Office and General Attorney—were analyzed in combination with open sources, especially the reports of InSight Crime Foundation and reputed newspapers focused in PCC operation since 1990s.

The paper is structured in four parts. After this introduction, it is presented how Peace Research can be connected with transnational organized crime (TOC) debates and the conceptual debate on transnational violent non-state actors as threat to peace. The third part begins with an explanation of methods and sources applied for research, followed by an explanation about PCC evolution in two categories: structuring and evolution of PCC, and how the criminal group can be regarded a transnational violent non-state actor. The concluding remarks summarize the findings and suggest new paths for research on PCC and transnational violent non-state actor.

## *2. Conceptualizing transnational violent non-state actors as threat to peace*

Since its genesis as a new trans-disciplinary field of knowledge, Peace Research places conflict and violence at the center of its analysis (Wallensteen 2001; Galtung 1996). Although the field has been established primarily in the examination of intra or inter-state armed conflict and its multiple variables, I argue here that the field of Peace Research contributes with concepts that are key to understanding the impact of TOC on the peace of regions plagued by its constant presence<sup>2</sup>.

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<sup>2</sup> It should be noted that TOC is not necessarily a violent phenomenon. There are cases of crimes that cross borders, have a strong organizational component, but do not necessarily use coercive instruments to carry out their acts. One of the examples would be some forms of cybercrimes, which when performed virtually do not necessarily involve the physical destruction of objects or individuals. However, the crimes committed by transnational illicit organizations commonly use violence or threats of all kinds, such as injuries, abductions and even a significant number of deaths.

## *2.1. Transnational Organized Crime, Violence and Peace Research*

One of first and more visible consequences of activities lead by organized crime is the direct violence, an action “that is physical and readily apparent through observable bodily injury and/or infliction of pain” (Barash and Webel 2002: 7). To overcome this direct violence is just the first step to affirm that a society suffering from the effects of organized crime goes to peace—in this case, negative peace (Galtung 1969).

This violent context can be understood both in a security and peace approach. As stated by Johan Galtung, under a security-based bias, organized crime would compost of an evil party, with strong capability, an evil intention and a clear present danger of violence, real or potential. Only strength could deter or defeat the evil party, in which producing security would be the appropriate approach to ‘peace’ (Galtung 2007: 23). In such context, the main objective is defeat TOC, not being important to deal with the structures of the society that fuel this criminality.

However, the important concepts that comprise Peace Research can be critically reread when one wants to understand the spiral of violence generated by crime. Under a peace-based bias, the existence of organized crime can be understood as a manifestation of a conflict which has not been resolved/transformed. Eventually this crime is rooted in unequal social structures and the cultural alienation of a given social group. Only a conflict transformation, empathic-creative-nonviolent can produce peace, which is the best approach to ‘security’ (Galtung 2007: 23). Consequently,

[t]he peace argument against the security approach is strong: it works like a bandage over a festering wound. The conflict formation of parties with goals with too many incompatibilities has to be transformed into a peace formation by bridging the legitimate goals nonviolently, empathically, creatively. An untransformed conflict will reproduce violence sooner or later. Not going to the roots, transcending the contradictions, leads to a spiral of violence and counter-violence (Galtung 2007: 23).

In the case of violence related to TOC in Latin America, these contradictions involve a permanent context of inequality, prejudice and poverty. Hence, not only direct violence must be transcended, but also structural and cultural. It is necessary to understand that direct violence—like crime-related homicides—is an event resulting from violent processes present in the structure of society (structural violence)—like the unjust structures that disseminate inequality and poverty—which are strengthened by cultural elements that permanently disseminate violence (cultural violence)—like the prejudice against afro-Brazilians and the inhuman treatment of detainees (Galtung 1990: 294). Hence, here we understand that the criminal activity must be interpreted as “symptoms of a deeper human insecurities arising from underdevelopment and lack of economic opportunity rather than as destabilizing security challenges that can be thwarted only through international cooperation”(Battersby and Siracusa 2009: 123). Only with the significant reduction of all vertices of a violence triangle (see **Figure 1**) can positive peace be achieved.

**Figure 1:** Violence triangle



Source: Galtung (2004).

In contexts of high structural and cultural violence, TOC finds a mass of unemployed young people, mostly living in peripheral regions with high levels of poverty, and constantly victims of a defined framework in which the tensions of society reproduce a historical structural violence. Moreover, they live daily the cultural violence of elites against blacks, natives, pardos and other minorities. Not surprisingly, it is precisely in the unequal America’s continent that this context is

maximized, in which TOC finds more force and lethality, often replacing the legitimate state's monopoly of violence (Ferreira 2016; Geneva Declaration, 2015).

Lastly, as said by Schnabel (2014: 22), “particular attention must be paid to the role of armed violence and its potential for escalating existing and creating new waves of direct and structural violence”. This is the case of PCC in Brazil. This criminal organization uses the structure of inequality as argument to co-opt new members, however also reproduces the violence—structurally and directly. As a violent non-state actor with international branches, it born from a context of structural violence, develop using direct violence and continue to reproduce arguing a struggle against the violence ‘*do sistema*’-- ‘of system’, or the society with its unequal structures.

## 2.2. *Defining transnational violent non-state actor*

The process of globalization accelerated after the fall of the Soviet bloc has given to criminal groups an opening up for communications and facilitation of financial transactions that have resulted in an increase in illicit activities of different kinds (Zabyelina, 2009: 11). In addition, globalization also changes the characteristics of this activity, which ceases to be hierarchical and highly centralized to become organized in networks, emulating licit markets and making them more difficult to tackle (Capie 2016: 213; Zaluar 2008).

Within this context, the governance standard setting is “no longer the exclusive domain of states or governments” (Peters et.al. 2009: 1). A diversity of actors can now communicate more effectively and disseminate new standards of governance. However, most troubling is when violent non-states actors establish “norms” for the society and uses oppression tools to achieve their aims, challenging not only the state but also the peaceful coexistence for a society.

The simple definition of *non-state actor* can be helpless if it comprises actors which apparently “only have in common that they are not the state, and not governmental” (Peters et.al. 2009: 14). In general, in the definition we broadly include trans and multinational corporation, non-governmental organizations, intergovernmental and regional organizations and violent actors as guerrillas, gangs and criminal groups. Trying to avoid the ambiguity *non-state* concept, this paper focus on a very specific kind of non-state actor: one which operates transnationally and uses violence as tool to achieve their aims. Robert Mandel (2013: 42) defines armed non-state actor

[...] as relatively autonomous organizations (not under complete and direct state control) with significant and sustained coercive capabilities for organized violence. This definition contrasts with that of the state – formal political institutions possessing the power to control a fixed bounded territory through enforcement – and excludes critical, normally noncoercive private groups, such as multinational corporations, religious movements, and humanitarian organizations.

Moreover, as said by Ulrich Schenecker (2006: 25) such groups have three additional features. First, they are will and able “to use violence for pursuing their objectives”, second, also are “not integrated into formalised state institutions such as regular armies, presidential guards, police or special forces”. Thirdly, “it possesses a certain degree of autonomy with regard to politics, military operations, resources and infrastructure” (Schenecker 2009: 8).

Among these groups we can find different typologies, like militias, paramilitary forces, rebels and guerrilla fighters, warlords, terrorist groups, private security forces and organized criminal groups (see Schenecker 2006; Schenecker 2009; Mandel 2013; Koonings and Kruijt 2004). The last is the case of Primeiro Comando da Capital (First Capital Command–PCC), but with two additional distinctive features.

First, when we analyze the operation of PCC we can see that it is a non-state group that operates not only domestically, but has branches in several Southern American countries. Thus, can be

regarded as *transnational actor*, given it operates in drug trafficking and violent actions not only in their home country, but also in Paraguay, Bolivia and allied with violent groups in Colombia. Their business has as end consumers Europe and North-America, using also as transit West Africa.

Second, while it is also an armed non-state group, I argue that such definition is not sufficient to categorize PCC. In light of Peace Research framework, one do not need only to be armed to disseminate violence and impact in the quality peace of a given population. It is not only the arms that make it dangerous and a threat for peace. In several neighborhoods and regions where PCC is strong, the group does not use armed force (direct violence) as tool to control. The exploitation of structural violence to keep strong—as PCC does hiring young people to its business—and the cultural violence against others gang groups or *neutros* (neutrals) as seen in the alienation of both in prisons, make it more than a simple armed group. To make people fear PCC, it is sufficient the simple threat of use of force by a criminal organization that in 2006 paralyzed an entire metropolitan area of almost 20 million inhabitants. In resume, it uses not only physical violence, but all vertices of violence triangle to keep control of its activities and undermine human dignity, predictability and security of populations where PCC control—the three pillars of quality peace (see Wallensteen 2015: Chapter 1).

Given such context, PCC can be defined as an *transnational violent non-state group*. It operates transnationally, uses violence in its three vertices to keep and expand its criminal activities and has the same features of an armed non-state actor. In other words, it is a group that is not only armed and without control of the state, but also transnational and violent broadly speaking—not only a group that use exclusively direct violence.

The operation of a criminal organization as PCC is not a novelty in the peace and security debates. The growth and performance of organized crime has become such a serious problem that the



United Nations Security Council<sup>3</sup> recognized the issue as a threat to peace and security. The organized crime has the capacity to weaken peace in some of the world's most vulnerable regions and even more so the peace-building processes in post-conflict societies (UNSC 2010b; Moon *apud* UNSC 2010a).

Although the numbers of deaths are difficult to precise, the few statistics available help us get a picture of how worrisome is the impact of organized crime to peace. According to the report *Global Burden of Armed Violence 2015*, 70,000 deaths were registered from violent deaths from 2007 to 2012. In the same period, regarding all homicides, 75% occurred intentionally, resulting in 377,000 deaths related to interpersonal violence, gang violence and economically motivated crimes (Geneva Declaration, 2015: 51-53). Such data shows the relevance of regard TOC in Peace Research analysis not only for conflict and post-conflict zones, but also for the manifestation and causes of violence in middle-income countries such as Brazil, in which the operation violent non-state armed actors as PCC are key triggers of violence.

### *3. Analyzing the Primeiro Comando da Capital as a Transnational Violent Non-State Group*

In the following pages is provided an analysis of how PCC structured from a criminal group restricted to advocate prison rights to a transnational violent non-state actor. To examine this particular case, it was used the case study methodology (unique case). As explained by Stake (1995), the case study is adequate for analysis of particular cases and put emphasis in interpretation, the most distinctive characteristic of qualitative inquiry (Stake 1995: 8). The research focused in analyzes and interpret the following question:

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<sup>3</sup> A "criminal organized group" is defined by Article 2 of the United Nations Convention against Transnational Organized Crime (2000) as a structured group of three or more persons, existing for a period of time and acting together for the purpose of committing one or more serious crimes to obtain directly or indirectly material or financial benefits (UN, 2000).

*Q<sub>1</sub> — How Primeiro Comando da Capital (PCC) structured from a prison gang to a transnational violent non-state actor, taking advantage of violence in its multiple vertices to expand its operations?*

As Frida Möller (2011: 74) suggests, when dealing with violence as level of analysis, news and narratives are two key sources of information for the researcher. It is understood here that is difficult to conduct field research to analyze an actor as a criminal group, which act secretly to avoid accountability with criminal law. Thus, for an adequate interpretative analysis made in light of Peace Research concept of violence, a combination of sources were investigated. Firstly, were examined the narratives of judicial reports, especially from Brazilian Federal Prosecutors and General Attorney. Second, news from different sources were explored aware that “news resources provide unrivalled coverage and amounts of information”, however also regarding that “it is always a good idea to combine news reports with other types of sources” (Öberg and Sollenberg 2011: 71). Among these other sources, were selected for analysis publications from experts in organized crime in Brazil and InSight Crime reports, linked to American University’s Center for Latin American and Latino Studies (CLALS).

The period chosen is from 2006 to 2016, comprising the year of striking violence of PCC attacks until the present. Given the study aim to explore the evolution of PCC, the inference and interpretation are organized subsequently in two categories: a) “Structuring and evolution of PCC” and; b) “PCC as a transnational violent non-state actor”.

### *3.1. Structuring and evolution of PCC*

The PCC was created in Aug, 31 1991 in Taubaté penitentiary, Sao Paulo state, by a small group of eight prisoners in a very rigid regime in which inmates were held in the solitary for long periods (Dias and Darke 2016: 217-218). The group began to show its force and high level of

organization in rebellions in Hortolândia House of Detention and in Penitentiary I at Tremembé in 1995. Nevertheless, a mega-rebellion in 2001 organized simultaneously in 29 penitentiary involved 28,000 prisoners, impacting authorities and showing a unique organization of a group neglected by authorities (Adorno and Salla 2007: 4; Pimenta 2006: 193; Bailey and Taylor 2009: 14). According to Dias and Salla (2013: 397), despite the severity of the revolt, the resultant deaths, and the shock of a coordinated mutiny within prisons in different cities, “this mega-rebellion did not exceed the boundaries of the prison facilities”.

It was five years later, in May 2006, that PCC performed an action that transcended the terror of prisons to the streets. The city of Sao Paulo, Brazil—the second most populous metropolitan area in Latin America and the first in South America—was paralyzed by coordinated attacks against authorities and the civilian population. The attacks were prompted by the change of one of PCC leaders Marco Willians Herbas Camacho (a.k.a. Marcola) and other criminals to maximum security prisons in Presidente Venceslau city. Between 12-14 May, after orders from PCC leader (in the prison slang the *sintonia final geral*, general final tune), 51 prisons mutineered, 251 terror attacks resulted in 90 buses set on fire and 42 policemen and prison officers killed. The strong response of the security forces created numerous criticisms of the Brazilian press and human rights institutions. Considering the aftermath of events, in which military policy used extensively violence against suspects and innocents as retaliation, until 20 May a total of 493 deaths were registered—451 of them civilians—and 4 disappearances (see Adorno and Salla 2007: 7-8; Biderman et.al. 2014: 4; Resk 2016).

The violence was controlled after direct negotiations<sup>4</sup> of Sao Paulo state government with PCC. Since then, the group has grown its influence in Sao Paulo state and beyond. In Sao Paulo city, for

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<sup>4</sup> As affirmed by Bailey and Taylor (2009: 17), “although politicians and public officials have denied any negotiations, there are some signs of tacit agreements between public officials and the gang leaders (...). Marcola later told Radio Record that the state authorities negotiated with him to end the May attacks, and other meetings may have taken place later in the year to enforce this truce”.

example, a research conducted by a group of experts, concluded that 7% of city was under PCC control in 2009, especially in the *favelas*<sup>5</sup> (Biderman et.al. 2014: 4). Nowadays, is not surprising if the area controlled by the group is even larger. Moreover, while not with same concentrated intensity as seen in May 2006, PCC has performed in 2012 a series of attacks against policemen after a clash between police and criminals that resulted in six PCC members killed. In retaliation, 106 police were killed along the year (Estado de São Paulo 2012).

From 2006 to here, an organizational change has been seen in PCC. The expulsion of the vice leader, Jose Felício (a.k.a 'Geleirão') after disagreements with Marcola impel for the emergence of a new “mission” (see Marques 2010: 322-323). According to Karina Biondi,

Marcola has promoted the insertion of 'equality' into the motto and practices of the PCC, which has undergone profound changes, among which are the extinction of leaders who exercised power over the other members. These transformations—which never cease to be transformed—are as antidotes to any manifestation of command or any relationship that comes to try to change the principle of 'equality' (Feltran et.al., 2010)

In that context, the PCC operates within an 'umbrella' of 18 members called *sintonia fina geral*. Below them are the so-called *torres* (towers), criminal types that control the areas according to the telephone codes of the region where they live, especially in São Paulo state. For example, in telephone areas that are too large (such as area 11, which involves the entire metropolitan area of São Paulo), there are so-called *disciplinas* (disciplines) under the *torres* areas. There is also a leader of *disciplina* in each jail in São Paulo (Feltran et.al. 2010). Even though PCC claims there is not a central

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<sup>5</sup> “Favelas are geographically well delimited areas of precarious urban dwellings normally – but not always – characterized by the lack of formal property rights over real estate, absence of basic public infrastructure (...) and, more generally, lack of the state presence. Not surprisingly, Favelas have always been prime spots for street drug markets in Brazil, as well as a safe haven for drug dealing gangs” (Biderman et.al. 2014: 4).

leadership, Marcola would be a maximum leader of organization according state authorities (Marques 2010: 312).

Although at first the structure above may seem hierarchical, actually all instances (*finais, torres* and *disciplinas*) are interchangeable and in the philosophy of the PCC all criminals must be prepared to assume a position of leadership for a period—depending on the threat of the security forces against the organization. Hence, “although one PCC member (the *Sintonia Geral Final* [...]) is in overall charge of a prison, all managerial decisions are made collectively” and “almost all prisoners participate in the PCCs quasi-legal process of adjudication” (Dias and Drake 2016: 220).

This structure provides a unique code of conduct that establishes the patterns of power interaction in different settings under PCC control. The outsiders of this code, as are the *neutros* (prisoners not affiliated to PCC) and gang members of other groups, are subject to a cultural violence within prisons. The alienation of these individuals can easily move towards direct violence depending a given context, like a rebellion, a conflict for power between factions or a clash between prisoners and penitentiary agents.

Furthermore, not only a specific power structure is seen in PCC, but also a consistent ideology constructed along the years that is adapted according new contexts. With the motto “liberty, justice and peace”, the *Estatuto do PCC* (PCC Statute) that circulated largely in several press agencies since 2006’s attacks reinforces the 'loyalty' to the founders of the group and address critics to the public policies—or the lack of them—in the Brazilian prison system. Prisons are called 'concentration camps', a similar language used by other criminal group, *Comando Vermelho* (CV—Red Command), in the 1980s in Rio de Janeiro (Centro de Mídia Independente 2006).

Reading PCC statute becomes clear the inspiration of language in left wing groups operatives in 1960s and 1970s, as seen in the jargon and terms used. This inspiration comes in two ways. First, of

the leaders, Marcola, is admittedly a criminal concerned to use his time in jail to read political and militant writings, while he does not label himself as a Marxist or similar. On the other hand, there is a strong influence of the leftist Chilean kidnapper, Maurício Hernandez Norambuena, at the beginning of PCC history, especially in the contact with leaders of the faction<sup>6</sup>. According Fátima Souza, a journalist with a large experience covering PCC activities, Norambuena "(...) taught to PCC some of the guerrilla tactics they learned from the Colombian FARC" (Souza, 2011), especially when jailed together with some *sintonia final geral* members in the penitentiary of President Bernardes in 2006 (Galhardo 2012).

Nowadays, the PCC has become an organization that operates beyond the prisons where it has emerged. Its structure has allowed to have control of drug trafficking in different parts of Brazil, either directly or indirectly. One of reasons that made PCC consolidate its structure is the elimination of rival groups. To reach the hegemony on prisons like PCC has nowadays—according to sociologist Camila Nunes Dias, 90% of prisons in the state of São Paulo are dominated by the PCC (Estado de São Paulo, 2010)—a strong use of direct violence was needed. As explained by Dias and Salla (2017: 22),

At first, direct and explicit physical violence, including murder, had enormous symbolic power and was an important strategy to demonstrate the group's strength. Eventually these means of the use of violence gave way to more streamlined forms of punishment in which violence — although always present — was subsumed in control practices on the body, on the behavior, on the thinking. In this process physical violence, especially death, was gradually established as a possibility and not as a *fait accompli*.

In addition, emerged the creation of *debates* (i.e., trials conducted according PCC code) with the function of making corrective procedures against individuals that are an obstacle for the criminal

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<sup>6</sup> Maurício H. Norambuena was head of the Chilean leftist group Front Patriotic Manuel Rodrigues (FPMR). Convicted of various crimes in his native country, he fled in 1996 to Brazil and was the leader of the kidnapping of the businessman Washington Olivetto in 2001. He is currently jailed in Campo Grande, Brazil.

organization. The *debates* often serves to eliminate enemies of the faction, as prison agents who no longer cooperate with the organization, members who betray it, and individuals involved with crimes not allowed by the code of conduct of the PCC, like rape of women, pedophilia and corruption/misconduct in the financial management of drug trafficking.

Although the existence of PCC *debates* was known in prisons (see Marques 2010), it came out to public in April 2008 when the press reported the killing by sword hits of 4 pedophiles in São Paulo city. Numerous other similar crimes of the PCC *debates* have been reported and investigated, especially after the arrest of the main leader of this ‘tribunal of crime’, Luciano Rodrigues, in 2010. Within this context, in addition to the state and legal justice, a resident of territories under PCC control

tends to identify as instances of authority capable of doing justice (...) members of "crime" and, above all, of the PCC, progressively legitimized as custodians of the "law" (also called "*ética*" [ethics], or "*proceder*" [proceed]), based on customs that govern the conduct of the "bandits" wherever they live, or by slum dwellers in which they are considered as authorities (Feltran 2010: 59)

In some *quebradas* (neighborhoods) with a high crime rate, the *debates* are seen as positive by the population due to lack of state control and police truculence—or in other words, it is seen as an effective response for state’s structural violence. Some quantitative works see a possible correlation of *debates* in the decrease of homicide rates in São Paulo. On one hand, for Biderman et.al. (2014: 15), the rate dropped 7% in *favelas* dominated by PCC. On the other hand, Justus et. al. (2016) suggests that the PCC ‘courts’ would not be the main variable in homicide rates decrease, being necessary more research about the issue. Independently of these data, the fact is that gradually was seen in several areas under PCC control the substitution of an inefficient state monopoly of force by a violent non-state actor operating with a parallel law respected by population, sometimes fearing PCC, and others seeing the group more reliable than an oppressive state. Consequently, the “tribunals of crime” can be

seen as a symbol of consolidation of PCC violence in which not only direct violence becomes the law *de facto*, but also effectively disseminate the organization perspective of how to use violence.

Paradoxically, “it is the certainty of the use of violence, inherent to a scenario of consolidated power, which makes its actual use unnecessary” (Dias and Salla 2017: 22). Furthermore, it is precisely this consolidation of power controlling drug trafficking in the wealthier state of Brazil, São Paulo, that makes possible a gradual expansion of a local violent non-state actor to a transnational one.

### 3.2. PCC as a transnational violent non-state actor

After PCC’s 2006 attacks, there has been an increase in the organization and coordination of criminal activities in different parts of the state of São Paulo. Even more worrying, these activities have gained strength in other areas of the country and have involved other countries in the Southern Cone. In 2011, from 26 states of Brazil, 16 has the PCC’s presence (Folha de São Paulo 2011). Currently, there are registered operations of PCC in all states and the Federal District (Hisayasu 2016b)

The group operation outside São Paulo state is made with the formation of criminal cells under other names. However, all of them would be under the leadership of the São Paulo’s group with names such as *Primeiro Grupo Catarinense* (First Catarinense Group) and *Primeiro Comando do Maranhão* (First Commando of Maranhão), just to mention to examples. There are two kinds of connections: association with local criminals, with exchange of personnel, arms and drugs and; legal and financial support to relatives of detainees under a monthly payment and loyalty to the group when the individual is released from prison (Folha de São Paulo 2011).

One of the main triggers of PCC’s association with criminals in other states was the misconceived public policies against the group. After 2006, it was put in practice a higher repression



and the transfer of key PCC members to federal penitentiaries far from São Paulo, however without isolation from other criminals. The Marcola itself has passed through the prisons of Rio Grande do Sul, the Federal District, Goiás and Minas Gerais; in his visit to Brasilia, he created the *Partido do Direito e Liberdade* (Freedom and Right Party—PLD), a violent faction that even charred enemy detainees in rebellions (Gentili 2017).

The result could not be different: the policies brought as collateral effect the interaction of locals and disorganized criminals with a group with a statute, a culture and a clear proposal to struggle for detainees rights. Numerically, the impact of these PCC leadership expansion “sponsored” by state is astonishing: according wiretapping conducted by Brazilian prosecutors, the PCC has ‘baptized’ (*batismo* is the term used by PCC itself for describe new enrollments) 607,000 individuals along his history in the five Brazilian macro-regions, or 3,5% of current detainees in the country, in which around 10,000 are operatives (Gentili 2017; Hisayasu 2016).

Among this impressive number of *batizados*, it is expected that several of them has died or defected from group along the years. Even if the numbers are much lower, remains a huge number of members that contribute with workforce and financially to PCC. Grounded in data provided by criminal prosecutors, can be affirmed that 80% of PCC profits comes from drug trafficking of approximately 40tons of cocaine/year, totalizing US\$200 million/year. The remaining 20% are resulted from bank robberies, kidnappings, arms trafficking and raffles for detainees and the monthly stipend (around R\$600,00) paid by 7,000 prisoners and families in exchange of protection. Just as example, in a PCC financial sheet confiscated by police recently, are described the payment of R\$1,8 million for lawyers only in São Paulo state (Hisayasu 2016a).

Thus, according to public procurator Márcio Sérgio Christino, in the last 10 years PCC

not necessarily has grown, but has changed. They had a more limited profile, more politicized, with a discourse in defense of the rights of the prison population. Over time and with criminal actions, the 'party' has mutated until where it has now arrived, with a dynamic like a large company, but with a focus on trafficking, which allows continuous collection [of funds] (Christino cited by Hisayasu 2016a).

This economic expansion is hand-by-hand with geographic dissemination of PCC. As affirmed by Hisayasu (2016b),

the financial power of the PCC directly reflects in its geographical power. As the organization's revenues grow, so do its territorial boundaries. While in 2013, after three and a half years of investigations, the State of São Paulo Prosecutors concluded that the faction spread to 22 states, the Federal District, Bolivia and Paraguay, today the PCC is present in all 27 units of the Brazilian federation and already has bases in Argentina, Peru, Colombia and Venezuela.

The expansion began creating bonds with local drug traffickers, which in turn gains influence in the 'party'. The script were similar to PCC expansion in prisons: without the same mission, organization, financial and human resources structure, groups and powerful criminals were gradually absorbed by the group. Firstly, PCC projected its power in the states around São Paulo, mainly the ones bordering Paraguay, Peru and Colombia, where according to justice it operates even before 2006 (MPE-MT 2014). The next step inevitably would be internationalizing the criminal organization.

In their ethnographic research on crime on borders, Giovanni and Costa (2012: 144) noticed that since 2001 PCC has been operative in Brazil-Bolivia borders. However, in 2006 the international links of PCC were publicized by authorities, especially when the former governor of São Paulo state, Claudio Lembo, recognized that "(...) the existence of this organization is not a local phenomenon of São Paulo, neither national: it is international" (ABC Digital, 2011).

According to a comprehensive newspaper series of articles published by *Estado de São Paulo* to remember ten years of 2006 attacks, grounded in interviews with public prosecutors and judicial

investigation reports, the journalist Alexandre Hisayasu expressed that currently PCC is operative in whole Brazil and has branches in at least 8 countries, as can be seen in the **Figure 2**.

**Figure 2: Geographic presence of PCC**



Source: Hisayasu (2016b)

After expand to states bordering Paraguay, the next step were to operate in that strategic country for drug trafficking (Ramsey 2012). In 2005, the Brazilian Federal Judge Odilon Oliveira, Ponta Porã city (bordering Paraguay), displayed video recording evidences that FARC members were carrying out kidnapping trainings for PCC (United States 2008). The Colombian guerrilla had started to negotiate cocaine with two Brazilian gang leaders established in Paraguay, Luiz Carlos da Rocha (a.k.a. Cabeça Branca) and Carlos Roberto da Silva (a.k.a. Charles), both serving CV and PCC in the

period (Pinheiro 2006: 40). It was the first clear evidences of transnationalization of the Brazilian violent non-state group.

The next step was to put there one of its leaders. Fabiano Alves de Souza (a.k.a. Paca), the only member not jailed of *sintonia fina geral*, lives in the country at least since 2014 according the São Paulo prosecutors (Hisayusu 2016b). Furthermore, Paraguay is key for PCC arms supply, as demonstrated by justice investigations in last years by Public Prosecution Office (Procuradoria Regional da República 2011).

The structuring of the PCC in the State of São Paulo allowed him to control one of the two main drug export routes in the world, which starts with the transportation of the drug from Paraguay until reaching the main port of Brazil, in Santos. In 2014, a Federal Police operation called Oversea arrested PCC leaders who would have shipped drugs via containers to Europe and Mexico (Procuradoria Geral da República 2014). According to Attorney General Office in São Paulo, PCC operated in two cells, one of which was responsible for buying the drug in Colombia and Peru and another was in charge of logistics at the Port of Santos (MPF-SP 2015). In Europe, the distribution of drug is in charge of Italia mafia 'Ndrangheta, an ally in PCC business according Brazilian justice (MPF-SP 2015; Pachico 2014). Until 2016, according to Federal Police the link between PCC and local producers of cocaine in Peru, Bolivia and Colombia was José Esteyman Poveda, arrested in a cooperation between Colombian and Brazilian police in July 2016 and responsible to send more than 7,5tons of cocaine to Netherlands only in 2015 (Ribeiro 2016).

This well designed internationalization of PCC to Paraguay brought violent clashes with rivals and even ambushes against politicians. One important episode of violence conducted by this non-state actor were the attempted murder to Roberto Acevedo in April 2010, a Paraguayan senator

with a devoted agenda against drug trafficking. The attack with more than 30 rifle shots resulted in two deaths, the driver and the senator's bodyguard (Paro 2010).

Another episode of violence was the impressive attack against the Brazilian businessman Jorge Rafaat Toumani. Although the businessman was a prominent owner of tires and construction material shops, a series of investigations in Brazil linked him to drug trafficking and money laundering (König and Dyniewicz 2016). However, in the country he freely circulated without any charges from Paraguayan justice. Before his killing, Toumani had three attempted murder, all of them probably linked to control of drug trafficking in the border Brazil-Paraguay. In June 15, 2016, the fourth attempt had success: an ambush involving approximately 100 mercenaries serving to PCC, using arms of exclusive use of armed forces like anti-missile caliber .50 and rifles, transformed the downtown of Pedro Juan Caballero (Paraguay) a zone of war. While inside an armored SUV, Toumani could not resist the attack after been shot several times. After his killing the battle continued by four hours with burning of Toumani's shops and clashes between PCC mercenaries and businessman's bodyguards (König and Dyniewicz 2016; Benites 2016; Gagne 2016).

Both Acevedo and Toumani attacks had one common objective: the elimination of enemies that could affect PCC's control of drug trafficking to Brazil and even abroad. Furthermore, the attack that killed Toumani is seen as a turning point that begins a war between PCC and CV (*Comando Vermelho*) (see Martín 2016). Although the statute found 10 years ago expressed that CV is an allied "in the revolution of prisons" and an armed branch to become "the terror of the powerful" (Centro de Mídia Independente 2006), this alliance has changed with Toumani's killing because it represented an advance by PCC in Paraguay drug business.

Given PCC is used to operate in market monopoly, as does in São Paulo state, the CV's disorganization and concern with competitors in Rio gang war are now seen as an obstacle. According

to justice investigations, the split between the two largest criminal factions in Brazil are justified because unpaid debts of the CV when buying drugs and weapons, the armed conflict between CV and two other factions in the *favelas* of Rio—which affects directly the drug business—and the association of CV to rival criminals of the PCC in the North and Northeast Brazil (Martín 2016; Alessi 2016). According to an expert in public security in Brazil, Eduardo Fernandes, in this brutal war,

The CV has a large branch among other factions and has fought the expansionism of the PCC in search for new markets. Where the PCC tries to enter, it arouses the interest of competitors. It is a territorial and market dispute that reflects inside the prisons, because there, when they enter, prisoners need to join in order to survive (Fernandes cited by Sochero 2017).

Consequently, this clash with CV has brought a violent conflict that affects not only Paraguay, but mainly North Brazil. Four months after Toumani's killing, violent clashes in prisons begin killing dozens of people. The first was in October 16 riot in the Monte Cristo Agricultural Penitentiary in the state of Roraima, where 10 prisoners died—2 of them were beheaded—and seven of whom were members of CV, including his leader in North Brazil, Waldiney Souza (Clavel 2016; Alessi 2016). In the following six days, 12 more detainees linked to PCC were killed by *Família do Norte* (Family of North—FDN, an ally of CV in North Brazil) in Rio Branco and Porto Velho penitentiaries (LaSusa 2016; Stochero 2017).

However, it was two months later, in January 2017 that broke an unprecedented violence in the clashes between PCC and competitors. In only 15 days, 106 prisoners were killed in rebellions in Manaus, Natal and Puraquequara. The most brutal attack was led by FDN in the first day of 2017, in which 56 detainees probably linked to PCC died and had the corpses quartered and burned (Stochero 2017; Soto 2017). Instead to suggest clear policies to deal with a brutal violence, the state

response by the former Brazilian Ministry of Justice, Alexandre de Moraes<sup>7</sup>, was the same both in 2016 and 2017: minimize the conflict saying that was not a gang war and suggest unclear policies to deal with a complex challenge (Olliveira 2016; Wetterman 2017).

Beyond a revenge, actually the conflict in North Brazil prisons are also part of a drug market competition in a demonstration that Amazon drug route would not be easily controlled by PCC. The largest city in North Brazil, Manaus, is a trafficking hub to send drugs for Europe and West Africa (LaSusa 2016). Known as Solimões (or Amazon) route, the drug trafficking in North Brazil has been operated by smaller gangs—compared to PCC—that recently allied to CV, like FDN. To control this route would mean a monopoly of exports of cocaine and marijuana mainly to Europe, but also to North America.

It is exactly the control of the Solimões route that is at stake in the violent clashes in prisons in Oct. 2016 and Jan. 2017. Given PCC monopolizes the route Paraguay-Santos-Europe, the group sees as next step for expansion of its drug business the control of a route with high profitability and a key proximity with producers like Peru and Colombia, (Andreazza 2017; Severiano 2016; Neher 2017). In resume, as comprehensively explained by one of main journalists covering PCC operation in last years,

To achieve absolute hegemony in the country, the faction [PCC] works to build a network of contacts and strengthen itself in strategic points of Brazil: in the North, the focus is the states bordering with cocaine producing countries, such as Bolivia, Peru and Colombia (...). It is precisely in Mato Grosso do Sul and Paraná that border with the neighboring country, that the PCC's influence is stronger outside São Paulo. From the border with Paraguay, the faction carries drug shipments to supply the domestic

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<sup>7</sup> Indicated for Brazilian Supreme Court in February 2017, Moraes is a lawyer that worked also as Secretary of Public Security of São Paulo state (2015-2016). As lawyer, he defended Transcooper, a cooperative of public transportation accused to be a front company to PCC's money laundering. Although there is an ethical discussion about a Minister of Supreme Court that has served as lawyer of a criminal company, there is no proven links between Moraes and PCC. For an analysis about this topic, see Miranda (2017).

market in the Southeast and South of Brazil, and also to export to Europe and Africa (Alessi 2017).

Hence, it is expected that violence to control Solimões route will continue. Firstly, because there is no evidence that FDN could ally to PCC in a near future, especially after the violence seen in January 2017. Second, there is a real possibility of PCC expansion towards FARC dissidents after the peace accord signed in 2016. According to Colombian Defense Minister Luis Carlos Villegas in an interview to The Wall Street Journal, the PCC is courting FARC dissidents to obtain heavy weapons and military training, while also hoping to expand into Colombian territory (Goi 2017; Jelmayer et.al 2017). The problem is that the conflict can be even more bloody in next months or years, given that “Colombia's southeast border is highly competitive criminal territory” and “PCC will likely confront other organized crime groups that are looking for ways to fill the power vacuum created by the FARC's demobilization” (Goi 2017).

Thus, unfortunately the scenarios for next years are not optimistic. To build a more peaceful Brazilian society can be even more difficult with the growth of PCC, given it is a transnational violent non-state actor with a powerful “sustained coercive capabilities for organized violence” (see Mandel 2013: 42). More worrying, this organized violence operates not only directly, but also taking advantage of structural violence to monopolize drug market and create a new culture for criminals. In resume, when analyzing PCC operations can be noticed that it is in a level beyond an ordinary gang crime. In the case of PCC we are talking about the dominance of a group substituting the state—even territorially, as shown by Biderman et.al. (2014)—and in conflict with other groups, providing a violent scenario in different spots of Brazil and neighbor countries for the following years.



### *Final remarks*

Tracing the evolution of PCC, it is noticed that the faction has undergone intense transformations since its first violence acts came out for the public in the rebellions of 2001 and the 2006 attacks in São Paulo. It began as a group advocating human rights in São Paulo state penitentiaries and now has transformed into a complex transnational violent non-state actor that controls one of the main drug export trafficking routes in the world, providing tons of cocaine and marijuana for the entire world. Moreover, it is involved in brutal violent clashes to control another key drug route in the Solimões River.

Along its history, the fertile ground for crime has been especially the high level of poverty and cultural violence of the state seen in *favelas* and poor areas. Without social justice, the crime justice prevails. PCC has established its *debates* and its culture of violence and fear beyond prisons, combining a code of conduct with an organized system to collect funds through drug trafficking, extortion and paid protection.

In such a scenario, it is urgent for public security forces to collaborate with good quality data for their intelligence sector. Today, there is a great need for cooperation and shared capacity building among the states of the Brazilian federation, as well with neighboring countries, given PCC is now a transnational problem. To deal with such a challenge, the first step is for the state to recognize the gravity of the problem and to think beyond a law and order approach. To minimize the problem, as made by former Minister of Justice Alexandre de Moraes (Weterman 2017), only gives room for a more ambitious PCC's expansion.

This challenging scenario cannot be dealt with simple responses. The presence and lethality of PCC has reached such gravity, that law and order approach needs to be combined with a conflict transformation approach. An approach dealing with three violence vertices (direct, structural and

cultural) is necessary to decrease the social tension in Brazil and interrupt PCC's expansion through violence. A beginning would be the state taking control of prisons, combining with a presence in *favelas* and poor areas through social policies and public participation that make crime not a good option for youth. While this assumption can be seen a utopia, the reality is that will not be a law and order approach that will solve the problem, neither just expanding prisons without a clear plan to transform detainees behavior. Complex problems demands comprehensive responses.

Lastly, it is expected that this paper opens new doors for discussion on crime and its impacts in peace. As noticed in previous pages, the paper suggests the conceptualization of transnational violent non-state actor to analyze PCC's features. Probably the same definition can be applied for other groups affecting world and regional peace, as Russian Mafia, Comando Vermelho or Al-Qaeda. Nevertheless, is beyond the scope of this paper to make generalizations and a thorough critic to armed non-state concept as a whole. It is sufficient for the paper's objectives, the argument shown above that PCC cannot be only regarded as armed non-state group, given it transcend the definition given by the literature. The author welcomes critics and suggestions to improve the concept and reflect about its applicability, as well to advance in the comprehension of crime and peace links.

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