

LESS GUNS, MORE YOUTH:

ARMED VIOLENCE, POLICE VIOLENCE AND THE ARMS TRADE IN BRAZIL

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Peace in practice

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Less guns, more youth:

Armed violence, police violence and the arms trade in brazil

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Preface

from terre des hommes Germany and terre des hommes schweiz

"Stop killing us!" reads a banner held by a 10-year-old boy at a protest against police violence in Salvador, Bahia. Two other teenagers shout "Stop violence and the extermination of youth in the suburbs!"

Police violence was a recognized fact long before the massacre that took place in the Jacarezinho favela in Rio de Janeiro in May 2021 killing 28 people. The use of lethal force by Brazil's police and military has reached dramatic proportions, rising sharply since Presidente Bolsonaro took office. In 2019, **6,375 people** were killed during police operations, a number that is higher than in any other country.

People living in favelas and urban peripheries are caught in the crossfire. Especially children and young people: 74 per cent of those killed were aged 29 years or under and 24 per cent 19 years or under. Males and black/brown people accounted for 99 and 79 per cent of deaths, respectively. These figures cast light on the deeply-rooted inequality and structural racism in Brazilian society. **In 2019, almost one in every three violent deaths in Rio de Janeiro and one in every five in São Paulo were caused by the police.** In some neighborhoods in São Paulo, especially the urban peripheries, the police are responsible for almost half of violent deaths. Despite these figures, there is nearly complete impunity for the unlawful use of lethal force.

Young black people are almost always treated as suspects

As this report shows, police brutality against children and youth is common, with young men from poor areas almost always being treated as suspects. Rather than guaranteeing protection, as enshrined in the UN Convention on the Rights of the Child, data from the *Fórum Brasileiro de Segurança Pública* show that confrontations between law enforcement agents and adolescents are more deadly than those with adults:

"Between 2013 and 2016 in São Paulo, 6.1 adolescents were killed by officers in every 1,000 arrests in allegedly acts of committing offences, compared to 3.4 adults killed in every 1,000 similar arrests."

In the so-called "war on drugs", the police and army make relentless incursions into poor areas, using weapons of war, armored vehicles and helicopters, many of which manufactured in Germany or Switzerland, such as the Swiss-made armored personnel carrier **MOWAG** Piranha (section 3).

The cases studies outlined in this publication document the use of German-made **Heckler & Koch** assault rifles and sub-machine guns, **SIG Sauer** and **Walther** pistols, and **Airbus** helicopters in grave violations of human rights committed by the police and armed forces. In Rio de Janeiro, the police use Airbus helicopters as shooting platforms. Bullet-pierced houses and schools are commonplace, kindergardens, schools and health centers are often forced to close for weeks at a time. Children no longer feel safe, not even in their own homes. Those caught up in the violence are traumatized and this trauma is relayed in photos and startling letters written to the judiciary of Rio de Janeiro (section 3).

Germany is the leading supplier of arms to Brazil: in 2020, the country made **€114 million** in sales of military equipment. Switzerland in turn provided **€27 million** worth of war material to Brazil last year alone, making the country the eighth largest importer of Swiss military supplies.

Exportation of arms continues despite human rights violations

These examples demonstrate that Germany and Switzerland do not take human rights into account when authorizing arms exports. According to the EU Common Position on arms exports and German government guidelines on arms exports, no weapons shall be supplied to countries with armed conflicts and serious violations of human rights. **However, the German government has failed to adhere to these guidelines: over 50 per cent of exports in 2020 were to so-called "third countries" (non-NATO, European Union or equivalent countries), many of which with armed conflicts and grave human rights violations.**

Similar rules applied to Switzerland before a directive governing war materials was relaxed in 2014. **A nationwide initiative – "Alliance against Arms Exports to Civil War Countries" (the Korrektur-Initiative or Correction Initiative)** – supported by terre des hommes schweiz, aims to revert this situation. This is an important step forward in promoting stronger democratic control and tighter rules on arms exports.

In countries like **Brazil, Mexico, Colombia** and the **Phil-**

ippines, characterized by high levels of police violence, criminal infiltration of police forces, and the so-called "war on drugs", it is especially vital that human rights are respected and no arms are supplied. **In all these countries, the "war on drugs" constitutes, above all, a brutal war against the poor.**

This report also outlines just how unprepared the Brazilian government is when it comes to controlling national arms and ammunition stockpiles and protecting them against theft and diversion. The glaring shortcomings in stock control and monitoring systems severely hinders attempts to tackle arms trafficking. The risk that arms exported to Brazil fall into the hands of organized crime is therefore great.

The conclusion is clear: not one single firearm, round of ammunition, armored vehicle, helicopter or other weapon should be supplied to a country like Brazil. That is why terre des hommes has engaged in this campaign and supported the publication of this report. The politicians, government agencies and companies that allow this trade are also responsible for the escalation of violence in Brazil.

We must put an end to violence and arms exports. It is time to promote a shift in policy and invert the logic cultivated in society. We hope that this report, which will be published in Brazil, Germany, Switzerland and other countries, can contribute to achieving this goal.

Finally, we would like to thank our colleagues at Instituto Sou da Paz for their excellent work, the partner organizations CEDECA Sapopemba and Cipó Comunicação Interativa, the *Centro de Direitos Humanos de Sapopemba*, *Rede de Proteção e Resistência contra o Genocídio*, and all those who join forces to promote human rights and the aims of this report.

Ralf Willinger e Andrea Zellhuber

terre des hommes Germany's and terre des hommes schweiz's demands

Demands on governments, government bodies that oversee arms exports and arms companies in Germany, Switzerland and other European Union member states:

Given the high risk police violence poses to children, youth and adults, severe weaknesses in the criminal justice system, the war-like conditions in communities on the urban periphery, and serious shortcomings in the control of arms and ammunition stockpiles, terre des hommes Germany and terre des hommes Schweiz call for:

- **The immediate suspension of all arms exports to Brazil.**
- **The immediate suspension of the transfer of arms technology and arms specialist knowledge to Brazil.**
- **The immediate suspension of the sale of arms and military equipment by European companies in Brazil.**
- **Comprehensive and systematic end-user verification and monitoring of weapons deliveries.**
- **Protection of human rights and compliance with international law, including imposition of sanctions in the case of violations.**

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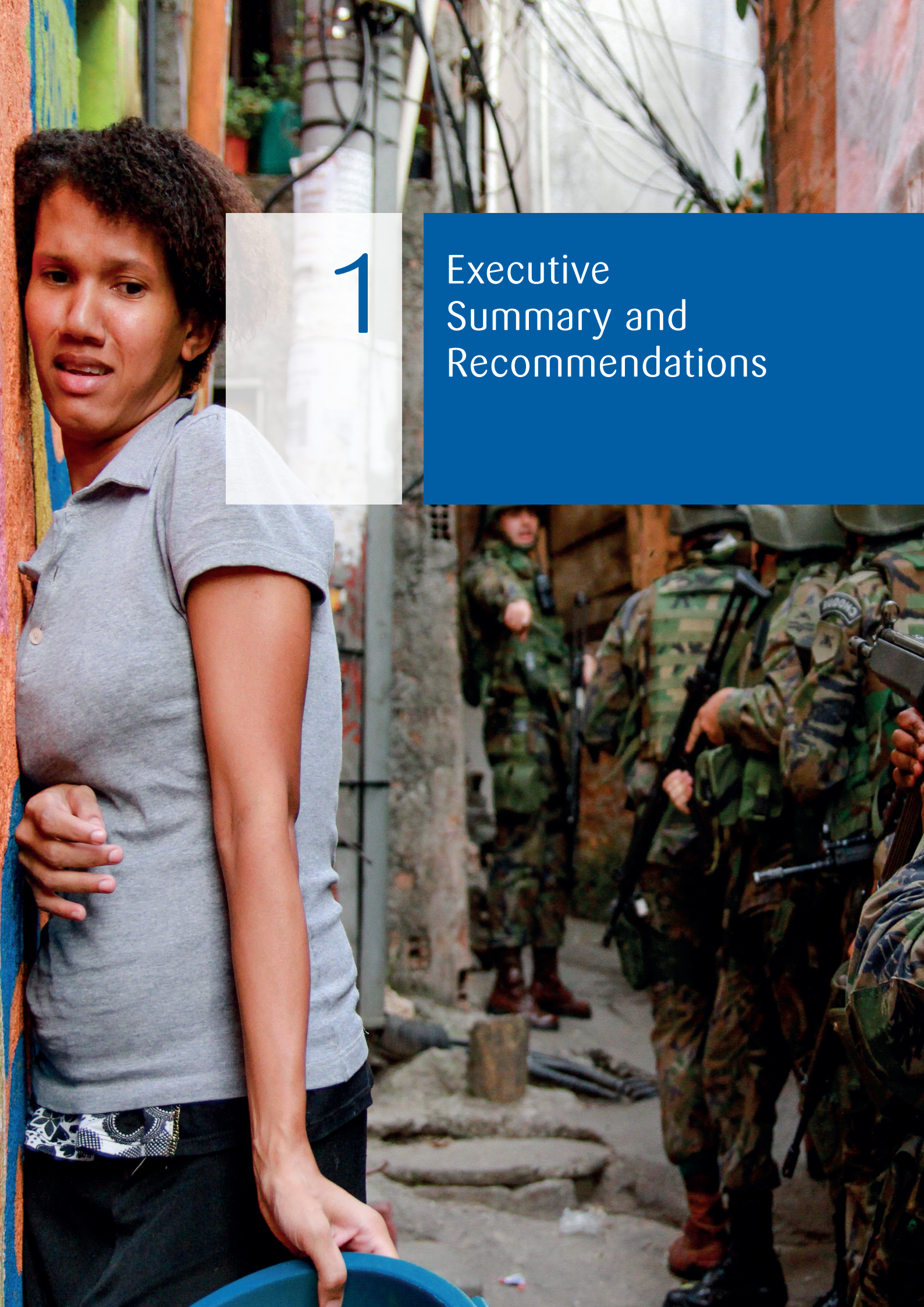
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1 Executive Summary and Recommendations

1.1 Key highlights

This report presents the context of armed violence in Brazil, highlighting that, despite the absence of conventional armed conflict, the level of lethal violence in the country is alarmingly high. Police use of lethal force is also high and certain groups are disproportionately impacted by police killings. There is also a lack of accountability for violent deaths and controls over the legal arms market and state firearms and ammunition stockpiles are weak. This context is portrayed using official data accompanied by the description of emblematic cases.

Brazil's international partners, particularly other countries, but also companies and other organizations, need to be aware of the impacts their activities have on this scenario of armed violence. This shared responsibility is underpinned both by law, rising standards of social responsibility, and ever-greater scrutiny from customers, shareholders and investors.

To increase awareness and contribute to the protection of human rights and establishment of trusting and mutually beneficial relationships between international partners and Brazilian society, we present key data on armed violence in Brazil and highlight issues that should be included in export risk assessments of Brazil to guide countries in defining relations with the country.

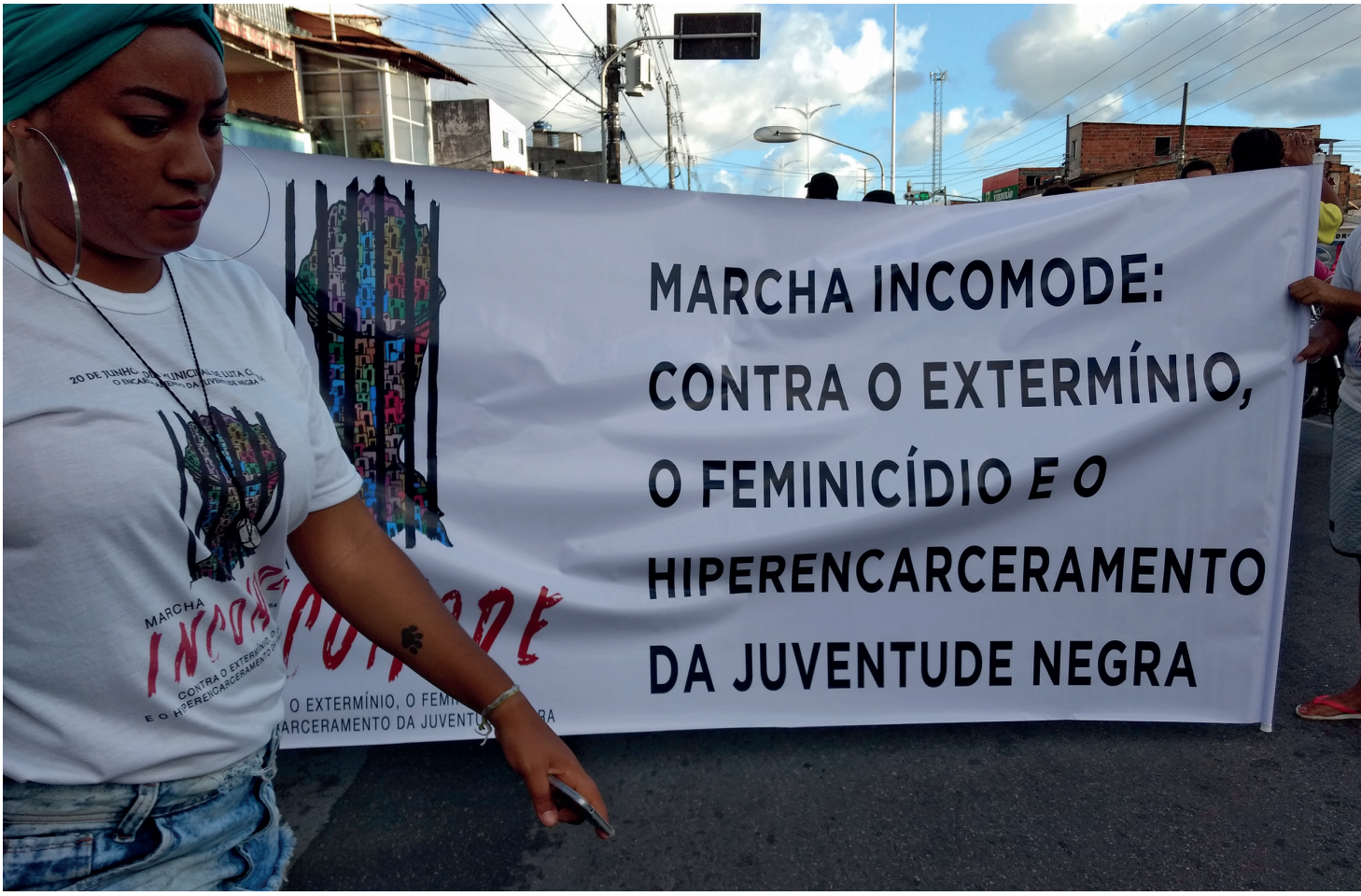
Homicide rates in Brazil are worryingly high. The latest figures published by the Ministry of Health show that 45,000 lives were lost in the country in 2019, which is equivalent to 21.6 homicides per 100,000 population.

These figures are cause for concern not only because of the scale of deaths, but also due to the demographic profile of the victims. Victimization is highest among 15 to 29-year-olds, with 23,327 people in this group losing their life in 2019 (51 per cent of all homicides). This is equivalent to 46.2 violent deaths per 100,000 population, meaning that violence is the leading cause of death in this age group. In the same year, 649 children aged 14 years or under were also killed, amounting to 23,976 victims 30 years or under. According to data from the country's national health information system, DATASUS, 76 per cent of these deaths were firearm deaths.

Seventy-six per cent of the homicide victims in 2019 were black/brown people, despite the fact that, according to the Brazilian Institute of Geography and Statistics, this group accounts for only 54 per cent of the country's population. This means that the homicide rate is 35 per cent higher among this group than in the overall population. With regard to gender, 92 per cent of the victims of lethal violence in 2019 were male. According to DATASUS, the female homicide rate in 2019 was 3.5 per 100,000 population.

Firearm deaths (30,825) made up 70 per cent of all homicides in 2019, reinforcing the importance of analyzing the internal dynamics of the circulation of firearms.

The *Fórum Brasileiro de Segurança Pública* reported that 106,776 firearms were seized in 2019 by Brazil's state police forces and the highway police. Serious flaws in the country's arms licensing systems mean that official national data on the profile of seized firearms does not exist. The limited national data on the characteristics of arms seized in the country is generated by civil society organizations.



Protest at violence against youth and women in Salvador, Bahia.

Arms seizures

We analyzed data on arms seizures by the civil and military police in four states and by the federal and highway police between 2018 and 2019, amounting to 37 per cent of total arms seizures over this period. Despite the poor quality of some of the data, the findings show that seizures were predominantly revolvers (36 per cent), followed by pistols (25 per cent), shotguns (16 per cent), and only a small amount of assault rifles and sub-machine guns (2.6 per cent and 0.6 per cent, respectively). Guns manufactured in Brazil represented 55 per cent of overall seizures, while European-made weapons accounted for 6 per cent of overall seizures and 7 per cent of seizures with information on country of origin. However, the share of high-powered weapons was proportionately greater among European weapons, with assault rifles and sub-machine guns representing 4.7 per cent of overall seizures. Pistols and revolvers made up 79 per cent and 1.7 per cent, respectively, of seizures of European weapons. Ten of the 15 most common countries of origin were European. The most common country was Austria, followed by Italy, Germany and the Czech Republic.

Police violence

Deaths resulting from police interventions make up a large share of overall violent deaths. According to the Brazilian Public Security Yearbook, police killings represented 13 per cent of overall intentional violent deaths in the country in 2019 (6,375 people). In some regions this proportion is much higher, such as Rio de Janeiro, where police killings accounted for 30 per cent of the total[1]. These figures are all the more worrying considering that the number of police killings has been growing steadily since 2013. Victim profiles show that certain groups are disproportionately impacted by police use of lethal force. Figures from the 2020 Brazilian Public Security Yearbook show that 99 per cent of the people killed by the police were male, 79 per cent were black/brown, and 74 per cent aged between 15 and 29 years.

1 DW Brasil (2019a).

The following **emblematic cases** were chosen to illustrate the complexity of lethal violence in Brazil:

- A politically-motivated murder in Rio de Janeiro. This case is particularly grave due to the threat it poses to democracy. (case 1)
- The massacre of 12 people – including an eight-year-old boy – in Campinas, São Paulo, motivated by gender violence. (case 7)
- The killing of eight men in Rio de Janeiro. Although the culprits have yet to been identified, the shootings took place during a police incursion into the area as part of a law and order operation with the use of armored cars. (case 3)
- Police encirclement of a man who had a warrant issued for his arrest in a densely-populated area of Rio de Janeiro using a helicopter as a shooting platform. (case 2)
- A police operation that resulted in the death of eight teenagers and three adults in Ceará. (case 4)
- A police operation that resulted in the death of 11 young people in Bahia. (case 5)
- The killing of a 16-year-old boy shot multiple times in his home in São Paulo. (case 6)
- A case of arms diversion in the state of Rio de Janeiro including German-made **Heckler & Koch** sub-machine guns. (6.3 section)

These cases resulted in the deaths of 47 people and 350 shots fired from weapons made mostly in Brazil and Europe, including firearms diverted from state stockpiles and illicit firearms.

High levels of impunity

Another major concern is the country's low homicide clearance rates, estimated by Instituto Sou da Paz to be between 11 and 67 per cent, depending on the state. This lack of accountability contributes to cycles of revenge and leaves affected communities without access to justice, the truth, memory and redress.

This problem is also aggravated by populist political discourse underplaying and even encouraging disproportionate use of force by law enforcement officers. One of the cases described in this report is government attempts to expand the range of circumstances under which police killings are exempt from punishment to include cases motivated by "surprise or violent emotion".

Civil resistance

This proposal and others like it have so far been barred by social mobilization and government opposition in Congress. However, both social mobilization and the freedom of the press face growing challenges in Brazil. Restrictions on public participation, intimidation and attacks on social leaders, civil society organizations and journalists are increasingly commonplace. Nevertheless, we describe two cases from 2020 in which public pressure combined with the response of the country's constitutional oversight bodies resulted in changes to policing rules, giving rise to an immediate fall in police lethality. (section 3, case 2 and section 4.3)

Ineffective arms control

We also address the flimsiness of the control of police firearms stockpiles. Recent surveys of state police force control systems conclude that the control of state firearms and ammunition stockpiles is still in its infancy in Brazil, with many forces lacking transparency and/or using inappropriate and ineffective methods, such as spreadsheets and paper records.

To exemplify the practical consequences uncontrolled arms bring for public security, we requested information on firearms diversion from 10 state police forces and the federal police. Only four state forces replied, reporting the diversion of 185 arms between January 2015 and March 2020. The federal police reported the diversion of 323 arms – 131 (41 per cent) of which manufactured abroad – and 18,098 units of ammunition. We also discuss a parliamentary commission of inquiry that identified the diversion of 17,000 firearms from private security companies and 1,600 weapons from Rio de Janeiro's state police over a period of 10 years. Focusing on the firearms diverted from Rio de Janeiro's state police, we outline a case involving the disappearance of six German-made **Heckler & Koch** sub-machine guns, the same weapon that is believed to have been used in a politically-motivated execution in which the prime suspects are former police officers (Case 1, section 3: Marielle Franco).



The brutal “war on drugs” risk people´s lives, especially children and young people – Police operation in Rio de Janeiro.

Ineffective ammunition control

With regard to the control of ammunition stocks, the most extensive national survey to date, conducted in 2018, showed that only six out of 54 state forces possessed comprehensive electronic control systems.

Weak ammunition control is aggravated by the recent relaxation of restrictions on the importation of arms by state police forces, driving the replenishment of stocks by many forces.

Easy access to firearms

It is also important to highlight that Brazil is undergoing a period of intense instability when it comes to regulations governing the arms and ammunition market. Between 2019 and 2020, the government issued more than 20 measures easing access to arms and ammunition for ordinary citizens, resulting in a 65 per cent increase in the number of active firearms licenses, with the number of licenses standing at 1.1 million. The number of licenses issued to civilians during this period rose from 346,000 to 595,000, while the number of licenses issued to hunters, sporting shooters and collectors increased 58 per cent, from 351,000 to 556,000.

The relaxation of gun laws is even more worrying considering that it is coupled with the introduction of regressive measures relating to the oversight and control of the circulation of arms and ammunition and to combat organized crime.

1.2 Recommendations

Brazil's international partners, including governments, companies and other organizations, are responsible for defining their relations with the country and the potential positive and adverse impacts of this interaction.

Trade in arms and ammunition has a direct impact on the accessibility and use of firearms. This impact and implied responsibility are well documented in international agreements, in particular: i) the Arms Trade Treaty, which provides that each exporting State Party should assess the potential that the arms or items would be used to commit grave violations of human rights or diverted to criminal organizations; ii) the UN Convention on the Rights of the Child, which provides that children and adolescents should be afforded the necessary protection and conditions of living necessary for development, including security, education and physical and mental health; and iii) the Sustainable Development Goals (SDGs), which acknowledge the harmful effects illicit arms flows have not only on safety, justice and institutional sustainability, but also the other goals.

Besides these international references, studies in Brazil show that greater gun availability is related to an increase in the number of homicides. The most comprehensive study to date, undertaken by the Institute of Applied Economic Research, shows that for every 1 per cent increase in firearms in circulation in the country, there is a 2 per cent rise in the homicide rate[2].

There is therefore a strong relationship between increased trade and accessibility of firearms, and violation of the most fundamental human right: the right to life. Moreover, the risk of homicide is disproportionately high among certain groups, such as black people and youth.

For these reasons, greater scrutiny of trade and partnerships involving arms and ammunition is required. We recommend that all of Brazil's international partners (in particular government bodies that oversee arms exports, but also companies and other organizations) incorporate the potential impacts of their activities on armed violence and human rights violations in export risk assessments of Brazil. The identification of high-risk factors cannot be ignored when deciding whether or not to continue relations and adopt mitigation measures.

The failure to take these factors into account in export risk assessments may have negative consequences for Brazilian society and damage the image and credibility of international partners. In addition to legal obligations, company corporate social responsibility policies are coming under ever-greater scrutiny from customers, shareholders and investors. For these reasons some arms companies have suspended or reset their relations with the Brazilian market[3].

2 Ipea (2013).

3 DW Brasil (2020a), Chade (2018), Gielow (2020a).

Recommendations for international partners

Below we outline key factors that should be taken into account in export risk assessments conducted by international partners to guide relations with Brazil.

Note:

The **authorities** tasked with conducting export assessments for Brazil are the **government bodies responsible for the regulation and authorization of international trade in arms.**

Nevertheless, considering the **underlying principles of social responsability**, these recommendations can also apply to **companies involved in the sector**, other government bodies (such as foreign aid agencies) and civil society organizations. For the purposes of this report, the term "**international partners**" refers to all the above organizations.

Armed violence and arms seizures:

- Rates and trends in lethal violence in general and firearm deaths.
- The disproportional impact of violence on specific population groups, particularly black people, children and youth, and indigenous peoples.
- Homicide clearance rates.
- Type of seized firearms used in crimes.
- Rules and regulations governing access to arms and ammunition for ordinary citizens.
- The state's capacity to effectively oversee the legal arms and ammunition market.

Police use of lethal force:

- Rates and trends in the number of people killed by both on-duty and off-duty police officers.
- Police victimization figures and rates.
- Consistency between the number and type of arms and ammunition purchased and the size and mandate of the purchasing institution.
- Existence of "law and order operations" in which the armed forces (and military weapons and equipment) are used to support police operations.
- Openness of the state to public participation and civic engagement, especially in relation to civil society organizations and freedom of the press.
- Control mechanisms employed by security institutions such as internal affairs bureaus, ombudsmen and specialist groups within the public prosecutor's office.
- With regard to public security forces (military, civil and federal police, and armed forces):
  - Political and operational commander commitment to preservation of life.
  - Inclusion of the "protect life" principle in regulations governing the use of force and systems for monitoring and evaluating use of force.
  - Response and assistance protocols for police officers and victims and affected communities in cases of death or injury resulting from police action.
  - Use of monitoring technology (for example, body cameras).

Control of state stockpiles:

- Existence and effectiveness of stockpile control and management systems (such as recording issued weapons and ammunition, auditing and alerts about suspicious movements).
- Number of lost or stolen arms and ammunition and investigation procedures.
- Existence of adequate regulations on the issuing and recording of both standard issue and special arms and ammunition.
- Security conditions of arms and ammunition storage facilities.

State capacity to control the arms and ammunition market:

- Quality and scope of systems for recording and licensing arms and ammunition through the whole chain of custody (manufacture, sale and destruction).
- Existing tracing mechanisms, including arms and ammunition markings and keeping records for an appropriate length of time.
- Adherence of state police to the recording of seized firearms in a national database that allows intelligence analysis.
- State police access to federal recording systems to carry out searches to investigate the origin of seized arms.
- Existence of national points of contact for international cooperation and the provision of sufficient funding for their operation.

As these factors are dynamic, we recommend that assessments are updated periodically. Moreover, given the stark differences across regions in Brazil, we also recommend that national assessments are accompanied by a regional analysis.



Risky game: Children and youth playing soccer in a neighborhood of the city of São Paulo particularly affected by drug trafficking and police violence. In São Paulo state, one in five homicides is committed by the police. Deaths as a result of police operations are concentrated in 20 municipalities and some regions that sum up to 45 per cent of cases.

Recommendations for the Brazilian government:

The recommendations for the Brazilian government could potentially unfold into hundreds of items, especially considering the diverse nature of police forces across the country. Here we set out general recommendations for the federal government that also serve as a guide for other levels of government:

- **Implementation of a national policy to curb lethal crime including:**
  - Special focus on lethal violence against black people, children and youth.
  - Development of a set of preventive measures (education, health and welfare assistance) and policing and investigation oriented towards the defense of all lives, regardless of race, gender and social class.

- **Creation of a national policy to limit the use of lethal force by the police, promoting a shift in policing approach prioritizing the defense of life, including:**
  - Development of objective guidelines for the federal police and armed forces.
  - Promotion of coordinated action between state police forces (such as centralized procurement and monitoring, and police training focusing on the defense of life) and creation of lethality reduction targets tied to funding.
  - Strengthening of transparency and controls, including the collection of national data, bolstering the role of the public prosecutor's office and guaranteeing press freedom and the protection of civil society.

- **Reorientation of laws governing access to firearms and ammunition, prioritizing the right to life and public security** in objective terms, such as the legal requirements for purchasing arms and types and number of weapons and ammunition that can be purchased.

- **Strengthening the control of the legal arms and ammunition market (including sales to ordinary citizens, private security companies and public security forces), focusing on**
  - The modernization of licensing and management systems,
  - Implementation of good marking practices that enable tracing, and
  - Investment in specialist teams dedicated to combating national and international arms trafficking.

- **Improvement of federal police and army stockpile control and management systems;**
  - providing the enabling conditions for the creation of state police control and management systems (for example, through the creation of standard terms of reference to facilitate system implementation) and
  - setting stockpile control targets tied to force funding.

This report describes the context of **armed violence and weapons flow in Brazil.** The objective is to increase the protection of the **fundamental rights,** bringing the understanding that weapons flows have a direct impact on violence and people's life.

Click here



International References:
- The Arms Trade Treaty - ATT
- The United Nations Convention on the Rights of the Child
- The Sustainable Development Goals (SDGs)

LETHAL VIOLENCE

21.6 VICTIMS PER 100 THOUSAND HABITANTS

70%
OF THE VICTIMS WERE KILLED BY A FIREARM



45 THOUSAND LIVES WERE LOST IN 2019

Source: Ministry of Health

POLICE KILLING VICTIMS IN 2019



6,375 victims of police killings in 2019

2019

4,220 victims — 2016

2,212 victims — 2013



99% men

79% black people

50% young (20-29 years old)

24% children and teenagers (1 to 19 years old)

Source: The Brazilian Public Safety Yearbook (2020)

EMBLEMATIC CASES

8 emblematic cases of armed violence and weapon diversion are included in the report, for instance, Marielle Franco murder:

Black, Sociologist, LGBTQIA+, city councilwoman with social solid work

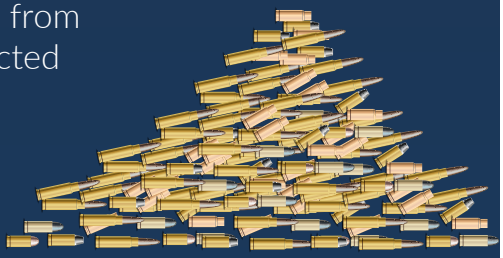


Politically motivated murder

Involvement of ***vigilante groups*** are feasible

Use of german weapon from **Heckler & Koch,** suspected diverted from public arsenals

Case revealed **irregularities in ammunition sales**



CONTEXT



Inequalities and structural discrimination



Low clearance rates of homicide's cases **between 11 and 67%**



Populist language and speech that **encourages the use of lethal force by law enforcement agencies**



Civil society, free press and democracy **face an increasing level of restriction, intimidation and attacks**

FIREARM SEIZED AND **SHARE OF EUROPEAN MANUFACTURERS**

2018-2019 DATA FROM FEDERAL AGENCIES AND STATE-LEVEL POLICE



More than **20,000 pistols** — **18%** of european manufacturers



More than **2,000 assault rifles** — **8%** of european manufacturers



More than **500 submachine guns** — **11%** of european manufacturers

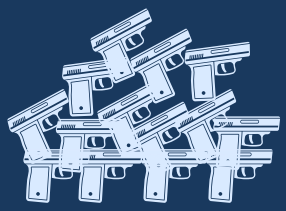
These are **highly lethal weapons, not recommended for highly-dense areas** due to the full automatic feature and because its projectile can pierce walls

(Source: PF, PRF, SSPs from BA, PE, RJ and SP)

MOMENT OF HIGH REGULATORY INSTABILITY (GUN CONTROL)



Since 2019, **more than 30 new regulations** that loosen the access to firearms and ammunition



65% increase in the number of weapons acquired

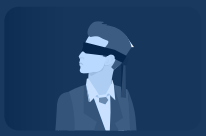


The weapons and ammunition market management and the actions to tackle firearms trafficking **are fragile and insufficient**

PUBLIC STOCKPILES



Firearms importation shows a sharp increase since 2018



State stockpile management **is poorly conducted and dealt with secrecy**



Only 6 out of 54 state police owns an adequate ammunition control system **There are agencies still controlling their ammunition in paper books**



During five years, 4 out of 54 state police had 185 diverted weapons and federal forces, 323 (being 131 or 41% manufactured in Europe) and 18 thousand ammunitions diverted. **In 10 years, 17 thousand firearms were leaked from private security companies and 1,600 from state police in Rio de Janeiro**

RECOMMENDATION TO GOVERNMENTS,
STATE AGENCIES AND FOREIGN WEAPONS MANUFACTURERS

The transfer of weapons generates legal and moral obligations. In foreign countries, the **government and export agencies are responsible** for the arms trade. They must conduct risk assessments to ensure compliance with international law and human rights. The same standard is applied to companies and other entities. **They must consider:**

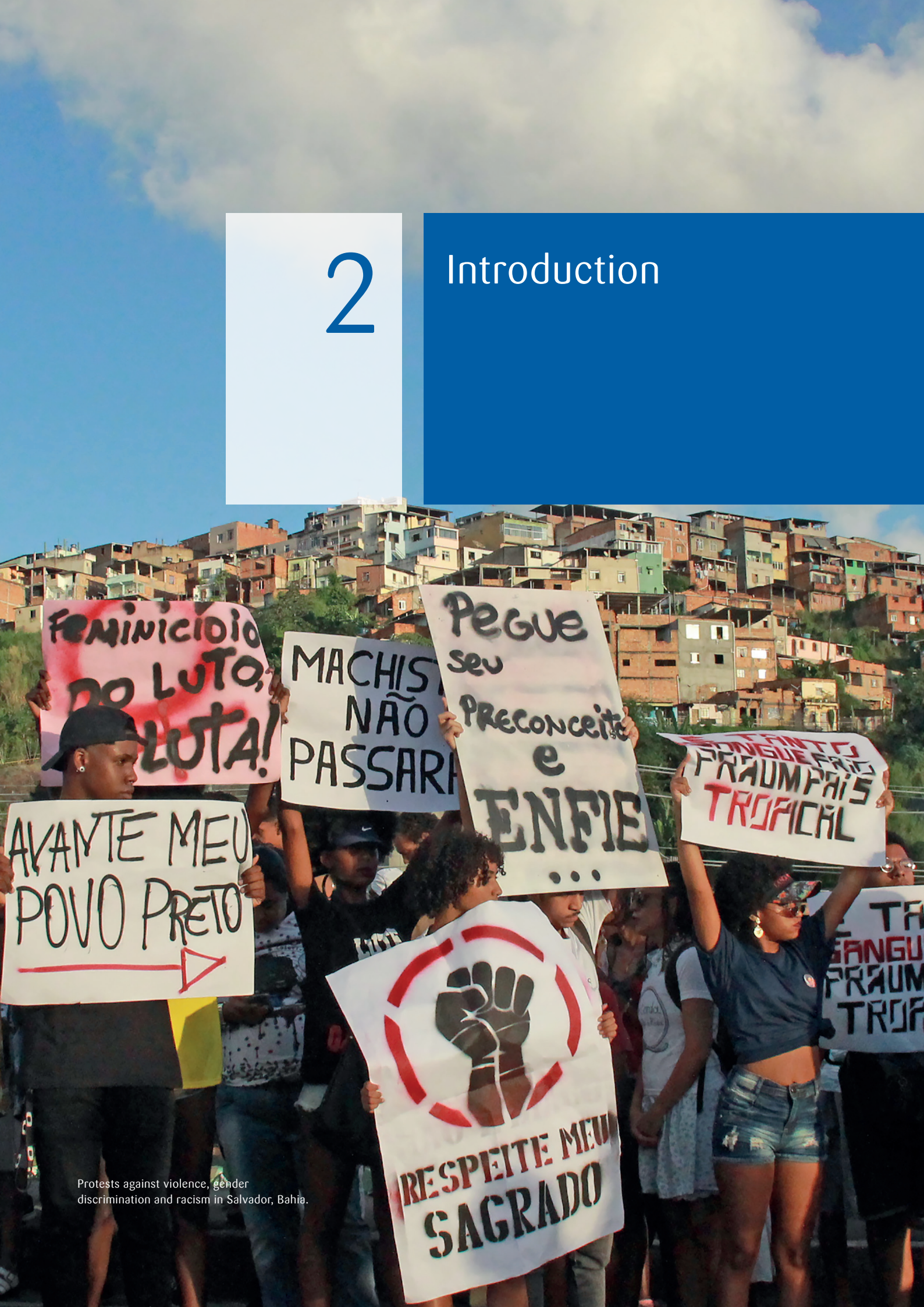
- Rate of firearms-related **deaths and victims profile**
- Gun-control **civil regulation**
- Rate of **police killings**
- State capacity to **control the weapons circulation**
- Rate of **homicide cases clearance** and other human rights violations
- State control **of its arsenal**

RECOMMENDATION
FOR THE BRAZILIAN GOVERNMENT



- Implement **a national homicide reduction policy** with focus on protecting the black and young population
- Reduce civilian access to firearms, **prioritising the public safety policies**
- Implement a national policy to **reduce police lethality**
- Improve the systems designed to control the civilian possession of firearms and **tackle firearms trafficking**
- Improve the **weapons management system** of state agencies (Stockpile management)

2 Introduction



Protests against violence, gender discrimination and racism in Salvador, Bahia.

2.1
Objective and international references

This report outlines and contextualizes current challenges in controlling the circulation of firearms in Brazil, patterns of armed violence, and the use of foreign weapons in violent crime so that international partners (arms companies, governments and a diverse range of other organizations) are able to take these factors into account when defining relations with the country.

This discussion is framed within the context of the relaxation of gun laws, opening up Brazil's domestic arms market, and loosening of restrictions on the import of arms and ammunition to country. Besides questions regarding social responsibility across different sectors of the economy and within international cooperation, this report raises particular concerns about trade relations directly involving firearms and ammunition, including their development, manufacture, sale and other types of transaction.

Studies have shown the influence of gun availability on violent crime and human rights violations. In addition to international literature reviews[4], the most comprehensive study to date on lethal violence in Brazil shows that for every 1 per cent increase in firearms in circulation in the country, there is a 2 per cent rise in the homicide rate[5].

Broadly adhered to international agreements establish that the state should take this influence into consideration in the formulation of relevant policies. The most important of these agreements is the Arms Trade Treaty, which currently has 97 States Parties, including Brazil. The Treaty regulates the legal arms trade, recognizing its potential impact on violence.

The document determines that prior to the export of arms, each exporting State Party should assess potential risk, considering whether the arms could potentially be used to commit violations of international humanitarian law and human rights or facilitate organized crime and terrorism[6]. States should take appropriate measures to mitigate identified risks, such as conducting due diligence on buyers and imposing special conditions on sales. The treaty provides that exports should not be authorized in the case of insufficient mitigation measures and other specific circumstances such as UN Security Council arms embargoes.

With regard to illicit arms flows, the United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition[7] contains provisions on international cooperation, marking for tracing and firearm registration.

The impacts of illicit arms flows on socioeconomic development are recognized in the Sustainable Development Goals[8]. The focus of SDG 16 is the promotion of peace, inclusion, justice and strong institutions. Target 16.4 seeks to significantly reduce illicit arms flows, strengthen tracing and combat all forms of organized crime by 2030.

A broader understanding of armed violence reveals everyday examples of its impact on access to opportunities: reallocation of public resources to hospital admissions; school closures and unemployment in areas plagued by violence; reduced presence in public spaces; tourist and company preference for "safer" tourist destinations; etc.

4 Conti (2017).
5 Ipea (2013).

6 Article 7 of the Arms Trade Treaty: *"(...) each exporting State Party, prior to authorization of the export of conventional arms (...) shall assess the potential that the conventional arms or items: (a) would contribute to or undermine peace and security; (b) could be used to: (i) commit or facilitate a serious violation of international humanitarian law; (ii) commit or facilitate a serious violation of international human rights law; (iii) commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or (iv) commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party."*
7 United Nations (2004).
8 United Nations (2015).

2.2 Research questions

Based on this understanding, this issue also encompasses other international obligations, such as those in the Convention on the Rights of the Child, which came into force in 1990 and has been ratified by 196 states, including Brazil. The Convention emphasizes rights such as ensuring the conditions of living necessary for the child's development, including safety and security, education and physical and mental health, as well as the right to protection from violence, sexual abuse and exploitative work.

Although part of the international instruments concerning armed violence focus on armed conflicts, some of their provisions can be adapted to the reality of Brazil. Cases in point include the UN Youth, Peace and Security Agenda and the Optional Protocol to the Convention on the Rights of the Child[9]. These instruments deal with the impacts of violence on young people, pointing to the need for concrete violence prevention measures, such as the prevention of recruitment of children and adolescents by armed groups, a strategy used by many criminal organizations in Brazil.

This report therefore seeks to help raise awareness of the social responsibilities of business, governments and organizations across all sectors, especially those involved in the production, sale and transfer of arms and ammunition.

The evidence furnished by this report makes it impossible to claim ignorance of the dynamics of armed violence and challenges in controlling the circulation of firearms in Brazil. We provide evidence and recommendations to promote greater scrutiny in trade relations and international cooperation with Brazil, contributing to the common goal of reducing human suffering and ensuring compliance with international commitments to regulate the arms trade.

The main research questions underpinning this report were:

- What is the scale of armed violence and police lethality in Brazil?
- What is the predominant victim profile?
- What factors contribute to the perpetuation of this problem?
- What is the share of European firearms in arms seizures in Brazil?
- What level of control does the government have over the arms market and police firearms and ammunition stockpiles?
- What relevant factors should be taken into account in export risk assessments of Brazil undertaken by international partners (companies, governments and other organizations)?

To help answer these questions, this report contains:

- An overview of lethal violence in Brazil between 2017 and 2019 and the demographic profile of victims and people killed by the police.
- In addition to national figures, we provide data from five states: Bahia, Ceará, Pernambuco, Rio de Janeiro and São Paulo.
- The above data are exemplified by seven emblematic cases.
- A description of the division of arms control responsibilities across states and police forces and openness of the domestic market.
- National figures on arms seizures produced by civil society organizations and first-of-its-kind data on the share and type of European firearms among seizures made by state police forces in 4 states and by the federal police.
- A discussion of the lack of state data on arms seizures, regulatory shortcomings and lack of funding, and how this adversely affects the control of the domestic market and efforts to tackle illegal trade.
- Data on the existence and effectiveness of police stockpile control systems; data on firearms lost by or stolen from public security forces and a description of an emblematic case involving the diversion of sub-machine guns in the state of Rio de Janeiro.
- Recommendations on the factors that should be taken into account in export risk assessments for Brazil conducted by international partners (companies, governments and other organizations).

9 UNICEF (2020).

2.3
Arms and violence in Brazil

Brazil's homicide rate is high[10]. The latest figures published by the Ministry of Health show that there were 21.6 homicides per 100,000 population in 2019. **Firearm deaths accounted for 70 per cent of all homicides[11]**, representing 30,825 cases and 14.7 deaths per 100,000 population.

Graph 1 shows homicides between 2013 and 2020 based on data from the Mortality Information System – which is part of the country's national health information system (MS/SIM/DATASUS) – and the *Monitor da Violência* (2020), a partnership between the G1 news portal, University of São Paulo and Brazilian Public Security Forum (FBSP) that uses data from state departments of public security. The latter was used because official data for 2020 was not available at the time of publication. The latter data may therefore show differences with official figures. According to this source, the country witnessed **43,892 homicides in 2020**.

Notes on methodology

The analyses of the dynamics of violence in Brazil use two sources: health data and security data.

Ministry of Health data is based on death certificates and violent deaths are categorized as deaths due to assault and deaths due to "legal intervention". Deaths due to assault are intentional violent deaths caused by third parties and may include different categories of crime, such as homicide. Deaths due to legal intervention recorded by the Ministry of Health tend to be underreported and are largely included under deaths due to assault. These data take longer to be consolidated.

Public security data consist of police records and general crime statistics, which are synthesized in the Brazilian Public Security Yearbook, published by the Brazilian Public Security Forum. This data encompasses different types of crime, such as homicide and bodily harm resulting in death. The Yearbook also provides statistics on police killings and police deaths.

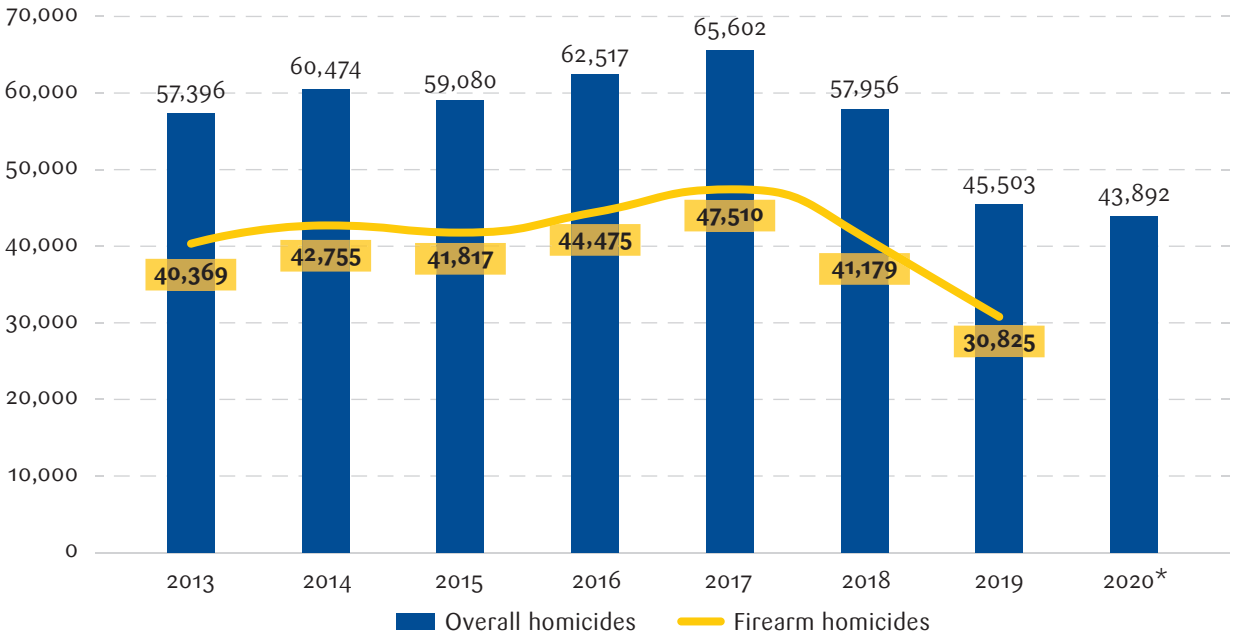


"It is a sick State that kills children in school uniforms", says the mother of 14-year-old Marcos Vinícius, photographed holding the uniform her son was wearing when he was shot by police officers in Favela da Maré, Rio de Janeiro.

10 The Bogotá Protocol (FBSP, 2016) stipulates indicators for deaths of Latin Americans, defining "homicide" as the death of a person caused by intentional assault by another person or persons. The Brazilian Public Security Yearbook defines intentional violent death as "deaths resulting from murder or armed robbery, bodily harm resulting in death, police deaths and deaths resulting from police intervention".

11 The percentage of firearm deaths was calculated based on a total of 44,033 deaths, as the Ministry of Health data do not detail whether or not firearms were used in 1,470 of the deaths resulting from police intervention.

Graph 1. Homicides in Brazil (overall and firearm homicides), 2013-2020

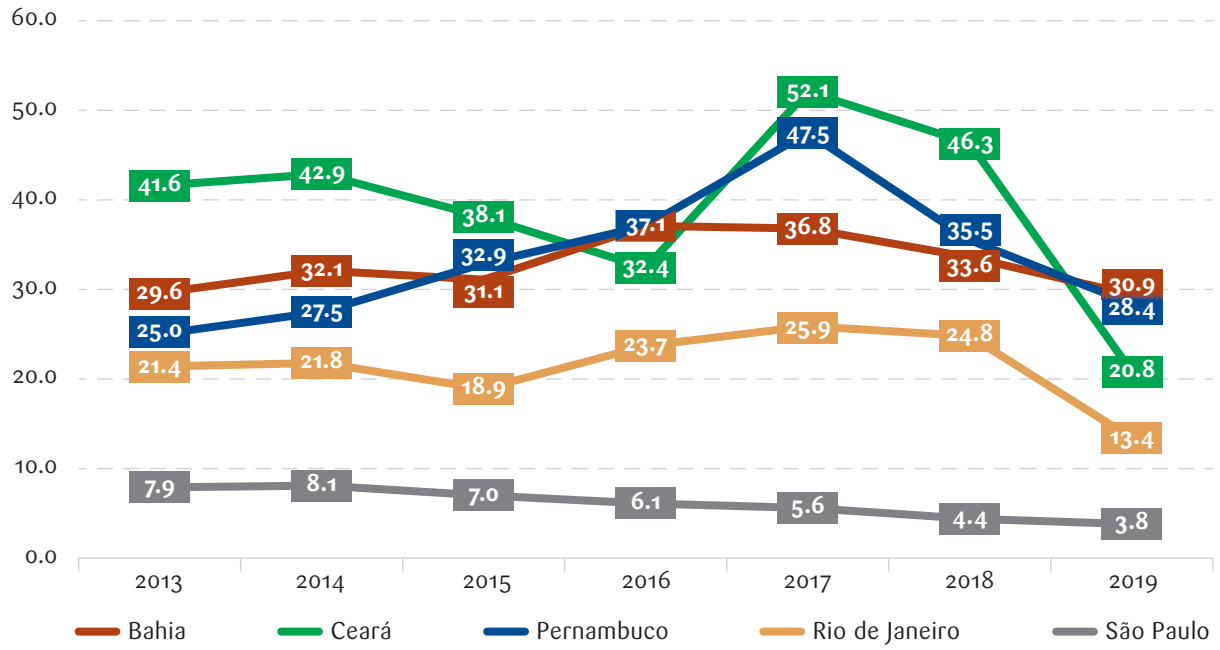


*Data from the Violence Monitor
Source: Elaborated by Instituto Sou da Paz based on data from MS/SIM/DATASUS and the Violence Monitor

The number of homicides peaked in 2017, followed by a significant drop in 2018 and 2019. As the two data sources use different methodologies, it is not possible to confirm whether there was a continuation or reversal of this trend in 2020. However, a comparison with the Violence Monitor data for 2019 (41,730 homicides) shows that the number of homicides rose by 5 per cent in 2020. It is important to note, however, that t**he number of homicides remains extremely high**, despite restrictions on gatherings in public spaces and stay-at-home orders implemented during the Covid-19 pandemic.

It is important to note that **homicide rates vary greatly across Brazil's 26 states and federal district.** The states of Bahia, Ceará, Pernambuco, Rio de Janeiro and São Paulo accounted for 18,922 of lives lost in 2019, 13,272 of which caused by firearms. The graph below shows the firearm homicide rate per 100,000 population in these states.

Graph 2. Firearm homicide rate per 100,000 population in the five states analyzed (2013-2019)



Source: Elaborated by Instituto Sou da Paz based on data from MS/SIM/DATASUS.

Victim profile

Ministry of Health data show that **homicide victims in Brazil are mainly young people**. The number of homicides among this group is alarming, in spite of the Child and Adolescent Statute, which guarantees the zero to 18-year age group special rights.

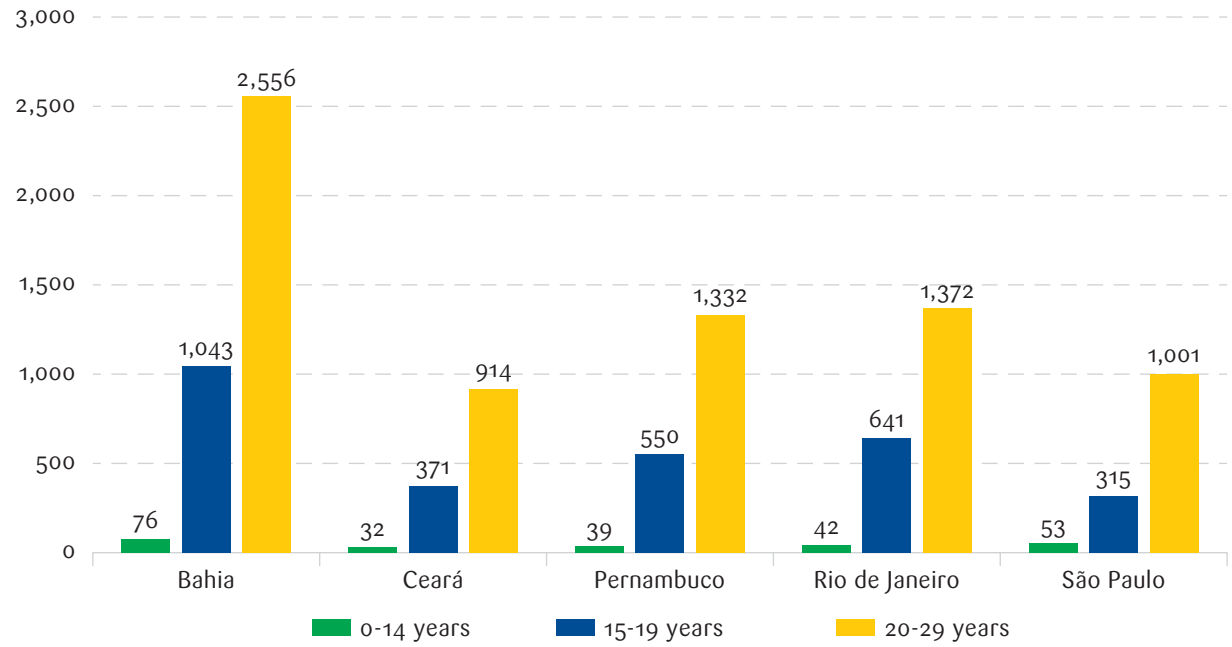
The 2020 Atlas of Violence highlights that "between 1991 and 2018, 232,830 children and adolescents (0 to 19 years)[12] were murdered, 163,980 of whom were firearm victims". According to DATASUS, **in 2019, 7,187 children and adolescents were victims of homicide and 5,425 of these deaths were firearm homicides**. Black children and adolescents accounted for 80 per cent of total homicides in this age group.

Victimization was highest in the 15-29 age group, which according to DATASUS accounted for 51 per cent of total homicides in 2019, representing a homicide rate of 46.2 per 100,000 population. This makes violence the leading cause of death in this age group. Over three-quarters of the homicides in this age group (76 per cent) involved firearms.

According to DATASUS, **black and brown people** made up 76 per cent of homicide victims in 2019. Considering that black and brown people make up only 54 per cent of Brazil's population (Brazilian Institute of Geography and Statistics – IBGE), these figures show that this group is disproportionately impacted by armed violence. Deep racial inequalities and factors that reduce the quality of life of this group mean that the homicide rate is 35 per cent higher among black and brown people than in the overall population. Graph 4 shows the constant differences in victimization between black and brown non- black and brown people, reinforcing historical inequalities.

12 Approximate age range used by the Brazilian Health Department.

Graph 3. Homicides among young people by age group in five states in Brazil (2019)



Source: Elaborated by Instituto Sou da Paz based on data from MS/SIM/DATASUS.

With regard to **gender**, men, who made up 49 per cent of the population in 2019, represented 92 per cent of total homicide victims. In 2019, there were 3,737 assault-related deaths among women, representing a rate of[13] 3.5 per 100,000 women (DATASUS).

A high percentage of violent deaths in Brazil are the result of police interventions. According to the 2020 Brazilian Public Security Yearbook, **6,375 people were killed by the police in 2019, representing 13 per cent of total deaths**[14]. Section 4 details trends in these deaths and victim profiles.

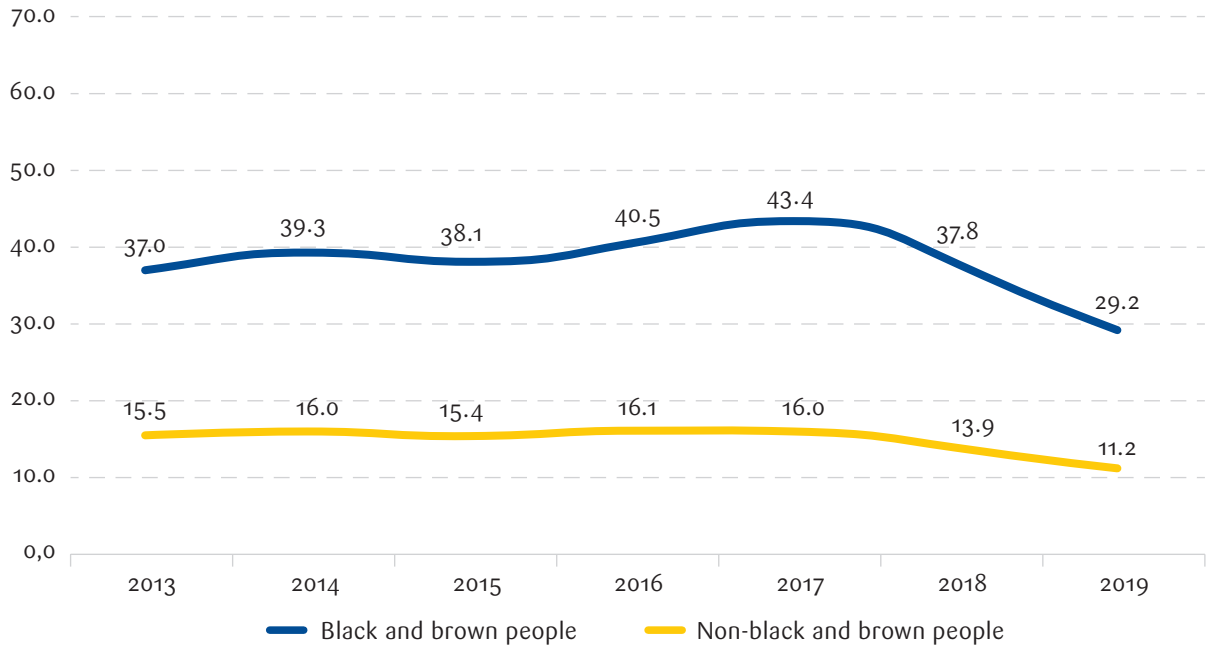
Armed violence also takes on other forms that are not dealt with by this report, such as rural conflicts, threats to indigenous communities or violence related to the degradation and exploitation of protected areas[15].

13 In Brazil, the use of the term femicide to describe the gender-motivated murder of women dates back to 2015. There are still many cases of misclassification and insufficient information to provide a reliable estimate of the national rate of femicide. The rate stated above therefore includes all homicides of women whether femicide or not.

14 FBSP (2020).

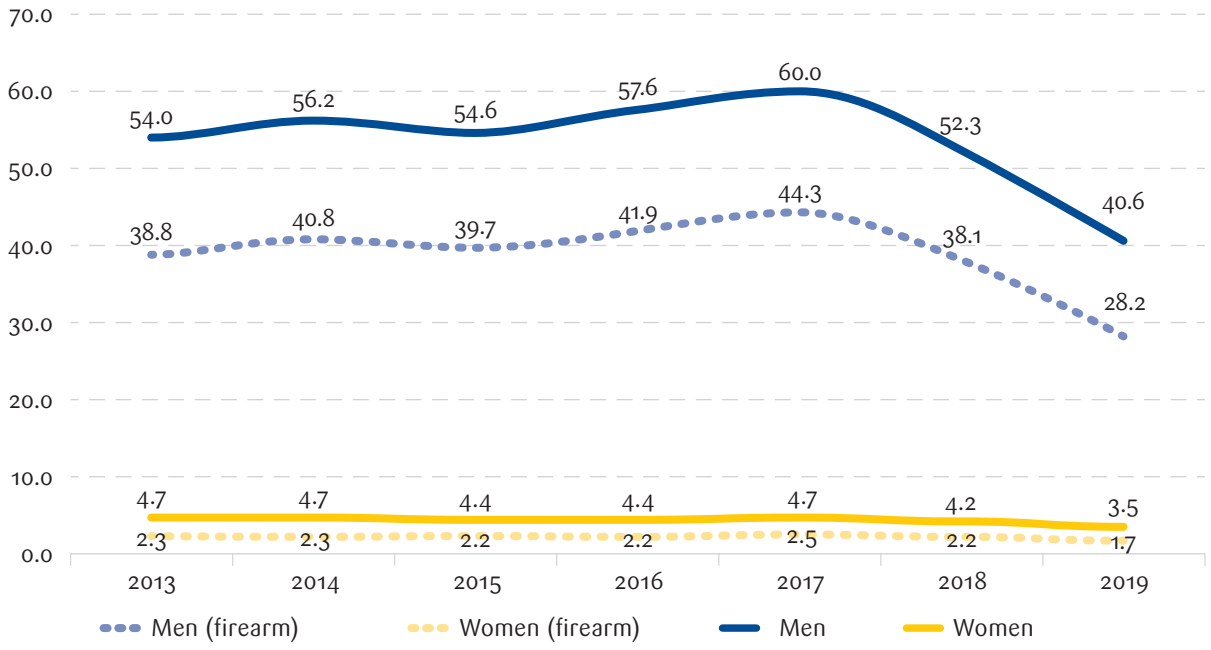
15 Data from the *Comissão Pastoral da Terra* show a rise in rural conflicts in general. The organization reported 1,833 cases in 2019 (representing a 23% increase compared to 2018) involving around 850,000 people (including indigenous communities) in conflicts over land, water and labor issues. DW Brasil (2020b).

Graph 4. **Homicide rate per 100,000 population among black and brown and non-black and brown people (2013-2019)**



Source: Elaborated by Instituto Sou da Paz based on data from IPEA and MS/SIM/DATASUS

Graph 5. **Violent deaths and firearm deaths per 100,000 population by sex (2013-2019)**



Source: Elaborated by Instituto Sou da Paz based on data from MS/SIM/DATASUS.

2.4
Opening up Brazil's arms market

This debate becomes all the more urgent considering current regulatory instability, the relaxation of regulations governing access to firearms in Brazil, and opening up of the country's domestic arms market to international competition.

With regard to the **domestic circulation** of arms, Brazil is undergoing a period of intense regulatory instability. The licensing, possession and sale of firearms and ammunition in Brazil is regulated by Federal Law Nº 10.826/2003, known as the Disarmament Statute. In general, this law restricts civilian access to arms by imposing a number of requirements (minimum age, justification, criminal record checks, psychological test, etc.), but people may apply for a license under the following categories: self-defense, shooting sports, hunting and collecting.

Between 2019 and 2020, the government issued more than 20 decrees and executive orders easing the control of and access to arms and ammunition in the country.

As at January 2021, these instruments had eased restrictions on gun ownership and the type and number of weapons that can be owned. For example, the muzzle energy limit for "permitted" firearms (subject to less rigorous controls than "restricted" guns) was increased fourfold[16] and people registered as sporting shooters can now buy up to 60 firearms and 180,000 rounds of ammunition per year.

The relaxation of gun laws has already had a major impact on the number of legally purchased arms. **In December 2020, there were 1.1 million active civilian gun licenses in the country, representing an increase of 65 per cent in comparison to 2018**, in addition to arms belonging to state and federal police forces and the army[17].

The number of arms licensed for self-defense rose sharply between the end of 2018 and end of 2020, from 346,000 to 595,000 (an increase of 72 per cent), while the number of arms licensed to hunters, sporting shooters and collectors rose by 58 per cent between 2019 and 2020, from 351,000 to 556,000. The number of new licenses issued in the latter three categories in the last two years alone (178,721)[18] was 18 per cent higher than all licenses issued over the previous 10 years (150,000 between 2009 and 2018).

The **opening up of Brazil's domestic firearms and ammunition market to imports** began in 2018 with the publication of two decrees by former president Michel Temer. Until then, Decree 3665/2000 provided that the import of controlled products manufactured by the domestic industry considered by the army to be of strategic value should be banned or restricted, except for special authorizations. Decree 9493, issued in 2018, maintained special authorization requirement for the import of products manufactured in the country. However, Decree 9607, published in the same year, created a new National Defense Product Export and Import Policy and facilitated imports of arms for collectors, sporting shooters, hunters and other natural persons whose licenses are issued by the army.

At the same time, various police forces across the country brought actions against Brazil's leading arms manufacturer complaining about supposed gun defects[19]. As a result, several of the forces obtained army or legal authorization to purchase imported weapons[20].

President Jair Bolsonaro issued a series of decrees between 2019 and 2020 relaxing import regulations. With regard to procurement and import by security forces, Decree 10030/2019 made major changes to Decree 9847/2019, establishing the following:

16 This change allowed, for example, a common citizen to buy weapons more potent than those used on a daily bases by police officers, such as 9mm pistols or semi-automatic .40 carbines.

17 Ribeiro; Vidon (2021).

18 Schreiber (2021).

19 Oliveira (2020).

20 Pagnan (2017), Mello; Castro (2020), G1 (2020c).

i. Mandatory prior authorization by the army for the procurement and import of arms and ammunition classified as restricted-use.
ii. Waiver of prior authorization by the army for procurement of permitted-use firearms and ammunition on the domestic market.

Subsequently, Army Command Order 1729/2019 provided that the import of permitted-use firearms waivers prior authorization for purchases by civil police, excluding the military police and military firefighter corps.

Jair Bolsonaro's government has adopted a number of other measures to open up the domestic arms market and boost manufacturing: the possibility of setting up an office in the United States to facilitate the US-Brazil export process[21]; the involvement of one of the president's sons (federal congressman Eduardo Bolsonaro) in the negotiation of a partnership between the German company SIG Sauer and Brazilian state-run company Imbel[22]; as well as attempts to eliminate taxes on handgun imports, rejected by the Supreme Court in January 2021[23]. **In 2020, imports of handguns increased by 94 per cent compared with 2019**[24].

We therefore stress that it is important that Brazil's international partners, especially companies and government bodies operating in the arms market, remain alert to their legal and moral obligation to conduct due diligence and export risk assessment in cases of direct sales, cooperation, transactions undertaken by subsidiaries, joint ventures or other types of partnership. Regardless of the legal differences between each type of partnership, it is important that international partners (especially companies and governments) establish a unified set of guidelines for conducting export risk assessment and defining relations with Brazil.

2.5
Shortcomings in the control of the circulation of arms

With regard to the licensing, possession and sale of firearms and ammunition in Brazil, the **army** is tasked with managing and overseeing:

- The manufacture, importation and exportation of firearms.
- Arms held by the military forces, including state military police.
- Licensing of arms intended for hunting, sporting use or collection.

The federal police is responsible for managing and overseeing:

- Licensing of arms for self-defense.
- Arms held by the civil police.
- Arms held by private security companies.

The federal police records weapons in the National Arms System (SINARM), while the army registers arms in different systems for manufacture, sales and licensing. The main system is called the Military Arms Management System (SIGMA), which includes the licensing of arms privately-owned by military personnel, hunters, sporting shooters and collectors, as well as arms held by Brazil's other military forces.

Despite legal provisions introduced in 2004 requiring the integration of these databases, these **systems remain completely separate**[25]. With regard to state police access to the systems, currently only the federal police provides direct access to its system for state police to consult the ownership of seized arms with serial numbers. The army, however, does not provide access, making it impossible to trace seized arms in its databases, thus hampering efforts to combat the illicit trade in weapons.

The legislation also provides that illegal arms should be registered in the SINARM in order to create a national database on the circulation and illegal use of arms in the country. However, this does not take place in practice and it is estimated that only 5 per cent of arms seized by state police are registered in the system[26]. In practice, state police register seizures in their own systems, which are also unconnected.

21 Teófilo (2020).
22 Gielow (2020b).
23 UOL (2021).
24 Cagliari (2021).
25 Mariz (2020).
26 FBSP (2019).



Rooftop of a youth center in São Paulo, supported by the child rights organization terre des hommes

This **lack of national data** on licensed and seized arms hampers efforts to combat arms trafficking, identify diversions and clear crimes. It also hinders the sharing of information and cooperation between police forces from other countries.

For this reason, national data on the profile of arms seized in the country do not exist. The scant national data on arms seizures is generated by civil society organizations. To help address this data gap, Instituto Sou da Paz has undertaken a number of studies[27] analyzing state and regional data.

With regard to the **quality and completeness of national arms records**, SINARM, created over 20 years ago, underwent a major reform in 2019[28]. However, the system still has a number of limitations relating to functions and completeness of available data[29]. SIGMA was created in 2004 and its limitations were documented in an audit conducted by the Federal Court of Accounts in 2017[30], including the lack of a number of management and safety functions.

In response to the recommendations proposed by the audit and as part of a continuous improvement process, the **army developed a new arms registration system**, which was launched in March 2020. The system included a number of improvements, as the creation of a unique code for each product, thus facilitating monitoring. Days later, an army regulation improving ammunition marking and traceability was published. The regulation included mandatory and optional maximum lot sizes of 10,000 and 1,000 units, respectively[31].

27 These studies are available at: http://soudapaz.org/o-que-fazemos/conhecer/pesquisas/controle-de-armas/as-armas-do-crime/?show=documentos.

28 Ministério da Justiça e Segurança Pública (2019a).

29 For example, records lacking the owner's city of residence.

30 Federal Court of Accounts proceeding number 002.560/2016-0

31 Army Logistics Command orders 46, 60 and 61 (2020).

However, in April 2020, the implementation of the new recording system and regulation improving ammunition marking and traceability were revoked at the request of President Jair Bolsonaro without providing any sound evidence to justify the decision[32], imposing an **obstacle to progress on arms control.**

The decision is currently being questioned at various levels of the legal system and in Congress[33]. The federal public prosecutor's office expressed serious concern over the revocation and the fact that new regulations had yet to be introduced, resulting in regulatory gaps in the management and oversight of arms and ammunition.

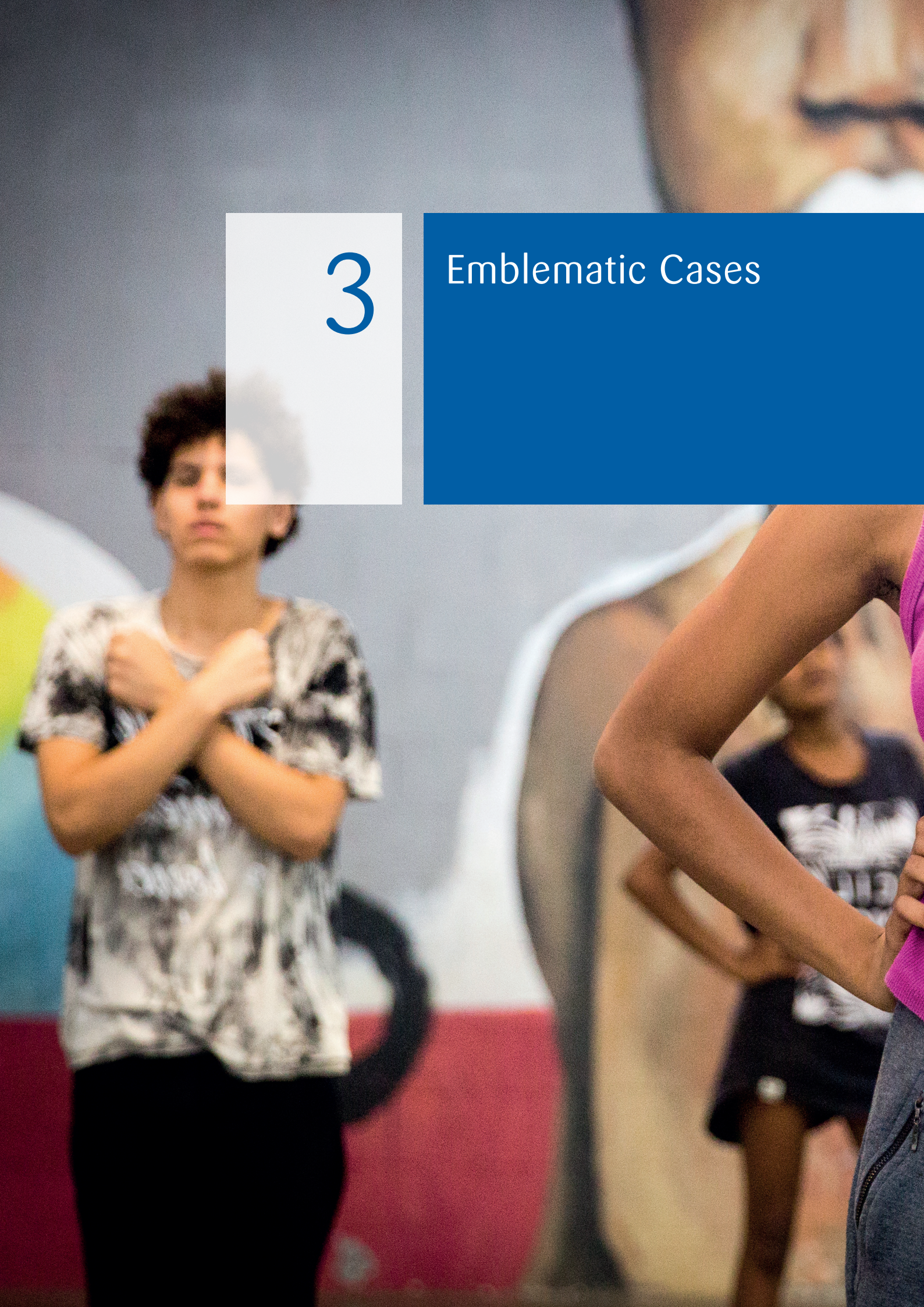
In September 2021, one day before a Supreme Court session to discuss the above revocation, the Army published a **weaker version of the new recording system and ammunition tracing regulation**, which is expected to come into force in March 2022[34].

Brazil therefore faces a series of challenges related to the following:

- **Stabilizing and advancing the rules governing the control and management of the manufacture, licensing and circulation of arms and ammunition.**
- **Modernizing legally acquired arms licensing systems.**
- **The compilation of adequate arms seizures data.**
- **Integrating national registration systems and promoting coordination between institutions with complementary roles and responsibilities.**
- **Improving state police access to army records of weapons held by civilians for investigation purposes.**

As a result of the shortcomings mentioned above, the state's capacity to combat arms trafficking, implement continuous improvement and conduct effective oversight is severely limited.

32 Talento (2020), Lopes (2020), G1 (2020d).
33 Amazonas Atual (2020).
34 Army command orders 212, 213 and 214/2021.



3 Emblematic Cases

In this section we describe seven emblematic cases of armed violence in Brazil that exemplify the complexity of this context and the interrelationship between the problems highlighted by this report.

Three of the cases address the use of European firearms in homicides: a politically-motivated execution (case 1), a mass killing motivated by gender violence (case 7) and the investigation of an army operation in an urban area (case 3).

The other four cases depict homicides or mass killings with the proven or alleged involvement of law enforcement officers. The incidents include: a lethal encirclement in a densely populated area using military-use guns and a European helicopter as a shooting platform (case 2); the killing of 11 young people believed to have been motivated by revenge (case 4); the killing of 12 young people during a police operation, where a request to federalize the case was filed (case 5); and the case of a teenager killed in his home (case 6).

Case 1: Marielle Franco and Anderson Gomes (RJ)

Overview: The murder of the Rio de Janeiro councilwoman Marielle Franco and driver Anderson Gomes was a politically-motivated execution-style killing. The murder weapon used was a German-made **Heckler & Koch** MP5 sub-machine gun, which is rarely found in arms seizures, prompting suspicions that it was diverted from public arsenals. The suspects, who are currently under arrest, are former police officers with ties to militias. The case also reveals disrespect y the arms industry for national ammunition marking rules and the diversion of ammunition from the federal police.

Highlights:

- Although the masterminds of the crime are yet to be identified, the execution of Franco and Gomes was in response to her work as city councilor and an attack against democracy. Her murder is further aggravated by the fact that she was black and lesbian, and represented historically excluded communities.
- The suspects are former military police officers and were therefore trained using public money.
- Although the weapon has not been found, the ballistics report shows that the murder weapon was a **Heckler & Koch** MP5 sub-machine gun. Instituto Sou da Paz's research shows that this weapon is rarely seized in Rio de Janeiro: only one was seized in more than 17,000 seizures over a two-year period[35]. Moreover, this weapon was imported by the civil or military police, who have reported at least six cases of diversion[36], raising serious questions about police capacity to effectively control their stocks, a topic that is addressed in section 6.

35 Seizures between 2018 and 2019, encompassing the period in which the crime was committed. Source: the Public Security Institute.

36 Using micro-data from seized weapons and press reports, we located 6 records of diversion (5 in Rio de Janeiro's Civil Police of and 1 in Rio de Janeiro's Federal Police). The other police forces did not provide data.



Marielle Franco. Source: Mídia Ninja (August 2016)

3 The investigation concluded that the ammunition used in the crime was purchased using public resources and diverted from the federal police. In addition, flaws in lot marking prevented the person responsible for the deviation from being identified.

3 Effective ammunition control is hampered by, among other things, loopholes in regulations, poor army oversight and lack of control by individual police forces. We take a deeper look at this topic in the section on stockpile control (chapter 6).

Context

This case is emblematic of the political violence that threatens social leaders and democracy in Brazil. Between 2016 and 2019, 327 attacks against candidates and elected politicians were identified in the press[37]. Of these, 125 were attempted murders or murders. In 2018 alone there were 17 cases, including the attempted murder of the then presidential candidate, Jair Bolsonaro. In 2019, there were 32 cases and 27 cases were reported up to September 2020.

Marielle Franco, and her driver, Anderson Gomes, were brutally murdered on 14 March 2018. The evidence suggests they were ambushed. Fourteen shots were fired, nothing was taken and nothing was said by the assailants, who were in another vehicle.

A sociologist with a master's degree in public administration born in a poor area of Rio de Janeiro, Franco was 38, black, lesbian, and a mother. After enrolling in a university preparatory course and losing a friend killed by a stray bullet, she started to work in community organizations. Advisor to state deputy Marcelo Freixo and member of the Commission for the Defense of Human Rights, Marielle Franco was a staunch defender of minorities and victims of state violence.

37 Terra de Direitos (2020), DW Brasil (2020c).

In 2016, she was elected councilor, ranking fifth in number of votes. She presided the legislative assembly's Commission for the Defense of Women and was member of a commission that monitored a "federal intervention" in the state of Rio de Janeiro imposed by the then president Michel Temer in February 2018[38].

The Crime

On the night of the crime, a car with false plates drew up and opened fire on the councilwoman's car. Franco was shot four times in the head and three bullets struck her driver, Anderson Gomes, killing them both instantly. An advisor who was also in the car was not hit.

A series of flaws in the investigation and forensic examination performed by the state police have been revealed, including: dismissal of witnesses by the first police officers to arrive on the scene; inappropriate storage of the car used in the crime and delays in carrying out the forensic examination of the vehicles[39]; and problems involving the collection and analysis of the gun cartridge cases at the scene of the crime[40], preventing fingerprint identification. In addition, some of the street surveillance cameras were turned off on the night. There have also been attempts to obstruct the investigation[41], leading to a federal police inquiry and filing of case federalization requests[42], both of which were unsuccessful[43].

Suspects and motive behind the crime

In March 2019, two suspects were arrested and had yet to be tried at the date of publication. The two suspects are Élcio Queiroz, a former police officer expelled from Rio de Janeiro's military police in 2015 – accused of driving the car used in the killing – and Ronnie Lessa, a retired military police sergeant who also spent time in the army and special forces, where he was renowned as an expert marksman – his alleged role in the execution. The police seized parts that could be used to assemble more than 100 assault weapons in a house linked to Lessa, suggesting that he was also an arms dealer.

Both have an extensive criminal record and are allegedly contract killers. They both hold sporting and collectors' firearms licenses, providing them with legal access to large numbers of high-powered weapons.

Investigations into the motive behind the crime, possible masterminds and attempts to obstruct the case are still underway.

Arms and ammunition used in the crime

The murder weapon was not found and it is suspected that it was thrown into the sea[44]. An unsuccessful search was conducted by the navy. However, the investigation concluded that[45] the murder weapon was a German-made **Heckler & Koch** MP5 9x19mm-caliber



German-made Heckler & Koch MP5 sub-machine gun allegedly used in the crime. Source: Wikipedia

38 On the day of the crime, the state of Rio de Janeiro had been under federal intervention for a month. The intervention, during which an army general was put in charge of public security, lasted almost 11 months. Alves (2018).

39 Carvalho; Lucchese (2018).

40 Otavio; Araújo (2019).

41 The Federal Police have indicated that planted witnesses attempted to mislead the investigation. DW Brasil (2019b).

42 Despite Federal Public Prosecutor's Office recommendations that the case should be federalized, the court decided that the investigations shall continue to be conducted in Rio de Janeiro. Guerra (2019).

43 Franco's family were against the federalization of the case both due to fear of interference by president Bolsonaro and because the investigations were progressing at state level. Based on the understanding that there was no evidence of negligence or neglect, the court decided to keep the investigation within the jurisdiction of the state. Migalhas (2020).

44 A boatman witnessed guns being dumped into the sea. One of these weapons may have been used in the murder of Marielle Franco and Anderson Gomes. Leitão; Tchao; Coelho (2019).

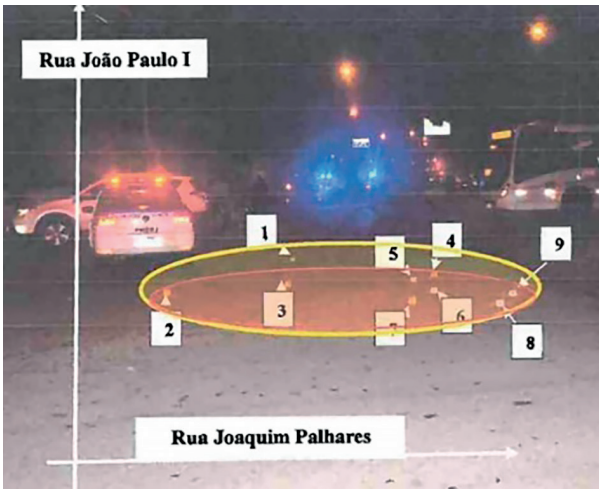
45 Ouchana; Nascimento (2018).

sub-machine gun. The identification was based on the ballistic reports, dispersion of the gun cartridge cases and sound of the gun shots described by Franco's adviser, who survived the attack.

The police estimate that 14 shots were fired. Nine 9mm x 19mm cartridge cases were found at the scene, eight of which manufactured in Brazil by the Companhia Brasileira de Cartuchos (Brazilian Cartridge Company) and one by INDUMIL, a Colombian-based military weapons manufacturer (source: Report ICCE SPAF 13482/2018). The cartridges had the lot marking UZZ18, which is mandatory in Brazil for acquisitions made by public security forces, revealing that the lot was sold to the federal police in 2006.

When the investigators attempted to trace the source of the diversion of the ammunition, they discovered that the purchase did not meet the rule of a maximum of 10,000 units per lot. The batch in question was made up of 1,859,000 9mm rounds[46], making it impossible to trace the exact origin of the diversion. Rio de Janeiro's federal police received 200,000 rounds from this lot, which according to the regulations should have been divided into 20 different lots.

Irregular lots and deficiencies in police ammunition storage and tracing underline the seriousness of Brazil's firearms and ammunition control problems. Lot UZZ18 was distributed to police departments in various states and has also been identified in other serious crimes, such as the Osasco and Barueri massacre[47] in 2015 in the state of São Paulo that left 17 people dead.



Cartridge cases at the scene of the crime. Source: Crime scene report (Civil Police of the state of Rio de Janeiro, 2018)



Cartridge case from the lot used in the crime. Source/credit: Rosilene Miliotti, the Intercept Brazil

Links between the crime and the Bolsonaro family

The President and two of his sons were mentioned in the murder investigation after the arrest of Ronnie Lessa and Élcio Queiroz.

Lessa lived in the same condominium as the President and there is a vast array of evidence linking the Bolsonaro family with militias and assassins tied to the suspects, in particular a group called the "Escritório do Crime" (The Crime Bureau). The head of this group, Adriano Nobrega[48], was honored in Rio's legislative assembly by the president's son Flávio Bolsonaro, who also employed close members of Nobrega's family.

46 Information available in the memorandum sent by the Brazilian Cartridge Company to the Federal Public Prosecutor's Office.

47 Information revealed by the national newspaper Folha de São Paulo (2018).

48 Captain Adriano Nobrega was killed in in Bahia in February 2020 by the Military Police during an attempted arrest. There are suspicions that he was executed. With regard to the relationship between Nobrega and Flávio Bolsonaro, see BBC News Brasil (2020).

Case 2: Márcio Pereira, "the Mathematician" (RJ)

Overview: this case involves the encirclement and killing of a man who had a warrant issued for his arrest in a police operation involving the use of an helicopter from the European company **Airbus** as a shooting platform (a practice still used in Rio de Janeiro and the subject of a supreme court action), as well as the use of the military-use arms manufactured in Europe in urban areas.

Hightlights:

- Not only was the investigation against the police officers involved in the killing dropped, but the team responsible for the operation were decorated. The normalization of abusive practices is such that the video of the operation was used for instruction at the police academy[49].
- The use of weapons of war by police – particularly machine guns and assault rifles in automatic burst mode – is not recommended because it increases the lethality of confrontations and likelihood of victimization[50]. The muzzle energy of bullets from these guns is enough to kill even after hitting walls or ricocheting, as in the case of Ágatha Félix, an eight-year-old girl killed in 2019 after a shot fired by police ricocheted off a lamppost hitting the car she was in[51].
- The lack of adequate protocols on the use of force and police oversight hinders the prevention and punishment of the use of excessive force.
- Initially helicopters were used by the police in Rio de Janeiro merely for collecting information and transporting teams. However, they are also currently used in confrontations in poor communities, despite providing an unstable shooting platform, thus increasing the chance of errors and victimization.
- The use of excessive force tends to be more common in operations conducted in vulnerable communities. Besides the risk of death, families living in these communities have their rights violated, experiencing school closures and difficulties getting to work, thus deepening existing inequalities.
- The arms used in the operation were military-use weapons manufactured by the Belgian firearms company FN Herstal and the helicopter was manufactured by the European company **Airbus**, AS-350 model.

Background and irregularities

On 11 May 2012, a helicopter operation conducted by the military and civil police in the Favela da Coreia in Rio de Janeiro's East Zone killed the drug dealer Márcio José Sabino Pereira, known as "the Mathematician". He was the alleged leader of the criminal organization Terceiro Comando Puro (the Third Pure Command). His death was initially explained as being caused by an "exchange of fire" and regarded as a success[52].



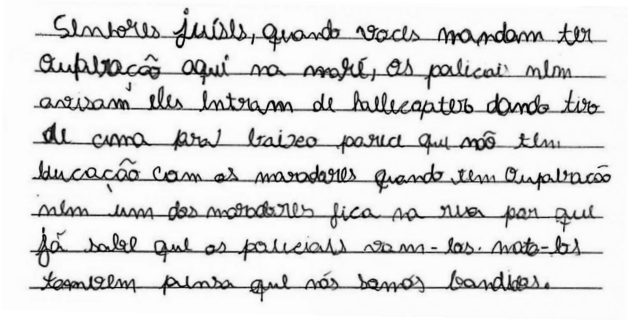
A police helicopter fires bullets at a car in a densely populated area of Rio de Janeiro, captured by a police infrared camera. The white dots are bullets from the machine gun. The video can be seen at Rede Globo website: http://g1.globo.com/fantastico/noticia/2013/05/imagens-mostram-perseguicao-e-cacada-ao-traficante-matematico.html

49 IG (2013).

50 In the manual "The use of weapons and equipment in law enforcemen t operations", the International Committee of the Red Cross (2020) says that weapons in automatic mode should not be used in law enforcement operations.

51 Barbon (2019).

52 Initial version reported by the press. Folha de São Paulo (2012).


Senhores juízes, quando vocês mandam ter
Ocupação aqui na maré, os policiais nem
avisam eles Intram de helicopter dando tiro
de cima para baixo para que não tem
Educação com os moradores quando tem Ocupação
nem um dos moradores fica na rua por que
já sabe que os policiais vão-los. mata-los
também pensa que nós somos bandidos.

Excerpt from a letter written by a child from Favela da Maré and sent to the State Court of Rio de Janeiro.

Approximately one year after the operation, a civil police video recorded in the helicopter was broadcast[53] by Brazil's main TV network Rede Globo. The video includes a dialogue between the crew and the sound of a 52-second burst of gunshots, interrupted by one of the officers saying that he was out of ammunition.

The police's original version that they had reacted to an armed attack is not confirmed by the video[54]. Shots were aimed at the helicopter, but only after the police had fired dozens of times. The commander of the operation acknowledged that more than 100 shots were fired in a densely populated area, going against international recommendations.

Considering that the police used automatic weapons at night (shooting in low precision bursts of fire with reduced visibility), the operation posed a serious risk to the local population, as shown by the following extract from a document produced by the federal public prosecutor's office:

> "In the aforementioned video it is possible to infer that numerous shots were fired by the police officers without knowing what they were shooting at, and there were dialogues in which one of the speakers says "shoot, shoot" and the other says "I can't see", to which the former says "shoot, fucking shoot".

The video shows the execution of the target of the operation (who should have been arrested) and a shot hitting a second person in the car, who managed to get away. In addition, various bullets from high muzzle energy firearms are seen to hit houses.

The police radio recording shows that the armored vehicle carrying military police who were to make the arrest was shot at and damaged, and was consequently unable to get near. Instead of calling off the operation, the helicopter crew machine-gunned the drug dealer's car. After the video was released, both the state department of public security and Rio de Janeiro's civil police acknowledged excessive use of force[55].

Stray bullets

After the video was leaked, the pilot said that the operation "had been a success because the target did not escape and no victims were reported". In a simple check of the region's hospitals, the federal public prosecutor's office found that at least one person was wounded, a thirty-five-year old called Adeilson d. S. Adeilson was on his way back from work by motorbike when he found himself in the crossfire and was hit in the legs by shrapnel. He sought refuge in a church until the end of the shootout, when he was taken to hospital[56].

In sentence 2019 (issued seven years after the incident), ruling that the state should pay compensation to the victim, the judge states: "(...) the police operation, carried out without due precaution, rather than ensuring the safety and physical integrity of people, increased the risk posed to the region's residents, resulting in injury to the claimant."

Weapons used

The experts who examined the video confirmed that the following Belgium-manufactured machineguns were used in the operation:

- FN MAG® 7.62x51mm NATO - firing capacity of around 650 rounds per minute.
- FN MINIMI® 5.56x45mm NATO - firing capacity of around 650 rounds per minute.

These arms were developed for warfare and are not

53 "Fantástico" TV program from Rede Globo (2013), video available at: http://g1.globo.com/fantastico/noticia/2013/05/imagens-mostram-perseguicao-e-cacada-ao-traficante-matematico.html

54 The inquiry report states that the forensics exams indicated that the first shots came from the aircraft 'starting an unnecessary shooting from both sides in a densely populated area'.

55 The department of security's press release and statement given by the civil police chief Martha Rocha are also featured in the Fantástico report..

56 Information taken from the sentence issued in the moral damages lawsuit brought by the victim. Proceeding 0366609-30.2013.8.19.0001.



Police helicopters during an operation in Favela da Maré, Rio de Janeiro.

recommended for police use in burst mode, which reduces accuracy. This is aggravated by the energy of the bullets, which are long-range and capable of going through walls.

After the reverberations of the case, the civil police alleged that they were unaware that these weapons were used by the police[57]. The Army Command, the body that defines the number and type of weapons used by the police, said that it had not authorized the use of this firearm, suggesting that its use was irregular.

Helicopters and rules governing their use as a shooting platform

The civil police helicopter used in the operation was an **Airbus** AS-350 ("Squirrel") called "Eagle II". The AS-350 was originally designed and manufactured by the European companies Aérospatiale and Eurocopter, now **Airbus Helicopters**[58], a division of the Airbus Group. Rio de Janeiro's civil police currently have two of these helicopters in its fleet, which also includes an American-made HUEY II.

Rio de Janeiro's state police are the country's most lethal force, with 8.9 police killings per 100,000 population[59] in 2018. The police killed 8,205 people between 2012 and 2020, an average of 933 deaths per year[60].

The protocols governing the use of helicopters by public bodies in Rio de Janeiro created in 1994 banned their use in armed confrontations. However, the rules were relaxed in 2001, when the ban was waived. The current government has reformulated the protocols, which are now strictly confidential[61], hampering control by public bodies, the press and civil society.

Unfortunately, the incident involving "the Mathematician" is not an isolated case. Helicopter operations continue to terrorize the population and cause casualties. In 2017, the fear and constant risk of shots fired from helicopters in densely-populated areas led the social project Favela da Maré place a sign on the roof of their school saying "Don't shoot".

57 G1 (2013).
58 Eurocopter AS350 Écureuil.
59 FBSP (2019).
60 Data taken from the Public Security Institute's website in the category 'Death resulting from police intervention'.
61 Official gazette of the Government of the State of Rio de Janeiro, Id: 2199106



Roof of a school in Favela da Maré, Rio de Janeiro, with a sign where we read "School. Do not shoot".

In 2019, an operation in the region left two people injured, one of whom was a child[62]. In 2020, during the Covid-19 pandemic, a federal and civil police operation resulted in the death of 14-year-old João Pedro. Civil police officers ran out of the helicopter in pursuit, stormed his house and fired more than 70 rounds[63].

Excessive use of force is so common that numerous legal actions have been brought against the state of Rio de Janeiro seeking to restrict poorly planned operations and police brutality. In May 2020, the Rio de Janeiro Court of Justice granted an injunction against police operations and banning helicopters from flying close to schools and kindergardens[64]. One month later, an action was brought before the Supreme Court calling for, among other things, the banning of shooting from helicopters. The court issued a preliminary ruling suspending police operations in communities in Rio during the Covid-19 pandemic[65], having a significant impact. This is addressed in the section on police violence.

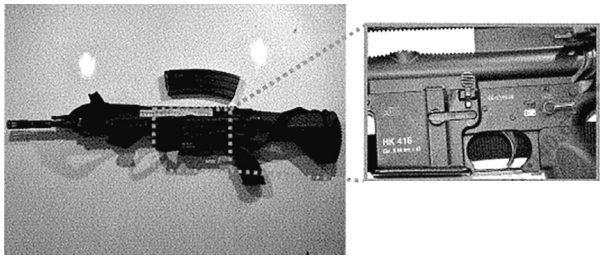
Case 3: Complexo do Salgueiro (RJ)

Overview: this case resulted in the killing of eight men in Rio de Janeiro. In three of the killings, forensic evidence suggests that they were executions. The case addresses the dynamics of police incursions and "law and order operations" conducted by the armed forces in poor communities. Neither the civil police nor the military court investigation identified the perpetrators. The investigation included a forensic report on German-manufactured assault rifles (**Heckler & Koch**) sold to army special forces.

Highlights:

- Although the investigation concluded that there was no evidence of the involvement of soldiers in the killings, this case is cause for concern because law and order operations permit the use of weapons of war and armored vehicles in densely-populated areas through the deployment of troops to back up the police.
- Twenty-four army weapons were investigated, 13 of which manufactured outside Brazil, including 3 **Heckler & Koch** assault rifles.
- Since 2017, civilian killings allegedly involving on-duty soldiers in law and order operations are judged by military courts.
- There are various legislative proposals seeking to extend the powers of this type of operation, including expanding the range of circumstances under which police killings are exempt from punishment[66];
- Several weaknesses in the investigations are cause for concern, such as the failure to identify eyewitnesses, collection of only a small amount of gunshot residue for ballistic comparison, delays in producing reports, brief testimonies from some participants in the operations, and failure by the military court to hear witnesses. Furthermore, in their justification for dropping the case, military prosecutors downplayed the incident suggesting that the area is notoriously violent.

62 Carneiro (2019).
63 The newspaper Extra reported difficulties in the investigation, such as delays in handing in the weapons for examination and illegal collection of cartridges. Soares (2020).
64 Civil Lawsuit Nº 0033269-27.2020.8.19.0001. Roberto Netto (2020).
65 Supremo Tribunal Federal (2020).
66 Rodolfo (2020).



The German-made Heckler & Koch HK416 used by army special forces in the law and order operation

Background and victims

The Complexo do Salgueiro is a favela in the Metropolitan Region of Rio de Janeiro. On 11 November 2017, 11 men were shot as they walked down a stretch of road.

On the same day, civil police were conducting a joint operation with the army involving the use of three armored cars. The army was operating under a law and order operations order issued five months earlier.

In the same week, a large-scale operation brought together civil and military police, the armed forces, National Security Guard and federal and highway police, totaling 3,500 personnel, 24 armored vehicles and 18 boats[67]. The aim of the operation was to round up members of an organized crime group, map the area and strategic entry and exit points, and deploy teams to the area where the shootings occurred.

The eight men were aged between 18 and 42 years, four were white and four were black. They were hit by 35 bullets, an average of 4 per person. According to a forensic agent contacted by the press[68], the evidence suggests that at least three of the killings were executions.

Civil police investigation

The civil police investigated the involvement of civil police officers and civilians. Investigation weaknesses included the collection of only a small amount of projectiles and the fact that some witnesses were not originally identified by the police, but rather the journalist Rafael Soares.

All the witnesses and survivors gave similar stories: they were unaware that the victims were involved in criminal activity; the victims were walking down the road when, for no apparent reason, shots were fired from an adjacent wood. The crime scene investigator alleged that, although the crime scene was disturbed by the people who came to the victims' aid, the evidence found was sufficient to confirm the version of events given by the witnesses and survivors. The police provided a statement claiming that three of the victims had criminal records (drug dealing, possession of firearms and assault)[69].

With regard to the gunmen, witnesses said they saw men in black or camouflage wearing helmets with attached flashlights and balaclavas, and armed with laser-sighted assault rifles. Two witnesses were approached by these men. One was stopped and frisked hours before the incident and the other, who witnessed the shootings, alleged that they confiscated his cellphone. Other witnesses said that days before the crime they saw men in black in the woods. The investigation confirmed that one of the victims said that the uniform and equipment used were similar to those in a photograph of army special forces.

The coordinator of the civil police operation confirmed the following: a joint action was conducted with the army; police officers were not deployed after the large-scale action conducted days before; three armored vehicles were used, one civil police vehicle and two belonging to the army; the team heard the shots soon after entering the area and was the first to see the bodies; the team did not go into the woods; he deployed police cars to provide assistance and went to seek back-up; and the location was not appropriate for an attempted raid.

67 Colpe; Nascimento (2017).
68 Soares (2018).
69 Soares (2017).

The police officers who took part in the operation gave similar reports, except for three who said they saw firearms or radios close to the victims, with one alleging he saw a soldier and another confirming that he saw a fellow officer seize a gun.

The army captain responsible for the operation provided a similar statement: that it was a reconnaissance operation; his team did not leave the police convoy nor fire any shots; and that he was not aware that teams had been in the area days before.

The civil police performed a ballistic comparison of the firearms presented by the police officers and three projectiles found at the scene of the crime, but did not find a match. The inquiry was dropped almost a year later due to the lack of evidence.

Military investigation

Less than a month prior to the incident, the then president Michel Temer signed a new law providing that homicides allegedly committed by soldiers during law and order operations shall be tried by military rather than civilian courts, as had been established 20 years before. This change was the fruit of a heated debate between the military – who claim that the particularities of their organization and training are better understood by the military justice system – and a diverse range of legal experts and human rights organizations – who argue that Brazil's constitution provides that all homicides shall be brought before a civil jury and highlight the low conviction rate in military courts[70].

The military inquiry raised immediate concerns because the prosecutor responsible for the case was not selected randomly, as the rules require, but rather appointed. Furthermore, the trial did not hear the victims or witnesses, simply accepting the original statements given to the civil police.

The soldiers' statements were consistent in saying that they entered the area in armored cars with the civil police and then heard shots. The majority claim that they got out of the vehicles only after the bodies had been found to support the police officers, who identified illicit materials and deployed the forensic team.

The case was dropped without identifying the perpetrators, leaving serious question marks: consistent soldier and police statements claiming that they did not fire any shots; consistent survivor and witness statements saying that the shots came from the woods fired by people in uniforms and equipped with laser-sighted long guns, helmets and flashlights, but without being able to identify the perpetrators; a witness statement confirming that the uniforms used by the perpetrators were the same as those in a photograph of army special forces was rejected as unreliable because she was in hospital at the time; during the trial it was stressed that clashes between rival criminal groups are common in the area; the forensic examination of the guns used by the soldiers did not find a match with the projectiles found in the victims' bodies.

Investigated arms

The civil police involved in the operation handed in ArmaLite assault rifles for examination. Seven firearms made by **Taurus**, **Glock** and **Canik**, ammunition and small and medium packets of drugs were reported to have been seized at the scene of the crime.

Only one projectile and two bullet fragments were recovered from the victims' bodies for the ballistic comparison, which is a very small number considering the number of shots fired. In the report produced by Rio de Janeiro's technical and scientific police, the gunshot residues did not match the weapons used by the civil police.

The following weapons were handed in by the soldiers: 11 Brazilian-manufactured **Taurus** handguns, one **Glock** handgun (made in Austria), nine **Colt** M4 assault rifles (made in the United States) and three **Heckler & Koch** 416 assault rifles (made in Germany). The military prosecutor requested the projectiles for ballistic comparison in January 2018, but the civil police only sent them in March. The examination of the guns used by the soldiers was performed by forensic specialists from Rio de Janeiro's military police. The examination also failed to find a match with the residues recovered from the victims' bodies.

70 Benites (2017).

Use of armored cars in urban areas and protests

A number of Brazil's police forces purchase armored vehicles for use in incursions (generally undertaken in densely-populated poor neighborhoods harboring criminal groups). The use of armored vehicles in police operations has resulted in civilian deaths, as in the case of 14-year-old Marcos Vinícius, killed in Rio de Janeiro in 2018. The investigation into his death suggested that the shot came from an armored personnel carrier used by the state police[71]. The use of armored vehicles can also cause damage to houses and cars due to mobility problems along narrow streets[72].

These vehicles are also used to disperse crowds in political protests and sports events. Although some armored vehicles are designed specifically for this purpose and play an important role in transporting personnel in certain situations, we question the parameters adopted in using these vehicles for dispersing protestors, blocking roads and as platforms for shooting less-lethal and lethal weapons. There are reports[73] of dispersals that resulted in injuries. In 2014, São Paulo's military police spent R$30 million on the purchase of six Israeli-made armored personnel carriers[74].

In addition to armored vehicles, law and order operations also use standard army equipment, as observed in the Complexo de Salgueiro. These operations include not only incursions and general police back-up, but also security support at large-scale events.

Another case in point is the purchase of the Swiss-made **MOWAG** Piranha. In response to a request made under the Access to Information Law, the Brazilian navy reported that it acquired 30 of these vehicles in 2007 for US$72 million. They were partially intended for use in the Brazilian-led UN peacekeeping mission in Haiti. However, they were also used in law and order operations in Rio de Janeiro.



Armored vehicles "Piranha" by the Swiss manufacturer MOWAG, during the occupation of Rocinha by the Armed Forces in 2017, Rio de Janeiro.

71 Lucchese (2018).
72 O Globo (2017).
73 UOL (2013).
74 G1 (2015a).

Case 4: The Messejana Massacre (CE)

Overview: this case documents a massacre in the state of Ceará resulting in the death of 11 young people. The investigation suggests that the incident was an indiscriminate retaliation against a community involving dozens of police. Five years after the incident, the officers accused of the killings have yet to be tried and continue to serve in Ceará's military police.

Highlights

- Five years after the incident, a trial date has yet to be set[75]. The officers accused of the killings continue to serve in the police, illustrating the difficulty in prosecuting and punishing the use of excessive force and executions committed by law enforcement officers.
- The civil police investigation suggests that the victims were failed by the police officers on duty in the area at the time: despite numerous calls to the police reporting torture and murders, the police took two hours to respond.
- The Messejana massacre is not and exception. Ceará's police killed 710 people between 2015 and 2019[76]. In 2020, 13-year-old Mizael Fernandes was executed by a police officer while asleep in his bedroom in a case that shocked the country[77].
- Besides evidence substantiating the use of ammunition bought by the state in the killings, ammunition with lot-number markings – and therefore from public purchases – were found in the suspects' homes, suggesting a lack of control of state ammunition stocks.
- Local police arms and ammunition controls are rudimentary and there is a lack of transparency about the volume of ammunition diverted. In 2020, we requested information on ammunition stockpile diversions from Ceará's civil and military police. The military police refused the request and the civil police claimed that they did not have complete records or disaggregated data.
- Recently, the government of the state of Ceará made a large purchase of firearms, acquiring dozens of imported assault rifles and approximately 4,000 German-made **Sig Sauer** P320 handguns.

Victims and motives

On 11 and 12 November 2015, Ceará witnessed a series of similar murders in seven different locations in the Messejana and Curió neighborhoods. Eleven people were killed, seven were seriously injured and others were tortured.

Eight of the people killed were teenagers, all male and predominantly black. In cases like these in Brazil, certain segments of society commonly seek to justify the killing of crime suspects. However, this warped argument does not hold up in this case: only three of the victims had a criminal record (all minor crimes - traffic offenses, threatening behavior and failure to pay child support). All were victimized simply because they lived in a poor area, reinforcing the seriousness of violations.

There are reports that just before the massacre the police were intimidating local people to avenge threats made against a military police officer involved in a recent homicide. Apparently, these threats motivated at least two homicides committed by hooded men a month prior to the Messejana massacre. This hostility was aggravated by the death of a police officer (soldier Valtemberg Chaves Serpa), killed while off-duty hours before the massacre while resisting an attempted robbery[78]. Shortly thereafter, messaging apps were used to mobilize a campaign of revenge.

75 Borges (2020).
76 According to data compiled by the Brazilian Public Security Forum and Network of Public Security Observatories.
77 G1 (2020a).
78 Information from the complaint filed by the state public prosecutor's office (p. 10).



Soldier's personal vehicle with several police officers hooded.

The crime

According to the investigation, shortly after the murder of soldier Valtemberg Serpa, an exchange of messages resulted in the recruitment of dozens of police officers to embark on a plan of retaliation. According to the public prosecutor's office, the intention was to find the killers; however, when they failed to do so the group started to terrorize the region:

> "Although there was also an interest in obtaining information about those involved in the death of officer Serpa, the main concern was immediate retaliation, at any cost, regardless of the victims' relationship with this or any other criminal incident. And that's exactly what happened in the end".
>
> (Complaint, p. 11)

The civil police investigation report was 3,300 pages long. The complaint consists of nine individual episodes, the first of which occurred on 11 November at 11.30pm and the last at 2am.

During these two and a half hours, various calls were made to the police reporting torture and murders committed by hooded men. However, the police failed to respond. Despite being further away, the ambulances arrived before the police cars[79].

The majority of officers involved in the crime were off-duty; however, on-duty police officers were also involved, mainly to provide cover for those who carried out the executions[80]. There are also reports of uniformed police officers casually talking to the hooded men in the convoy of vehicles with covered number plates, without taking any steps to prevent the offences. The following witness statement in the final investigation report illustrates the scale of fear and horror and the criminal apparatus created by the officers:

> "THAT suddenly the cars pulled in front of the declarant and his friends; THAT 04 (four) hooded mend got out of the first vehicle, pointing guns at everyone and telling everyone to stand up against the wall with their backs turned (...)THAT at that moment the declarant looked back quickly and saw there were more than forty hooded men who had got out of other vehicles (...)THAT even with his eyes closed, he heard the men hitting his friend/cousin in the chest asking "where are they, where are they?"; THAT Jardel answered "what sir, what sir? We don't know anything"; THAT one of the men said: "since you don't know anything, everyone on their knees" (...)THAT the men immediately started shooting (...) THAT realizing that the men were on his left and no one was to his right, he began to run towards the street next to CAGECE [the state water company]; THAT (...) he looked behind and saw some men shooting at him; THAT the declarant kept quiet and still and when he looked under the car saw various cars stop at the street corner"
>
> (investigation report, p. 52 – witness statement transcription).

79 The route taken by the vehicles was reconstructed using the vehicles' GPS.

80 Incluindo policiais do serviço reservado de inteligência que podem atuar sem farda e em veículos descaracterizados.

The police officers acted in this manner with the knowledge and consent of their superiors. One of the accused is the police commander at the time of the incident. When told by telephone about the various deaths in the region, he made jokes such as "It must be some kind of virus that is killing these people (...)" (p. 50 of the complaint). In another conversation with the call center, when hearing the reports of the crime he said: "That one wasn't planned".

In June 2016, the public prosecutor's office filed a complaint against 45 military police in connection to the incident. The first sentence was passed by the Ceará state court of justice in 2017, accepting the complaint against 44 police officers, ruling that 34 of them should be tried by the Jury Court (which is responsible for crimes against life), and lifting preventive detention orders issued in 2016. The ruling was appealed and upheld at the second level of the court of justice in October 2019[81]. It is expected that the accused will be tried in 2021[82].



Spent 380-caliber and 12-gauge shotgun cartridges with lot-number markings, both collected at the crime scenes

Weapons and ammunition used in the crime

Due to superior officer collusion and delays in the forensic investigation, a lot of the evidence at the scene of the crime was lost, hampering the investigation. However, the projectiles removed from the victims' bodies and few gun cartridge cases found show that the following weapons were used: .38-caliber revolver; .40-caliber pistol; 380-caliber pistol; and 12-gauge shotgun.

The officers' personal firearms were seized on suspicion of being used in the killings. However, the officers are also suspected of using military police weapons. The cases shows a number of weaknesses in firearm management and control, including the use of paper records[83].

Despite disturbance of the crime scenes (including the collection of gun cartridge cases[84]), the forensic investigation managed to collect 17 cartridges, all made by the Companhia Brasileira de Cartuchos. Three lot-number markings were identified[85]. Tracing showed that the .40-caliber cartridges were sold to the State Academy of Public Security of Ceará in 2012 and that the 12-gauge shotgun shells were purchased by the Ceará State Department of Security and issued to the civil police. It was not possible to ascertain how the ammunition arrived in the hands of the military police.

81 Judicial Branch of the State of Ceará (2019).
82 Borges (2020).
83 The Federal Public Prosecutor's Office in Paraíba requested information on firearms and ammunition control from all states (see section below). The police forces in the state of Ceará did not answer the request.
84 Witness statement on p.82 of the investigation report: "I remember seeing some cartridges on the ground, which disappeared. However, I didn't see who took the cartridges". The report also mentions that the hooded police officers forced people to collect the cartridges.
85 Law 10.826/2003 provides that only ammunition sold to public forces need to have lot number markings.

Case 5: The Cabula Massacre (BA)

Overview: This case in the state of Bahia documents the death of 12 young black men in a military police operation in which 140 shots were fired. The forensic report contradicts the police version of events and supports allegations that the operation was an execution. The case is notable for the speed with which the authorities attempted to legitimize the action and with which the court acquitted the officers. The case generated wide scale social mobilization, leading to the filing of a federalization request, which failed to materialize after the annulment of the first sentence.

Highlights:

- This case exemplifies the difficulties faced by the most victimized and vulnerable groups in accessing justice, with the case resulting in a federalization request filed by Brazil's prosecutor general highlighting numerous flaws in the case heard by the state court.
- Residents say that after the crime hooded men intimidated the community, leading witnesses to move out of the area.
- Community mobilization was essential to obtaining accounts that diverged from the police version of events, the pursuit of justice and exposing systematic police violence.
- The case is a clear example of the widespread normalization and justification of excessive use of force by the police on supposed criminals.
- The weapons used by the military police were not identified in the public documents. The Bahia State Department of Security announced the purchase of 10,000 Austrian-manufactured **Glock** pistols in 2019[86].

The crime, victims and accounts

Cabula is a neighborhood in Salvador, the capital of the state of Bahia. On 6 February 2015, 12 young people were killed and six injured during a military police operation. The operation was conducted on a vacant plot of land used for recreation by the local community. A police officer also suffered a superficial gunshot wound to the head.



Area where the massacre took place. Vila Moisés, Cabula, Bahia

The crime scene investigation[87] counted 143 shots fired, 88 of which hit the victims. Shots also hit the victims' hands at angles that suggest that they were crouched down, contradicting the version of events and supporting allegations that the operation was an execution.

The officers gave diverging accounts. According to one officer, the police received a tip-off about a group that was planning a bank robbery. When they arrived on the scene, they saw six men who upon seeing the police immediately fled to the vacant plot, where there were another 30 men, who began shooting at the police. A significant haul of weapons and drugs were seized: 12 .38-caliber handguns, two pistols, a 12-gauge shotgun, two bulletproof vests and 4.5kg of drugs[88].

86 G1 (2015b), G1 (2015c).

87 Federal Public Prosecutor's Office (2016).
88 G1 (2015c).

Eighteen young men were hit during the exchange, 12 of whom died at the scene. Six were seriously injured. In a statement, the survivors said that they pretended to be dead[89]. All the dead were young black men aged between 16 and 27 years. The families and witnesses claim that the victims were not involved in crime. Only one of the young men had been cautioned for brawling.

Table 1. Victims of the Cabula massacre

Name	Age
Caique B. d. S.	16
Natanael d. J. C.	17
Rodrigo M. d. O.	18
Tiago G. d. V.	19
Bruno P. d. N.	20
Agenor V. d. S. N.	20
Vitor A. d. A.	20
João Luis P. R.	21
Adriano S. G.	22
Jefferson P. d. S.	26
Evson P. d. S.	26
Ricardo V. B. S.	27

Source: Technical and scientific police report, 2016

89 TV news program Bahia Meio Dia (2018).

Probe into the massacre

Shortly after the massacre, the state governor Rui Costa[90] made the following statement:

> "(...) As mandated by the constitution and law, the Police must define at each moment (...) the force required to contain each situation. (...) we have only a few seconds to decide. It's like a striker in front of goal who has to decide, in a matter of seconds, how to put the ball into the net (...) Only those on the frontline with seconds to make a decision know how hard it is to make a decision. (...) What makes the difference is compliance with the law. Like a good striker, we defend scoring more than missing. (...) To the press questioning whether the men will be removed from their positions, I say no, because there is no evidence suggesting they acted outside the law in this case."

The governor's comments comparing the police to football players and confirming that officers involved in the incident had acted within the law were applauded by law enforcement officers and strongly rebuked by a diverse range of organizations and social leaders who played a decisive role in exposing inconsistencies in official accounts. One week after the crime, these groups organized a march, which, according the community, was accompanied by the military police in an intimidating manner[91].

Despite the complexity of the crime, it took the civil police only a few months to finish the investigation, which concluded that the police involved had acted in legitimate self-defense. The case was tried only five months after the crime and the officers were acquitted[92]. The public prosecutor's office appealed the decision alleging that the judge had not taken enough time to consider all relevant evidence submitted at the hearing and that inconsistencies in the accounts given by the police officers had not been sufficiently addressed.

90 Governo do Estado da Bahia (2015).
91 Marreiro (2015a).
92 Marreiro (2015b).

The case gained national notoriety for the public response. A complaint was filed with the country's prosecutor general, who confirmed that there were various weaknesses in the trial, consequently filing a request for the federalization of the case in 2016[93] alleging partiality on the part of the state court. In 2018, the Bahia State Court of Justice overturned the acquittal and the Supreme Court denied federalization, meaning that the case returned to the initial stage of proceedings[94], and is now treated as confidential.

The nine officers involved in the incident continue to serve and have received counseling. In 2019, Bahia State Department of Public Security announced that one of the officers had been relieved of his duties because he had been transferred to the retired reserve. Another officer, Lázaro Alexandre Pereira de Andrade, was candidate for city councilor in the 2020 elections.

Developments

Witnesses and the victims' families rallied together to contend the official version that the young men were involved in drug trafficking and other crimes and had started firing at the police. They organized public demonstrations and marches through the neighborhood calling for justice. Residents report that, after the crime, hooded men probed the region intimidating the community so that they would not provide testimony. Many witnesses moved out of the area and to this day the community avoids talking about the incident with unfamiliar people.

Social movements like Cipó Comunicação Interativa (Interactive Communication Vine) and the campaign Reaja ou Será Morto, Reaja ou Será Morta (React or be Killed, React or be Killed) continue to call for justice and provide support to the victims' families. In 2019, Cipó released a documentary[95] about the victimization of young black men in the region, including other emblematic cases such as an incident in 2014 that became notorious for police brutality against Geovane M., who was bundled into a police car, tortured, mutilated and murdered. In February 2020, the Reaja ou Será Morto, Reaja ou Será Morta campaign planted trees in memory of the victims.

93 Federal Public Prosecutor's Office (2017).
94 Alves; Oliveira (2019).
95 Cipó Comunicação Interativa (2019).

Case 6: Juan F. (SP)

Overview: this case in São Paulo is yet another example of revenge to the detriment of justice, resulting in the death of a 16-year-old teenager in his home. The ongoing inquiryis investigating a civil police officer who was victim of attempted robbery a month earlier. The case also highlights flaws in youth assistance services.

Highlights:

- The killing is a possible case of revenge motivated by disbelief in the criminal justice system. An aggravating factor is that the main suspect is a member of the civil (judicial) police, who may have used police powers to bring about the lethal outcome.
- The case illustrates that human rights violations are a daily reality in some regions. Hours earlier, the community had witnessed the execution of another youth. Protesters who gathered to express their outrage and demand justice were dispersed by the police and only hours later received the news that a second teenager had been killed in his home.
- The event reinforces the import role of protest and community organizations in calling for answers from the government, given that the case did not receive media coverage. One of the factors that contributed to this fact is that Juan was serving a sentence for juvenile crime ("socioeducational measures"), thus generating less public outcry.



Victim's mother showing the ammunition found in the house after the death of the victim

- The fact that Juan was serving a sentence when he was killed highlights shortcomings in the juvenile justice system. In Brazil, socioeducational measures are a complementary assistance mechanism used when basic assistance (education, health, welfare assistance, etc.) have already failed the youth.
- In November 2020, the case was classified as confidential. The information available in the public domain shows that there is strong evidence against the police officer. However, reports suggest that he continues to serve in the police station located close to Juan's house.

Context

On 21 May 2020, a man in plain clothes shot teenager Gabriel D. in a street in Jardim Elba, district of Sapopemba, São Paulo. Gabriel died hours later and residents organized a protest against his death. The protesters were dispersed by the military police using less-lethal weapons. According to witnesses, hours later an unidentified man broke into a house in the same neighborhood shooting and killing another teenager, 16-year-old Juan F.[96]. Living in this reality, local residents are known for organizing strategies and groups to deal with and resist police brutality.

The crime

Juan lived with his mother and five brothers, aged 14, 12, 10, 8 and 3 years. His murder is potentially linked to an incident that took place a month earlier[97]. According to a police incident report based on a statement given by officer Carlos M. on 21 April 2020, the officer suffered an attempted robbery on a street close to Elba. The officer was on his way to work at the police station where he served as a police clerk when he was approached by a youth on a motorbike with a gun. M. said that, acting in self-defense, he fired five shots at the assailant with a **Taurus** .45. The driver, 18-year-old João Victor, died at the scene. Also according to the incident report, a second youth wrestled with the clerk and suffered a superficial gunshot wound, fleeing on the back of another motorbike ridden by a third assailant.

One month later, on 21 May 2020, military police stopped two youth on a motorbike in alleged possession of a .38 handgun (Jhonata, age 23, and Guylherme, age 19). They were taken to the police station where M. works. During interrogation, Jhonata confessed his role in the attempted assault of M. and said that the third youth involved in the incident was Juan, giving his address. M. then went to Juan's house. There are two versions of what happened next:

- Police version: M. went to Juan's house with a colleague to verify the information and found him outside the house with a gun. Upon seeing the men approaching, Juan fired two shots (using a weapon that was subsequently seized by the police), to which M. and his colleague retaliated with shooting.
- Witness's version: Juan was at home having dinner with his family when two unknown men raided the house. One of the men rushed towards Juan and fired seven shots. The man who fired the shots identified himself as a civil police officer only when the military police arrived in response to the incident. In the days following the incident, the white pick-up truck used by the man who killed Juan was seen driving around the neighborhood escorted by military police.

96 Stabile (2020a).

97 Stabile (2020b).



Street football and mediation: at a project supported by terre des hommes in a community in São Paulo, children and young people can discuss their problems and learn how to resolve conflicts without violence in a playful way.

As part of the public response to the case of Juan F., the *Rede de Proteção e Resistência ao Genocídio*, a group that denounces human rights violations committed by the police, created a confidential hotline for reporting information about this and other cases, adapting to the situation of social isolation imposed by the Covid-19 pandemic.

Investigation

In November 2020, the case was being conducted in secret. Despite lack of access to the inquiry, the information available in the public domain and links between the attempted robbery, Jhonata's arrest and Juan's killing provide strong evidence against the civil police officer suspected of committing the crime. Despite this evidence, reports suggest that he has not been relieved of his duties in the police station where he works close to Juan's house.

Case 7: Massacre and femicide in Campinas (SP)

Overview: this case in the state of São Paulo involves femicide and the killing of 12 people from the same family by the ex-husband of one of the victims. The motive behind the killings was an acrimonious separation involving a dispute over the custody of the couple's child. The crime was committed using a German-manufactured **Walther** P5 pistol, which the perpetrator claimed he bought from the widow of a police officer. The crime therefore also involves the diversion of firearms from the legal market to the illegal market.

Highlights:

- The case is a classic example of interpersonal disputes and gender discrimination ending in tragedy when there is a firearm available.
- The killer did not have a criminal record, being what one might call a "good" or "ordinary" citizen, contradicting the idea that only habitual criminals or members of criminal factions commit barbarous crimes.

➤ According to the killer, the weapon – a German-manufactured **Walther** P5 pistol – was legally purchased by a military police officer and illegally sold by his widow, illustrating how the diversion of legal arms to the illegal market contributes to armed violence.

The crime and victims

In 2017, 18 people from the same family were commemorating New Year's Eve. Sidnei R. d. A. turned up armed with a pistol, knife and explosives strapped to his body looking for his ex-wife, Isamara, shouting: "I'm going to kill you, you took my son!"

He went from room to room shooting at everyone, except for a woman holding a baby. The first two victims were shot in the garage and a third was hit in the kitchen. Six people were shot in the living room. A. reloaded the gun and continued looking for his ex-wife, who was hiding with the couple's son and cousin in a back room. A. broke down the door and killed the two women. According to witnesses, his eight-year-old son asked "why did you kill mummy?" before being shot in the head. A. then killed himself.

Fifteen of the 19 people at the party were shot and 12 died. More than 30 shots were fired.

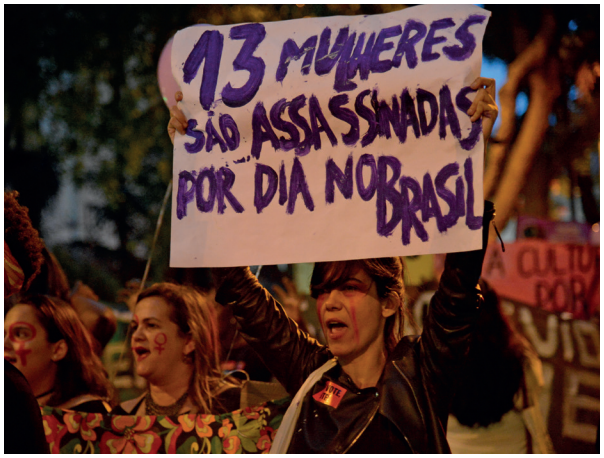
Table 2. Victims of the massacre in Campinas

Name	Sex	Age	Observations
Isamara F.	F	41	Gunman's ex-wife
João V.	M	8	Gunman's son with his ex-wife
Rafael F.	M	33	Isamara's brother
Liliane F. D.	F	44	House owner
Alessandra F. de F.	F	40	House owner's sister
Antônia D. F. de F.	F	62	House owner's mother
Abadia d. G. F.	F	56	House owner's sister
Paulo d. A.	M	61	Abadia's husband
Ana Luzia F.	F	52	Antonia's sister
Larissa F. de A.	F	24	Ana Luiza's daughter
Luzia M. F.	F	85	Antônia's, Abadia's and Ana's mother, Liliane's, Alessandra's and Larissa's grandmother
Carolina d. O. B.	F	26	One of the injured's daughter

Source: Table elaborated by Instituto Sou da Paz using information from the media[98].

98 G1 (2017a).

The gunman and possible motivation



Protests against murders of women, Rio de Janeiro.

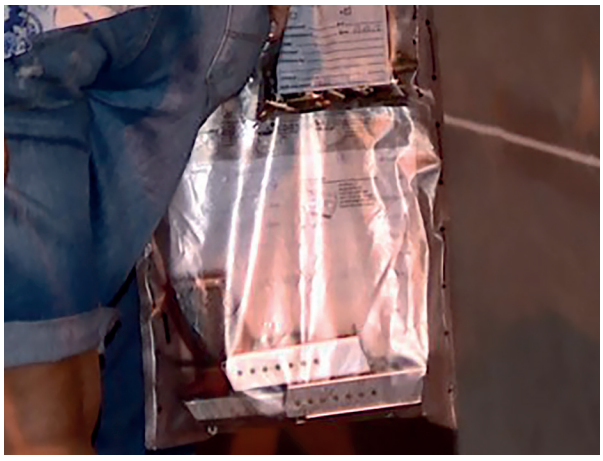
A. was 46 and worked as a microscopy technician in a government research center. He had done a number of specialist training courses in and outside Brazil. He lived alone and his neighbors described him as polite and always smiling. According to his father he "had never set foot in a police station"[99].

A. and Isamara were married for some years and had a son. However, they went through an acrimonious separation and, according to the press, the court had banned the father from seeing his son for a year. Isamara had also filed police incident reports against her ex-husband for threatening and abusive behavior, leading to the ban[100].

A. felt victimized and blamed his ex-wife and other women from her family for the ban. In recordings, conversations and the letter he left in his car, he used misogynistic terms to refer to the women[101]. Nine of the 12 people who were murdered were women. The crime was classified as femicide characterized by gender bias.

The murder weapon

A. used a German-manufactured Walther P5 9mm-caliber pistol[102]. Besides the murder weapon, two magazines were also seized at the crime scene. The forensic investigation identified the serial number scraped off the gun, but did not find the firearm license[103].However, a recording left by the killer suggests that the origin of the firearm was an illegal purchase from the widow of a military police officer[104].



Murder weapon, a German-made Walther P5 pistol, and magazines in a forensic bag

99 Report in the newspaper Folha de São Paulo. Pamplona; Borlina Filho (2017).
100 Further details of the process and police incident reports can be found in the G1 report (2017b).
101 Extracts can be found in Hisayasu (2017).
102 Exclusive information obtained by Instituto Sou da Paz from the police incident report.
103 Carvalho (2017).
104 G1 (2017c).

4 Police Violence



Police operation in a densely populated area in Rio de Janeiro.

4.1
National overview

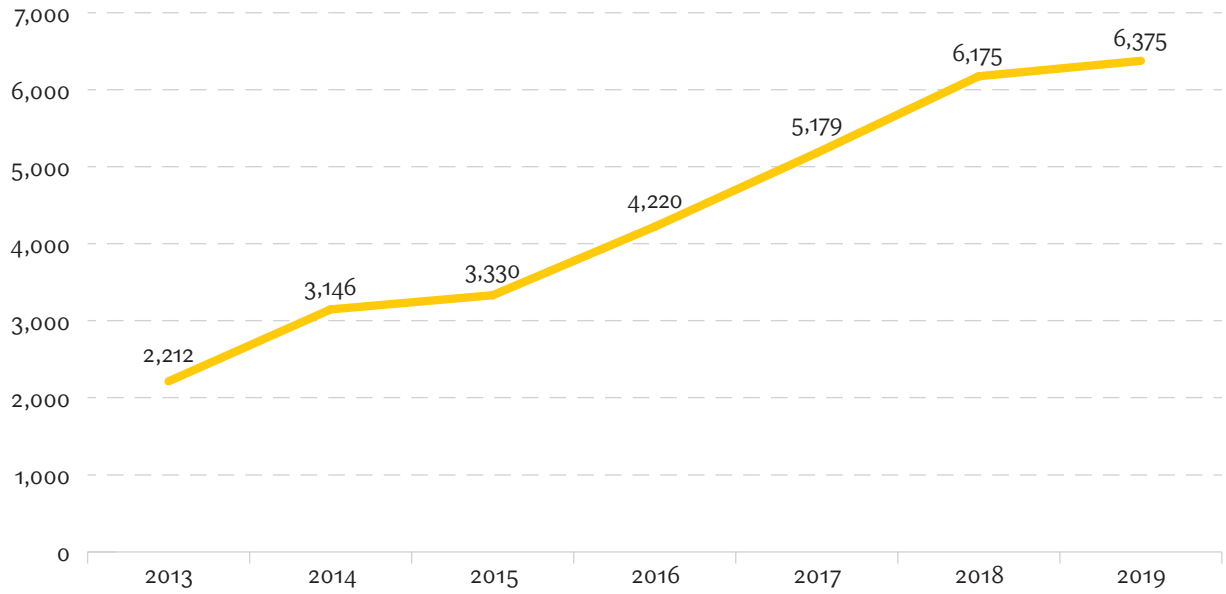
High rates of police lethality are a systematic problem in Brazil. It is worth noting that the law allows the police to use force, being one of the defining characteristics of policing. Law enforcement officers are also legally exempt from punishment when it can be shown that force was used in self-defense or defense of others against the imminent threat of death. We by no means suggest therefore that all police killings result from abusive (as opposed to legitimate) use of force. Rather we question the large number of deaths resulting from police intervention, sizeable share of police killings in overall violent deaths, lack of openness in discussing this topic, and public understanding of what is behind each case involving police use of lethal force.

According to the 2020 Brazilian Public Security Yearbook[105], deaths resulting from police interventions accounted for 13 per cent of overall violent deaths in the country in 2019. The steady growth in police killings since 2013 is also alarming (Graph 6). The number increased by 20 per cent between 2017 and 2018 and 2 per cent in 2019, reaching 6,375 deaths.

The national figures conceal major regional variations. According to the Brazilian Public Security Yearbook, Rio de Janeiro had the highest percentage, with police being responsible for 30 per cent of violent deaths. São Paulo also had one of the highest rates (21 per cent), and the police were responsible for 12 per cent, 6 per cent and 2 per cent of violent deaths in Bahia, Ceará and Pernambuco, respectively.

These rates also signal a series of other types of violence that are less likely to be reported, such as physical and verbal aggression and abuse of power, which is common both from on-duty and off-duty police in informal jobs taken to complement income.[106].

Graph 6. Deaths resulting from police interventions in Brazil between 2013 and 2019



Source: 2020 Brazilian Public Security Yearbook

105 FBSP (2020).

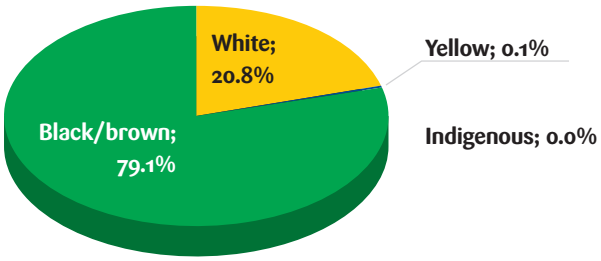
106 Cases of abuse committed by off-duty police working for private security companies. Irion (2020).

Victim profile

The profile of victims of police killings follows a similar pattern to that of victims of lethal violence in Brazil. According to the 2020 Brazilian Public Security Yearbook, 99 per cent of victims in 2019 were male, 79 per cent were black, 31 per cent were aged between 20 and 24 years, and almost a quarter were aged between 15 and 19 years.

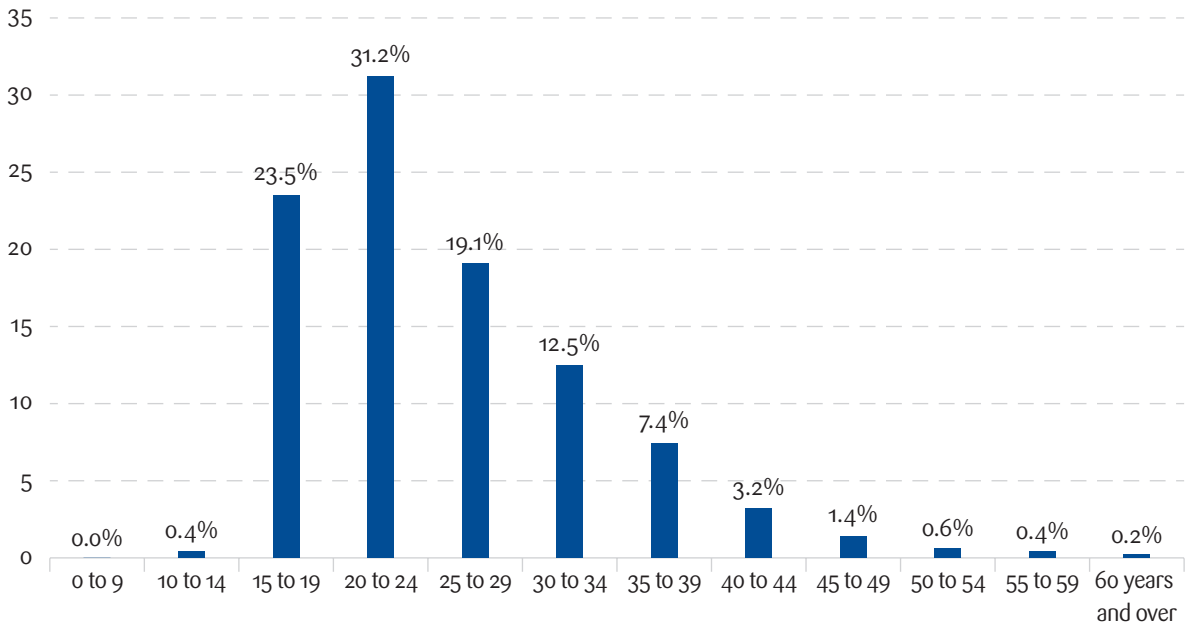
Official data on the location of these deaths are not available. However, various groups such as Mães de Maio , Movimento Negro Unificado and Rede de Comunidades e Movimentos contra a Violência claim that deadly police operations take place mostly in socially vulnerable and disadvantaged urban areas like favelas and the peripheries of large cities. Data on the level of education of victims from the Brazilian Public Security Yearbook[107] corroborate this claim: 81 per cent of victims in 2017 and 2018 had only studied up to the age of 15, exposing the social facet of this problem.

Graph 7. Race/color of victims of police interventions resulting in death in Brazil in 2019



Source: State departments of public security and/or social defense; Fórum Brasileiro de Segurança Pública

Graph 8. Age of victims of police interventions resulting in death in Brazil in 2019

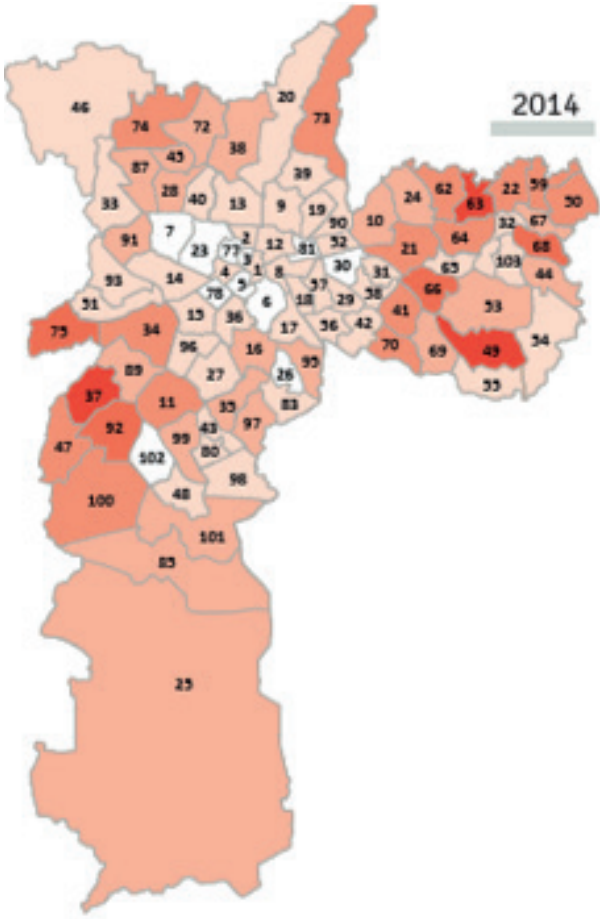


Source: State departments of public security and/or social defense; Fórum Brasileiro de Segurança Pública

107 FBSP (2019).

A study conducted by Instituto Sou da Paz that geo-referenced deaths resulting from police interventions in the city of São Paulo in 2017 show that deaths were concentrated in the peripheries (Image 17).

Image 18. Police killings in São Paulo in 2014 by district



Source: Police incident reports SSP/SP. Elaborated by Instituto Sou da Paz.

Police deaths

Although proportionately lower than police killings, the rate of police deaths in Brazil is high. Using data from 26 of Brazil's 27 states, the Brazilian Public Security Yearbook reported 313 cases in 2018 and 172 cases in 2019, including both on-duty and off-duty officers. The rates per 1,000 officers in 2018 and 2019 were 0.6 and 0.3, respectively.

The number of suicides among law enforcement officers is also concerning. Using data from 21 states, the Yearbook reported 91 cases in 2019, representing a rate of 0.2 per 1,000 officers, and goes on to stress that "the suicide rate among military and civil police on active service in Brazil in 2019 (17.4 per 100,000) was almost triple the rate in the general population".

4.2
Structural factors

Police lethality in Brazil has a series of historic structural causes, including socioeconomic inequality, racism, machismo, the lack of a consistent national security policy[108] and police underfunding.

We address two more specific factors related to the definition of police proposed by the American political scientist David Bayley: an organization authorized by a collectivity to regulate interpersonal relations using physical force. This definition raises two fundamental questions: the response of the state to cases of abusive use of force; and social acceptance of police use of force.

Note:

According to the Constitution, the public prosecutor's office is tasked with the external control of the police. In addition, each force has an internal affairs bureau to investigate cases of misconduct and an ombudsman to receive and adress complaints from the public and police thenselves.

Lack of accountability

Brazil has historically placed low priority on homicide clearance. This is illustrated by the lack of a national homicide clearance rate. To help address this gap, Instituto Sou da Paz conducted a survey of state homicide clearance rates and found that rates ranged between 11 and 67 per cent.[109] This means that in many cases the police fail to ensure accountability for violent deaths, leaving victims' families and communities without access to the truth, memory and redress.[110]

With specific regard to police lethality, in a study of 355 police killings in Rio de Janeiro, the sociologist Michel Misse found that only 19 had been investigated and had enough evidence to bring the case to trial three years after the events.[111]

The failure to ensure the accountability of law enforcement officers has already led to two rulings against Brazil by the Inter-American Court of Human Rights.[112] The emblematic cases highlighted in this report are riddled with problems that hamper the identification of the perpetrator and accountability, such as the lack of collection of evidence and protracted delays in legal proceedings. In many cases, the law enforcement officers suspected of the killings remain in their posts or have been transferred to other functions within the same force.

Impunity for lethal crimes, especially deaths resulting from police intervention, may also be related to the predominant victim profile: poor young black men with a low level of education. These people generally have limited access to spaces of power to be able to demand a better response from the state and, due to the deep-rooted racism and discrimination against the poor in Brazilian society, crimes against these groups tend to prompt less public outcry.

108 The Unified Public Security System was created only in 2018 and is in the final phase of implementation. Ministério da Justiça e Segurança Pública (2019b)..

109 Instituto Sou da Paz (2020a)

110 The families' struggle for justice. Pauluze; Barbon; Nogueira (2020).

111 Misse (2011), OAB (2012).

112 The court issued a ruling against Brazil for the massacre in the favela Nova Brasília. Gandra (2017).

Inflammatory rhetoric

Authoritarian rhetoric and penal populism have gained strength recently in Brazilian politics. The current President, Jair Bolsonaro, has stated several times during his political career and presidential campaign[113] that "criminals" should be killed, and downplayed practices such as torture.

Note:

in Brazil, under certain circumstances, deaths due to assault are exempt from punishment. These include the proportionate use of force in the case of an imminent threat of death to the officer or other persons. Under these circumstances, the use of force is "justifiable" and not regarded as a crime (unlawful conduct).

These possibilities are underpinned by the concept of police as an organization with authorization to use force.

In this report we question the expansion of the range of these circumstances using broad and vague terms such as "surprise or violent emotion".

In the first months of his government, a proposal to expand the range of circumstances under which police officers are exempt from punishment for causing death was include in a package of legislative proposals known as the "anti-crime package"[114], put forward by the then minister of justice and public security, Sérgio Moro. The proposal excluded certain penalties and reduced sentences by half in cases of excessive use of force motivated by "surprise or violent emotion", which are subjective terms and contrary to what is expected from the police. After widespread mobilization of civil society and lawmakers, the proposal was rejected by Congress.

Despite this initial defeat for the government, similar proposals are currently being considered by Congress [115], and in January 2021 Bolsonaro reaffirmed that broadening the range of circumstances under which police officers are exempt from punishment remains a priority[116].

Various governors share the government's views. For example, the former governor of Rio de Janeiro, Wilson Witzel, peddled the legitimization of police violence rhetoric between 2018 and 2020, saying that "under no circumstances" should police officers who killed suspects carrying assault rifles be held accountable:

> According to him, the authorization to "kill off" that is to be made official will not increase lethality in the state (...). For Witzel, the measure will reduce the number "of bandits armed with assault rifles in circulation". "It's right to kill a bandit armed with an assault rifle. The police will do the right thing: aim at [his] little head and... fire! To avoid mistakes ", said the elected governor, who is a former federal judge[117].

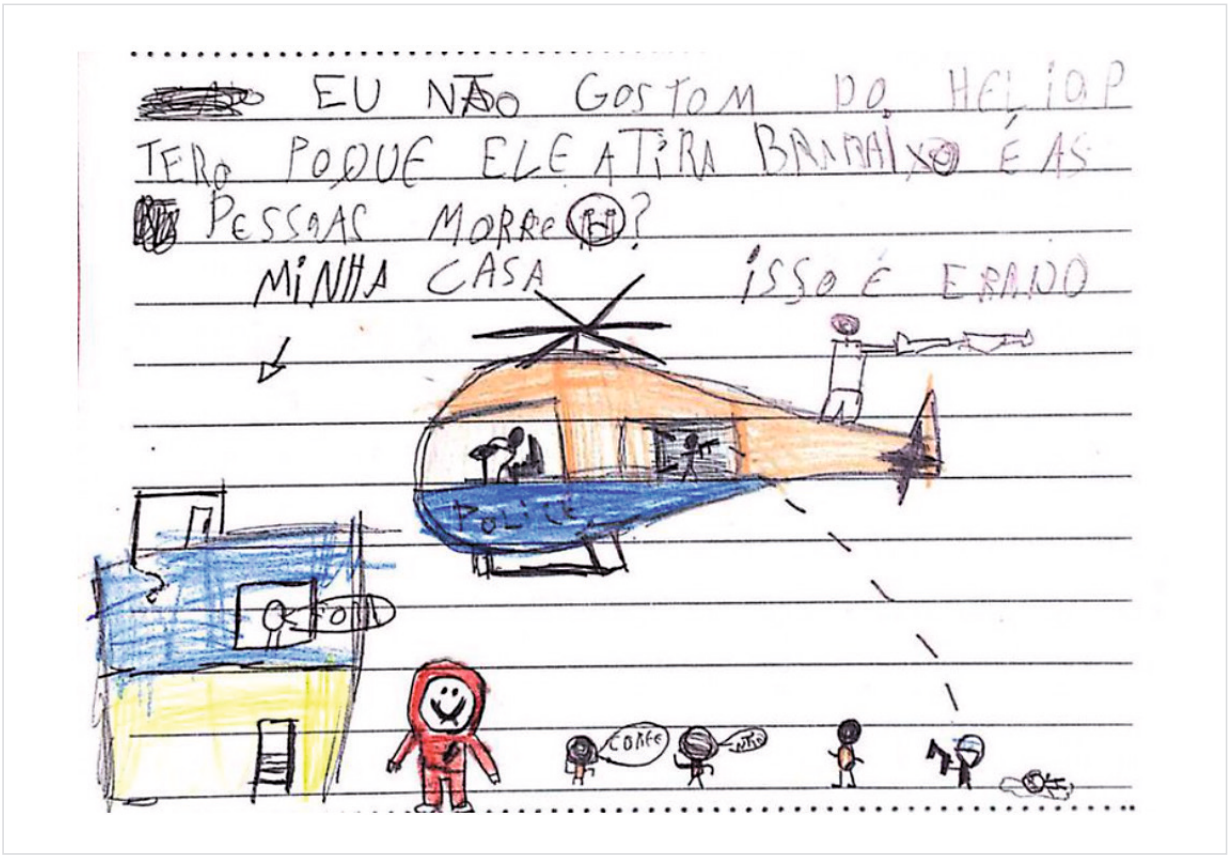
113 Bolsonaro (2018).

114 The clauses approved in this package were signed into Federal Law Nº 13.964/2019.

115 One of these proposals seeks to exempt the armed forces during law and order operations conducted by presidential order in exceptional situations when the use of police is not considered sufficient (regulated by Defense Ministry Order 186/2014). Verdélio (2019).

116 Newspaper Estadão (2021).

117 Statement taken from an article in the Estadão published in UOL. Pennafort (2018).



One of the drawings sent by children from Favela da Maré to the State Court of Rio de Janeiro.

This “authorization to kill off” did not materialize because it violates the Federal Constitution. However, incentives for the use of lethal force have taken other forms, such as the replacement of police killing reduction targets by performance-based bonuses[118].

These direct and indirect incentives are particularly serious given that they come from governors who have public security forces under their command. However, this idea is also common among segments of the population who voice their opinion that the only solution to ensure public security is a “heavy hand against crime” or even the death penalty[119].

Although Brazilian police generally receive training on the proportionate use of force and human rights, these concepts become hollow when trivialized and contradicted by commanders or society. Together with the lack of criminal accountability, this situation can influence what is perceived as socially acceptable and may be interpreted as “tacit approval” of such practices, encouraging the use of force and confrontation.

Incentives for the use of force and lack of accountability also influence police deaths: contributing to the cycle of personal revenge; making police officers expose themselves to unnecessary risks, for example opting to not to pull back when this would be the safest decision; and reinforcing the "warrior cop" stereotype, which is incompatible with professionalism[120], and the stigma surrounding mental illness within the police profession.

118 State Decree 46775/2019.

119 Datafolha (2018).

120 Cano (2015).

4.3
Police use of lethal force during the pandemic and examples of the social impact of police violence

The first wave of Covid-19 infections hit Brazil in March 2020. Although the implementation of social isolation measures varied from state to state, the lockdown restrictions were generally toughest between March and August 2020.

The 2020 Brazilian Public Security Yearbook reports 3,181 police killings in the first six months of the year, representing a 6 per cent rise in deaths relative to 2019.

This rise was accompanied by an overall increase in violent deaths after a short period of falling rates beginning in 2017, with a total of 25,712 victims in the first semester of 2020 (a 7 per cent rise compared to the same period in 2019). Below we detail some peculiar dynamics observed in two states: São Paulo and Rio de Janeiro.

Data from the São Paulo State Department of Public Security compiled by Instituto Sou da Paz show that the number of people killed by on-duty civil and military police officers in the first six months of 2020 jumped by 22 per cent compared with the same period in the previous year: there were a total of 437 victims, 78 more than the previous year. In the same period, there was a drop in the number of robberies, which the police have identified as the leading cause of confrontations resulting in deaths.

Protests and litigation against police violence

Against this backdrop, in May 2020 Brazil was influenced by a wave of protests against police violence and racism held in various countries triggered by the death of George Floyd in the United States[121]. Shortly after, between June and August 2020, videos of São Paulo police officers making unreasonable use of lethal force[122] and committing assaults[123] reverberated through social media, sparking widespread social mobilization.

In response to the protests, social media mobilization and calls for government action from civil society organizations and public figures, the governor and military police announced changes in the investigation of cases and a review of protocols. Measures taken included banning the "rear naked choke"[124] hold and the presentation of a proposal for a police "retraining" program[125] to provide refresher training and updates on procedures.

Although other demands – such opening an in-depth debate with civil society[126] – were not addressed, public and media pressure led to a 32 per cent drop in the use of lethal force by São Paulo's military police between June and December 2020[127].

It still too early to say whether this effect will be long lasting. An example of the limited impact of non-structural measures is the fact that, in the same year, the military police purchased an Israeli machine gun whose use in densely-populated areas is highly dangerous[128]. However, it is worth highlighting the importance of social mobilization and the review of protocols and training on the use of lethal force.

Meanwhile, the state of Rio de Janeiro was impacted by a supreme court ruling. The state with the highest share of police killings in overall violent deaths saw the rate jump from 23 to 30 per cent between 2018 and 2019, contributing to a legal action (Claim of Breach of Fundamental Precept 635) brought by a political party supported by various social movements. The action denounces systematic violations of human rights by Rio de Janeiro's police during operations in poor communities and the harmful effects of these operations, especially during lockdown.

121 Ferraz (2020).
122 Sena; Bergamim; Tomaz (2020).
123 Acayaba; Arcoverde (2020).
124 G1 (2020b).
125 Governo do Estado de São Paulo (2020).
126 Carneiro; Seto; Haidar (2020).
127 Arcoverde (2021).
128 Valente (2020a).





Young people protest against violence in Salvador, Bahia

The case resulted in an emergency injunctio[129] granted by the Supreme Court in June 2020 including the following measures: prohibition of police incursions, except in justified cases; prohibition of the use of helicopters as shooting platforms; and strengthening of the investigation of deaths involving law enforcement officers. This decision is historically important for two reasons: the legal action involved the active participation of civil society organizations, community groups[130] and victims' families; the decision prioritized safety, considering that incursions expose the population of these areas to unacceptable risk.

As a result, June and July saw a reversal of the upward trend in deaths resulting from police intervention, with a sharp fall in reports. However, in October the numbers began to rise once again[131], signaling that local police may have begun to challenge the supreme court ruling, leading to calls for an official explanation and underlining the importance of oversight mechanisms.

The combined impact of the supreme court ruling, local dynamics and the lockdown meant that overall violent deaths and deaths resulting from police intervention in Rio de Janeiro fell by 18 and 32 per cent, respectively, between 2019 and 2020[132].

129 Valente (2020b).
130 A list of the organizations that joined the action is available from the Supreme Court (2019).
131 Albuquerque (2020), Network of Public Security Observatories (2020).
132 Instituto de Segurança Pública do Rio de Janeiro (2020).

Pathways for action

The cases set out above and their almost immediate impact on police lethality reinforce that it is possible to reverse trends in the abusive use of force by the police. In both cases, public pressure played a critical role in documenting abuses and pushing politicians, public managers, police commanders and those responsible for ensuring democratic control to make practical changes.

To strengthen these practices, it is important to bolster mechanisms that promote oversight of the police by civil society, providing enabling conditions for civic engagement and ensuring a free press. Since 2019, Brazil has seen the successive erosion of spaces for dialogue between the state and civil society, including the extinction of participatory councils and growing intimidation and violence against civil society organizations and journalists[133].

It is also important to strengthen public mechanisms for controlling the police, such as specialist groups of public prosecutors, the Public Defender's Office, ombudsmen and internal affairs bureaus.

Instituto Sou da Paz has produced a number of reports and public statements containing proposals to curb police lethality[134] that can serve as a reference for export risk assessments and promoting changes in police forces. These proposals include: broadening the understanding of the use of force in rules, monitoring systems[135], performance appraisals and continuous training; improving training on the use of lower levels of force (such as negotiation, defensive tactics and less-lethal weapons); investigation of cases of use of lethal force by centralized teams; and operational protocols and management mechanisms that reinforce the commitment to the preservation of life.

Given the racial profile of victims of the use of lethal force, there is also an urgent need for the public and Brazil's police to open up to a frank debate about how structural racism in Brazilian society manifests itself in police work, seeking new paths such as training and the adoption of new standards and procedures to identify and stop racism in policing.

It is also important to consider that police working conditions vary considerably across forces. Starting salaries are generally low, making many professionals seek informal work, adversely affecting quality of life and performance. Many officers also lack proper personal protective equipment and use outdated technology, depriving professionals of adequate working conditions and causing inefficiency. As can be seen from the high suicide rate mentioned above, mental health is also a serious issue within the police[136].

133 Dalapola (2020), Agência France-Press (2019).

134 Instituto Sou da Paz (2019).

135 For the example, monitoring the use of ammunition by officer and unit, thus enabling the rapid identification of evidence of abuse of lethal force.

136 For lack of counseling for police officers, see Resk (2020).

5 Use Of European Weapons In Violence



Police operation in Rio de Janeiro with a military rifle.

5.1
National statistics

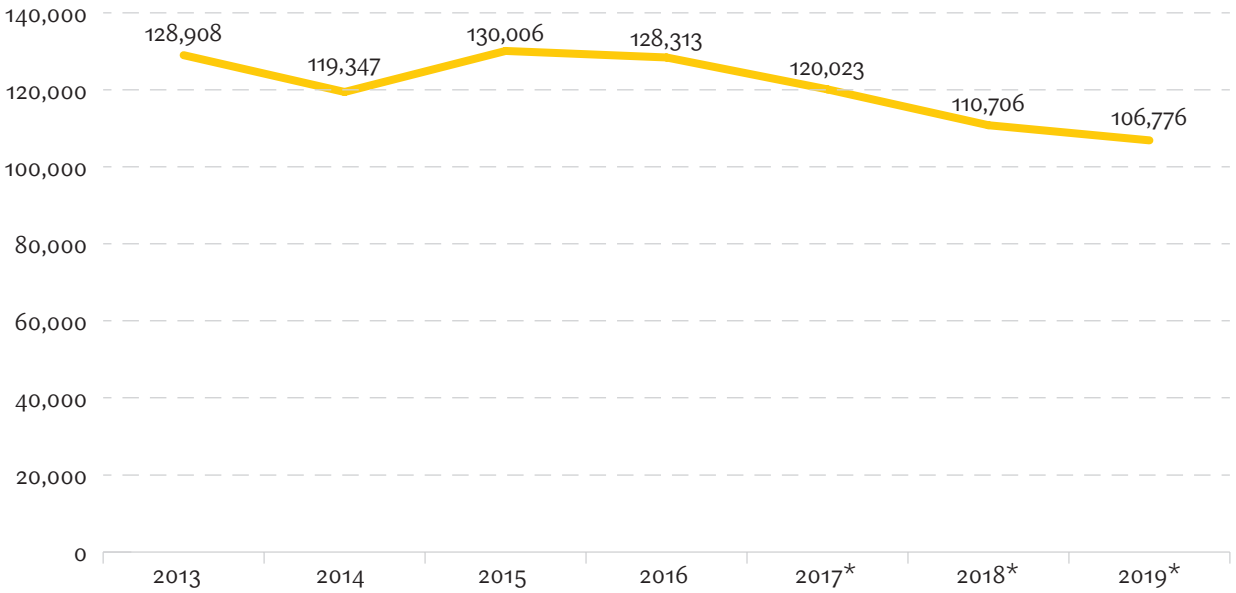
The Fórum Brasileiro de Segurança Pública reported that 106,776 arms[137] were seized by state police forces and the highway police in 2019. Since 2017, this data has not included seizures by the federal police, who confiscated an average of 10,000 firearms a year in the previous four years. A comparison of the last three years shows a downward trend in seizures, which is worrying considering the rise in the number of arms in circulation in the country.

As mentioned above, national data on the profile of seized arms does not exist. Current studies on arms seizures were mostly conducted by civil society organizations or parliamentary commissions of inquiry.

These studies demonstrate that the majority of firearms used in crimes were manufactured in Brazil: 76 per cent in states in the Northeast[138] and 61 per cent in the Southeast[139]. The large share of Brazilian guns in firearms seizures illustrates the scale and intensity of the diversion of arms from the legal market to the illegal market in Brazil. However, foreign weapons also make up a significant share, especially among firearms with greater firepower such as assault rifles and sub-machine guns.

With regard to firearms licenses, previous studies have shown that around 50 per cent of seized arms generally have preserved serial numbers. Of these, between 30 and 45 per cent had a national license before being

Graph 9. Firearms seizures in Brazil



* The data does not include seizures by the federal police, who confiscated an average of 10,000 firearms a year.
Source: 2020 Brazilian Public Security Yearbook. Elaborated by Instituto Sou da Paz.

137 Seized arms include weapons seized in flagrantly illegal situations (used in crimes or illegal possession) and weapons seized whose legality is still being investigated (deaths resulting from police intervention, for example, where firearms are not necessarily illegal). Some states make this distinction and inform only weapons seized in flagrantly illegal situations.

138 Instituto Sou da Paz (2018a).
139 Instituto Sou da Paz (2016).

seized (39 per cent in the city of São Paulo[140], 33 per cent in Ceará[141] and 43 per cent in Goiás[142]) covering one of the following categories: self-defense, private security companies and civil security forces. In Ceará, 15 per cent of the firearms were licensed by public security forces. In Goiás, the data did not differentiate between type of legal entity, with public and private security accounting for 14 per cent of the licensed weapons. As yet it has not been possible to conduct similar studies including the system that licenses arms used by military personnel, collectors, sporting shooters and hunters.

High-firepower weapons are more deadly

The type of firearms available has an influence on the dynamics of violence. Weapons with greater firepower are more lethal and 'burst-fire' firearms like assault rifles and sub-machine guns change territorial dynamics, as they are capable of sustaining a rapid rate of fire over long ranges, allowing, for example, small groups to stop the advance of larger groups.

Shots from assault rifles can remain deadly even after they ricochet or pass through walls and cars, meaning that the risk of victimizing innocent bystanders is high.

Rio de Janeiro is the state that seized most assault rifles between 2018 and 2019 (931), a particularly large amount in a densely-populated area. The dynamics of organized crime and presence of these weapons result in a large amount of gun battles and the victimization of innocent bystanders hit by so-called "stray bullets", especially in poor areas.

The collaborative platform "Fogo Cruzado" (Cross-Fire) reported 4,589 shots or gunfights in the Metropolitan Region of Rio de Janeiro in 2020, resulting in 62 children and adolescents aged zero to 18 years being hit by stray bullets, 26 of whom died. The platform identified 123 cases of stray bullets in the same period. The organization Rio de Paz (River of Peace) estimates that 80 children were killed by stray bullets in Rio de Janeiro between 2007 and 2020.

The relaxation of Brazil's gun laws initiated in 2019 currently allows ordinary citizens to access to certain types of assault rifles. However, these weapons have been used in organized crime for a long time, suggesting illicit flows of weapons from countries with softer gun laws (like the US) or the involvement of public institutions in Brazil or abroad.

140 Ministério Público do Estado de São Paulo (2015).
141 Instituto Sou da Paz (2018a).
142 Instituto Sou da Paz (2018b).

5.2
Share of European weapons

To update the data on the share of European weapons in firearms seizures, we requested information on the profile of arms seized between 2018 and 2019 from the federal and highway police and departments of public security of the states of Bahia, Ceará, Pernambuco, Rio de Janeiro and São Paulo. The state of Ceará said that it did not possess information on the make of the weapons, which we used to identify the country of origin of the firearms. For this reason, the data from this state is not included in the figures below.

Using the data from the four remaining states and federal and highway police, we were able to perform a first-of-its-kind analysis of around 37 per cent[143] of all arms seizures in Brazil between 2018 and 2019. The findings reveal the poor quality of the information – with a large proportion of the records lacking information on make (at least one-fifth of the total) – and lack of standardization of recording in some states, suggesting that the data are not widely used to generate information to guide investigations and prevention.

The findings show that **firearms manufactured in Europe** made up only a small share of seizures – around 6 per cent of overall seizures and 7 per cent of seizures with information on make[144]. However, the share of European firearms in overall seizures was proportionally higher for sophisticated and high-powered weapons.

Overall seizures were predominantly revolvers (36 per cent) and pistols (25 per cent). These proportions differ considerably when it comes to European firearms, with pistols making up 79 per cent of seizures (triple that of overall seizures) and revolvers accounting for only 1.7 per cent.

The share of assault rifles and sub-machine guns in seizures of European weapons is also greater than the share of these weapons in overall seizures (3.6 per cent and 1.1 per cent compared to 2.6 per cent and 0.6 per cent, respectively).

Table 3. Firearms seized in the four states and by the federal police between 2018 and 2019 by type

Type of firearm	Number	Share of overall seizures (%)	Share of overall seizures with information on make
Revolver	29,496	36 %	42%
Pistol	20,701	25 %	29%
Shotgun	13,183	16 %	19%
Derringer	2,229	2.7 %	3.1%
Assault rifle	2,136	2.6 %	3.0%
Carbine	973	1.2 %	1.4%
Sub-machine gun	506	0.6 %	0.7%
Artisanal*	1,827	2.2 %	2.6%
Information not available	10,532	12.9 %	
Total	**81,583**	**100 %**	

* Artisanally manufactured firearms without further details on firearm type

Source: Instituto Sou da Paz, based on information provided by the state departments of public security and federal and highway police.

143 Approximate figure including data from the federal police in national seizures, which were not included in the Brazilian Public Security Yearbook, which is the source of other national data.

144 It is important to note that, in view of the low completion rate, it is possible that foreign makes are underreported due to lack of familiarity. In addition, stronger import restrictions were applied up to 2019.



Like a war: wall of a residence with several bullet holes pictured during a police operation in Complexo do Alemão, Rio de Janeiro.

Table 4. European firearms seized in the four states and by the federal police between 2018 and 2019 by type

Espécie europeias somatório	Quant.	% entre as euro-peias	% armas europeias entre o total de armas apreendidas deste tipo
Pistola	3,764	79%	18%
Espingarda	183	3.8%	1.4%
Fuzil	171	3.6%	8.0%
Revólver	83	1.7%	0.3%
Submetralhadora	54	1.1%	10.7%
Carabina	15	0.3%	1.5%
Garrucha	6	0.1%	0.3%
Sem informação	516	10.8%	
Total	**4,792**	**100%**	

Source: Instituto Sou da Paz, based on information provided by the state departments of public security and federal and highway police.

With regard to **country of origin**, the table below shows that 10 of the 15 most common countries of origin of the seized arms were European[145]. Firearms made in the United States also accounted for a significant share of seizures.

145 Country of origin based on the location of maker's headquarters.

Table 5. Firearms seized in the four states and by the federal police between 2018 and 2019 by country of origin

Country of origin	Number	Share of total seizures (%)	Share of total seizures with information on make
Brazil	44,967	55 %	82 %
US	2,896	3.5 %	5.3 %
Austria	2,793	3.4 %	5.1 %
Argentina	1,018	1.2 %	1.9 %
Turkey	904	1.1 %	1.7 %
Italy	733	0.9 %	1.3 %
Germany	354	0.43 %	0.65 %
Czech Rep	296	0.36 %	0.54 %
Spain	137	0.17 %	0.25 %
Belgium	129	0.16 %	0.24 %
Israel	113	0.14 %	0.21 %
Montenegro	64	0.08 %	0.12 %
Russia	58	0.07 %	0.11 %
France	25	0.03 %	0.05 %
Switzerland	25	0.03 %	0.05 %
Other	155	0.19 %	0.28 %
Information not available	26,916	33.0 %	
Total	**81,583**	**100 %**	

Source: Instituto Sou da Paz, based on information provided by the state departments of public security and federal and highway police.

Finally, below we show the most common **makes** seized during the period.

Table 6. Firearms seized in the four states and by the federal police between 2018 and 2019 by make

Brand*	Number	Share of total seizures (%)	Share of total seizures with information on make
Taurus	30,113	37 %	54 %
Rossi	7,949	10 %	14 %
CBC	3,699	5 %	7 %
Glock	2,867	4 %	5 %
Smith & Wesson	1,260	1.5 %	2.2 %
Boito	1,138	1.4 %	2.0 %
Imbel	954	1.2 %	1.7 %
Bersa	756	0.9 %	1.3 %
Beretta	681	0.83 %	1.21 %
INA	664	0.81 %	1.18 %
Colt	631	0.77 %	1.13 %
Canik	293	0.36 %	0.52 %
Ruger	241	0.30 %	0.43 %
CZ	212	0.26 %	0.38 %
Winchester	201	0.25 %	0.36 %
Girsan	196	0.24 %	0.35 %
Sarsilmaz	165	0.20 %	0.29 %
Castelo	132	0.16 %	0.24 %
Caramuru	100	0.12 %	0.18 %
Tisas	97	0.12 %	0.17 %
Urko	88	0.11 %	0.16 %
Heckler & Koch	87	0.11 %	0.16 %
Sig Sauer	82	0.10 %	0.15 %
Other	3,469	4.3 %	6.2 %
Information not available	25,508	31.3 %	
Total	**81,583**	**100 %**	

*Only brands with more than 80 seizures included

Source: Instituto Sou da Paz, based on information provided by the state departments of public security and federal and highway police.

6 Control Of State Stockpiles



Seized weapons and ammunition in Hortolândia, State of São Paulo

6.1
Stockpile control systems

The effective control of stocks of firearms and ammunition held by the state is essential. Although safe custody is necessary for all types of owners, public institutions have additional responsibilities because they deal with large stockpiles of equipment and supplies purchased with public money and are directly involved in preventing, combatting and responding to armed crime.



Youth center, supported by terre des hommes, in a neighborhood of São Paulo where children and young people are strongly affected by violence.

Stocks of arms and ammunition held by police and other forces in Brazil are controlled autonomously by each individual force. Although firearms are licensed in a national system, the management and control of these weapons is the responsibility of each individual force.

It is expected that each force that holds large numbers of arms has an electronic system that exerts control over two aspects of arms and ammunition stocks: use and wear (ensuring safe stock and anticipating purchases in advance); and issuing of arms and ammunition within the force, both at administrative unit level (precincts or battalions) and individual level (police officers or other law enforcement agents).

It is also important that this system has different functions and procedures to control both standard issue firearms used on a daily basis by individual police officers (generally .40-caliber pistols) and special weapons (generally long or automatic guns).

We are unaware of extensive surveys of the **status of police firearms control systems** in Brazil. However, ad hoc surveys have been conducted, such as that undertaken by a parliamentary commission of inquiry in the legislative assembly do Rio de Janeiro, which is presented as part of the emblematic case outlined in this section.

To help address this gap, we requested general information on the systems used by the two police forces in each of the following states: Bahia, Ceará, Pernambuco, Rio de Janeiro and São Paulo.

We used the following questions: Does the force have a system with this function or an alternative method of control? When was the system created? Does the system allow managers to carry out real-time tracking? Does the system issue alerts about suspicious movements (for example, the issuing of several weapons to a single officer)? Is the system audited on a periodic basis? Does the system include both standard issue and special weapons? Does the system monitor the issuing and use of ammunition?

Nine of the 10 freedom of information requests were responded. The civil police in the state of Bahia failed to respond within the legally required deadline. Of the nine responses, four forces denied access to the information claiming that its release posed a threat to security: Ceará's civil and military police, Rio de Janeiro's civil police, and Bahia's military police. With regard to these claims, it is important to stress that we did not request access to the data contained in the systems, but rather information on the operational aspects of the systems. The answers received are synthesized below.

Table 7. Information on stockpile control systems used by the five state police forces in 2020

State		Rio de Janeiro	São Paulo	São Paulo	Pernambuco	Pernambuco
Force		Military Police	Polícia Civil	Polícia Militar	Polícia Civil	Polícia Militar
Name of system or type of control		Sismatbel (Sistema de Material Bélico or Ordnance Material System)	Integrated Police Management System	Integrated Assets and Logistics System	Spreadsheet	Military Police Ordnance Material Management System + "manual controls"
Year implemented		Information not available	2019	2002	2007	2020
Firearms management	Standard issue	Yes	Yes	Yes	Yes	Yes
	Special	Paper records	Yes	Yes	Yes	Yes
Ammunition control	Use	Yes	-	Yes	Yes	-
	Distribution	-	Yes	-	Yes	Yes
Monitoring	Real-time	Yes	Yes	Yes	-	Yes, partially electronic
	Upon request	-	-	-	Yes	-
Issue alerts about suspicious movements		Information not available	Information not available	Yes	No	Information not available
Periodic auditing		Yes	Yes	Yes	Yes	Yes

Source: Elaborated by Instituto Sou da Paz based on data provided by the respective police forces.



"Order and Progress" the Brazilian flag motto under fire: bullet holes in a residence wall pictured during a police operation in Complexo do Alemão, Rio de Janeiro.

Various weaknesses in **ammunition control** were exposed by the press during the investigation into the murder of Marielle Franco outlined above in the section on emblematic cases. The investigation found that the killers used ammunition with lot markings, which in Brazil are only required for ammunition acquired by the police or armed forces. The ammunition was part of a lot sold to the federal police in 2006. Another two crimes using ammunition from the same lot have been identified: an armed robbery at a post office in Paraíba and a multiple shooting in São Paulo. With regard to the latter, the federal police said it carried out an internal investigation in which at least one officer was held accountable[146].

In view of the above, the federal public prosecutor's office opened extrajudicial proceedings to request information from the army and domestic arms manufacturers on oversight of the ammunition market and also requested information from Brazil's state police forces about their firearms and ammunition control systems.

The army reported that although it does conduct oversight, at the time the lot was acquired it did not conduct regular inspections of lots sold by the industry or purchased by public bodies to determine whether they complied with the rule of a maximum of 10,000 rounds per lot (Logistics Command Order 16/2004). The Brazilian company that sold the lot said it contained 2.4 million rounds of different calibers, including 1 million 9mm bullets, thus confirming non-compliance with the rule and that lot marking is not serving its intended purpose of ensuring traceability. After this process, the army claimed that it has begun to specify maximum lot size on ammunition purchase authorizations and intends to implement other improvements.

The following is a summary of the replies provided to the federal public prosecutor's office by the state police forces[147]:

- Four of the country's 27 states (Mato Grosso do Sul, Pernambuco, Roraima and Sergipe) did not reply.
- In one state (Goiás) none of the police forces replied, but the state public prosecutor's office declared itself responsible for control without specifying the system it uses.
- In two states only the military police and civil police replied (Piauí and Paraná and Ceará and Minas Gerais, respectively).

146 Agência Estado (2018).

147 This process also included bodies responsible for prison administration in each state; however, due to the specific nature of these organizations and differences with police forces, these replies were not included in the study.

Information was therefore compiled on 40 forces in 22 states. The quality of the information varied considerably. Some responses failed to specify or provide details on the tools used (whether they were electronic or not). Some forces also failed to provide objective information on the scope of the electronic systems used, meaning it was not possible to determine whether they recorded the issuing of arms and ammunition at both individual officer and operational unit level. Six forces failed to specify the means used, limiting information to the rules or bodies that conduct the controls for example.

Bearing this caveat regarding the limitations of this information in mind, the means used to manage and control civil and military police ammunition stocks can be summarized as follows[148]:

- 9 forces used paper records, such as books or forms.
- 5 forces used spreadsheets, many together with paper records.
- 20 forces used electronic systems with varying scope:
  - 7 systems only monitored arms and ammunition issued to police departments (number, type, lot etc.).
  - 6 systems monitored arms and ammunition issued to both police departments and individual officers/agents.
  - For the remaining 7 cases, information was not provided on the scope of the system.

An example of an apparently adequate control system is that of Santa Catarina's military police. The force provided detailed information on its electronic system, confirming that it contains comprehensive data on arms and ammunition issued to individual police officers and has three levels of access for department managers and permits centralized oversight and auditing.

However, some forces still control their stocks using paper records – such as books or terms of responsibility – recording firearms issued to individual police officers and archiving records in the police department or central bodies. A case in point is Rondônia's civil police, which reported that it controls the issuing of ammunition using paper records. The police department sends a copy of the records to the Specialist Arms, Ammunition and Explosives Bureau. It is also important to highlight that Rio de Janeiro's civil police also use paper records, which is particularly worrying considering the scale of their involvement in lethal operations and confrontations.

Note:

The army command order e that sets a maximum limit of 10,000 rounds for lots sold to the police and armed forces was in force at the time the public prosecutor's office requested the information. However, this directive was replaced in 2020 by Army Logistics Command Order 61, which in turn was revoked two days later by Order 62, which was still in force at the date of publication. This issue and other uncertainties caused by current regulatory instability in Brazil are addressed in section 2.

148 These categories are not the same as those used by the public prosecutor's office, being devised by the authors to facilitate data synthesis. The public prosecutor's office concluded that "only four state forces (...) use control and tracing systems that meet the standards demanded by the UN" and "another eight states confirmed that they have electronic control systems, but they are only capable of recording the numbers received and distributed". The public prosecutor's assessment is naturally more detailed.

6.2
Diversion figures

The term "diversion" is used here to refer to the loss of control of firearms or ammunition in state stocks. It is important to stress that no judgment is made as to whether or not this was intentional, addressing various types of situations, such as thefts from storage facilities or individual officers, loss (during police operations for examples) and intentional diversion, such as sales to the illegal market.

We made requests for access to data on diversion of state firearms stocks during the period 01/01/2015 and 31/03/2020 to the army, navy, air force, federal police, highway police, national public security force and the military and civil police in Bahia, Ceará, Pernambuco, Rio de Janeiro and São Paulo.

With regard to **state police forces**, we received a comprehensive response from Bahia's civil police and incomplete responses from São Paulo's civil and military police and Pernambuco's civil police. The other forces either failed to reply or denied access claiming that the data was secret or unavailable.

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A total of 185 firearms were diverted from the four forces. The amount of uninformed/incomplete data is cause for concern, suggesting a lack of attention on the part of police managers to this issue and persistence of a culture of secrecy regarding this type of information.

All the **federal forces** replied to the access to data request. However, in two cases it was necessary to appeal against a refusal of request and the army provided incomplete information omitting information on make.

A total of 323 firearms were diverted from federal forces, 131 of which (41 per cent) were foreign weapons. The fact that we had to appeal against refusal of requests suggests that there is a need to raise awareness about the importance of centralizing the recording of diversions and increasing transparency.

Table 8. Firearms lost by or stolen from state forces between January 2015 and March 2020

State	Force	Number	Type of firearm	Year with the largest number of registered thefts/ losses	Observations
BA	**Civil Police**	21	16 pistols, 3 revolvers, 1 shotgun, 1 sub-machine gun	2016 (8 firearms diverted)	One pistol stolen in 2016 was an Austrian-made **Glock**.
SP	**Civil Police**	90	17 revolvers, 7 pistols, 4 shotguns, 1 assault rifle, plus cases that did not specify the type of firearm.	2019 (60 firearms diverted in one case)	16 cases were reported, 3 of which without information on the number of firearms. The type of firearm was not specified in all cases.
	Military Police	46	35 .40-caliber pistols, 11 12-gauge shotguns	2020 (13 firearms diverted in a six-month period)	Information covered January 2015 to June 2020.
PE	**Civil Police**	28	Not informed.	2015 (17 firearms diverted)	Firearm type not specified.
	Total				

Source: Elaborated by Instituto Sou da Paz based on data from the civil police in Bahia, São Paulo and Pernambuco and military police in São Paulo.

Table 9. Firearms lost by or stolen from federal police/armed forces between January 2015 and March 2020

Institution	Number	Type of firearm	Year with the largest number of registered thefts/ losses	Observations
Army	27	10 assault rifles, 9 pistols, 5 shotguns, 1 sub-machine gun, 2 assault rifles/machineguns	2016 (8 firearms diverted)	Two firearms described as "assault rifles/machineguns"
Navy	21	12 assault rifles, 9 pistols	2016 (6 assault rifles diverted)	Four **Colt** assault rifles
Air force	6	6 9mm-caliber pistols	2018 (3 firearms diverted)	Two Beretta pistols
Federal police	112	107 9mm-caliber pistols, 3 556 caliber assault rifles, 2 9mm-caliber sub-machine guns	2015 (26 firearms diverted)	The pistols were made by the Austrian manufacturer **Glock**. The assault rifles and sub-machine guns were made by the German manufacturer **Heckler & Koch**
Highway police	148	147 pistols, 1 7.62-caliber assault rifle	2020 (48 firearms diverted in a three-month period)	130 pistols were made in Brazil and 17 were made by the Austrian manufacturer **Glock**
National public security force	9	8 .40-caliber pistols, 1 .223-caliber carbine	2018 (6 firearms diverted)	All the diverted firearms were made in Brazil.
Total	**323**			

Source: Elaborated by Instituto Sou da Paz based on data from the army, navy, air force, national public security force and federal and highway police.

We also requested data on the amount of ammunition diverted from federal stocks in the same period. Together the armed forces and federal police forces reported that 18,098 rounds of ammunition were diverted, as detailed in the table below.

Given that the control of state firearms and ammunition stocks is still in its infancy in Brazil and the consequent lack of uniformity and poor quality of procedures and control systems, it is highly likely that diversions are underreported.

Table 10. Ammunition lost by or stolen from federal forces between January 2015 and March 2020

Institution	Ammunition	
	Number	Predominant calibers
Army	8,978	9mm and 7.62mm
Navy	1,515	7.62mm and 5.56mm
Air force	410	5.56mm and 9mm
Federal police	1,209	9mm
Highway police	5,682	.40 and 9mm
National public security force	304	.40 and .223
Total	**18,098**	

Source: Elaborated by Instituto Sou da Paz based on data from the army, navy, air force, national public security force and federal and highway police.

6.3
Diversion of Heckler & Koch firearms in Rio de Janeiro

Summary: the investigation into the murder of Marielle Franco in 2018 concluded that the crime was committed using a **Heckler & Koch** sub-machine gun. Despite being rarely seized in Brazil, at least six reports of diversion of this weapon from state stockpiles have been registered in the state of Rio de Janeiro. Furthermore, considering that the prime murder suspect is a former military police officer, there are strong suspicions that the weapon used in the crime was diverted from state stocks.

Highlights:

- The case highlights numerous shortcomings in the control of state firearms and ammunition stocks in the state of Rio de Janeiro. In this regard, a parliamentary commission of inquiry identified that around 17,000 firearms were diverted from private security companies (overseen by the federal police) and 1,600 weapons were diverted from the state police over a 10-year period. Subsequently it was discovered that other weapons were diverted that had not been reported, demonstrating the limited capacity of the state to control and identify diversion.
- The diverted weapons include five German-made **Heckler & Koch** sub-machine guns of the same model believed to have been used in the politically-motivated crime in which the suspects are former police officers and militias.
- When the diversion of these weapons was brought to public attention seven years after the event, not one single internal proceeding had been opened to identify those responsible, demonstrating lack of accountability for firearms and ammunition diversion.

Background:

The state of Rio de Janeiro conducted a survey of the control of firearms and ammunition stocks by its police forces as part of a parliamentary commission of inquiry opened in the state legislative assembly. The report was published in 2016[149].

The justification for the inquiry was recurrent seizures of state firearms and ammunition linked to crimes, including both diverted weapons (theft and loss) and guns illegally used by law enforcement officers. The commission reported that:

> "Ordnance Material belonging to the state (...) has been used to practice crimes for many years by drug trafficking gangs and groups in homicides, robberies and others. (...). The control and oversight of arms (...) is precarious and this precariousness generates grave and glaring consequences."

The commission requested data on firearms and ammunition diverted in the period 2005 to 2015 from the state police forces, regional departments of the federal police and the state public prosecutor's office, as well as information about each force's stock management and control systems.

The conclusion of the commission's report revealed that almost 19,000 weapons were diverted over the 10-year period. Most (around 17,000) were diverted from private security companies overseen by the federal police, close to 700 were diverted from the military police, and 900 were diverted from the civil police.

149 Natario (2018).

The following extract from the report reveals serious shortcomings:

> “(...) the PCI [parliamentary commission of inquiry] identified flagrant weaknesses in routine generation, maintenance and updating of information related to the control of firearms and ammunition in the various public security institutions, as well as relevant and significant discrepancies and inconsistencies in the information. (...) The shortcomings identified in the investigation of illicit acts [committed by] the police (military, civil, federal) and army in the state, besides [demonstrating] the weak and pale role of the state public prosecutor’s office, present themselves as significant problems (...).”

In addition to documenting firearm and ammunition diversion and system shortcomings, the inquiry recommended 47 measures for enhancing the control of state and private security company stockpiles and improving tracing mechanisms in the national firearms control policy.

Identification of other diversions

Two years after the completion of the inquiry in 2018, new information on the diversion of arms from Rio de Janeiro police came to light.

Suspicions of other diversions were raised during the investigation of the execution of Marielle Franco and Anderson Gomes, which concluded that the murder weapon was a **Heckler & Koch** MP5 sub-machine gun.

In May 2018, two months after Franco’s murder, newspapers revealed that Rio’s civil police had recorded the diversion of five MP5 sub-machine guns in 2011. Despite the seriousness of the diversion of such a large number of arms with potentially lethal firepower, these weapons were not included among those reported to the parliamentary commission of inquiry, revealing just how precarious control and the force’s capacity to identify diversion really is. Moreover, seven years after the diversion of these guns, internal investigations have yet to identify those involved[150].



Weapons from the Brazilian Federal Police made by the German manufacturer Heckler & Koch. Among the 323 guns that disappeared (stolen, stolen or diverted) from federal institutions from 2015 to 2020, 131 (41 per cent) were European-made.



Logo of the German company Heckler & Koch next to the logo of the Federal Police in a weapon.

An analysis of exclusive data obtained by Instituto Sou da Paz from the Rio de Janeiro Public Security Institute shows that this model of firearm is rarely found among seizures of illegal arms in the state: only one of the 17,000 arms seized between 2018 and 2019 was an MP5 sub-machine gun. Instituto Sou da Paz also discovered the diversion of another **Heckler & Koch** sub-machine gun from the Superintendent's Office of the Federal Police in Rio de Janeiro in 2016, meaning that a total of six MP5s were reported as diverted from Rio de Janeiro’s police forces.

Given the revelation of these diversions, rarity of this weapon on the illegal market and fact that the prime suspects for the murder of Franco are former police officers with ties to militias, there are strong suspicions that the weapon used was diverted from state stocks.

150 Lucchese; Leitão (2018).

6.4
Conclusion

The above data and case provide considerable evidence to suggest the control of state arms and ammunition is in general insufficient. Although some forces have adopted good practices, many have precarious control systems and lack transparency, and cases of diversion are frequent.

Finally, it is worth highlighting that it is possible to make rapid improvements in this area and that some agencies are taking steps in this direction. For example, at the time of the public prosecutor's office inquiry into ammunition control, some state police forces reported that they were in the process of developing control systems or implementing improvements to existing systems. The same applies to arms stocks, with some police forces adopting measures to improve control. An example is Rio de Janeiro's military police, which at the end of 2018 reported that it was conducting a comprehensive review of all firearms held by the force, signaling potential improvements in management.



Strengthening children's rights with music, dance and art: breakdance in a child rights center in São Paulo.

7 German and Swiss arms exports to Brazil

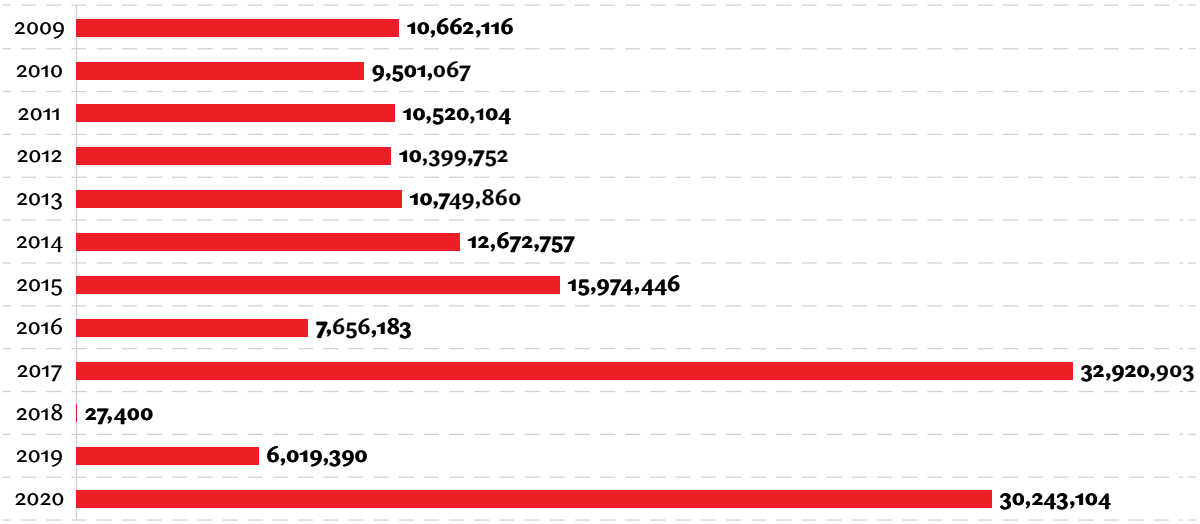


7.1
Arms exports from Germany and Switzerland

Switzerland and Germany have long ranked among Brazil's largest trading partners, and the arms trade is no exception:

- Switzerland exported more than CHF 30 million (€27 million) worth of arms to Brazil in 2020, making Brazil the 8th largest importer of Swiss military supplies.
- Germany is Brazil's most important weapons supplier.[151] In 2020, Brazil received €114 million worth of German military equipment.

Graph 10. Swiss arms exports to Brazil (in CHF)



* CHF 1 equals €0.91

Source: SECO (State Secretariat for Economic Affairs), annual reports 2009-2020

Table 11. German arms exports to Brazil 2014-202

	€ million	Exports of small arms & ammunition (Data from UNROCA & German Federal Statistical Office)
Total arms export licenses	445**	
Export list part 1A A0001* Handguns, etc.	2.41	679 assault rifles & 1,946 parts 705 machine guns & 1,545 parts 1,880 pistols & 1 ton of parts 179 rifles
Export list part 1A A0003* Ammunition for handguns, etc.	1.17	10,000 ammunition for assault rifles & 20,000 parts 25,000 parts of machine gun ammunition 6 tons of rifle ammunition & parts 1 ton of pistol ammunition & parts

*Data limited to 2014-2018

**Source: Military equipment export reports, Federal Government of Germany

151 The research institute SIPRI lists the following figures for arms exports to Brazil from 2008 to 2018: Germany US$544 million, USA 478 million, France 416 million, Russia 175 million. https://www.sipri.org/databases/armstransfers

For decades, both Germany and Switzerland have maintained close relationships with Brazil in the arms sector. In the 1990s, Howaldtswerke Deutsche Werft (now ThyssenKrupp Marine Systems) supplied submarines to Brazil. Krauss-Maffei Wegmann (German) exported Leopard 1A5 battle tanks in the 2000s, and Airbus (German-French) even founded a subsidiary (Helibras) in Brazil to manufacture helicopters, which it also supplies to the security forces (see section 3, case 2). Swiss manufacturer **MOWAG** delivers armored vehicles to Brazil; RUAG Ammotec, an ammunition producer owned by the Swiss State, recently had plans to build a production plant in Brazil. German-made Walther pistols are common among civilian gun owners in Brazil.

Many Brazilian military and police units, including notorious special operations units, are equipped with the full spectrum of small arms by **Heckler & Koch** (German) and the German-Swiss manufacturer SIG Sauer, from pistols and machine guns to sniper rifles and assault rifles.[152] Since 2000, at least 640 G36 assault rifles by **Heckler & Koch** and UMP submachine guns of the same make have been sold to the Brazilian federal police and special units.[153]

SIG Sauer has supplied the armed forces with P226 pistols, SIG Sauer 3000 sniper rifles and SG551 carbines. The federal police is equipped with SIG550 assault rifles; the Pernambuco state police uses the P320 pistol and SIG516/716 carbine as service weapons.[154] In 2017, the company managed to sell more than 21,000 pistols in Brazil, probably imported from the United States. Police in the northeastern state of Ceará received a delivery of 3,140 SIG Sauer P320 pistols[155] – despite their well-documented use in the unlawful killing of teenagers (see section 3, case 4).

The involvement of German and Swiss weapons by the companies SIG Sauer, **Heckler & Koch**, Walther, **MOWAG** and Airbus in crimes and human rights violations is described in section 3 (cases 1, 2,3, 4 & 7 and the box on p. 46) as well as in the terre des hommes dossier “Airbus – a company in decline”.[156]

152 Steinmetz (2020), "Small arms in small hands – German arms exports violating children’s rights”, study commissioned by terre des hommes and Brot für die Welt, www.tdh.de/kleinwaffen

153 Deutscher Bundestag (2015), p. 15; Small Arms Defense Journal (2017).

154 Bonillo (2020).

155 The Firearmsblog (2018), **Taurus** (2018); according to Lapper (2019), the police in Ceará in fact ordered a total of 15,000 P320 pistols from SIG Sauer.

156 terre des hommes, Urgewald, Kritische Aktionäre, et al. (2021), dossier "Airbus – a company in decline“, https://urgewald.org/en/shop/airbus-company-decline

7.2

Profiles of German and Swiss arms manufacturers

The following company profiles give further information on the arms manufacturers Airbus/Helibras (German-French), **MOWAG** (Swiss), RUAG Ammotec (Swiss-German), SIG Sauer (German-Swiss), **Heckler & Koch** (German), Carl Walther (German) and **Glock** (Austrian)

Airbus SE

Head office:	Headquarters: Leiden, Netherlands Main office: Toulouse, France
Locations:	70 development and production sites and 35 branch offices worldwide
Revenue:	€49.9 billion (2020)[157]
Employees:	131,349 (2020) [158] of which 46,000 in Germany[159]
Management:	René Obermann (COB),Guillaume Faury (CEO)
Ownership structure:	73.9% diverse shareholders, 10.9% French state, 10.9% German state, 4.1% Spanish state, 0.1% treasury stock

Airbus has more than 70 development and production sites in Europe and 35 branch offices worldwide. Airbus Defence, the company's arms division, conducts research, production and administration in 15 locations in Germany: Backnang, Berlin, Bremen, Immenstaad am Bodensee, Jena, Kiel, Koblenz, Cologne, Lampoldshausen, Manching, Taufkirchen (near Munich), Potsdam, Sulzbach (Taunus), Trauen and Ulm.[160]

History[161]

Airbus Industrie GIE was founded in 1970 by Deutsche Airbus GmbH and Aérospatiale (France). CASA of Spain joined in 1971 and British Aerospace in 1979. In 1992, MBB was taken over by Daimler and merged with Deutsche Airbus to form DASA. EADS (European Aeronautic Defence and Space) was founded in 2000 through the merger of DASA, Aérospatiale-Matra and CASA. It was renamed Airbus Group in 2014 and the legal structure changed to Societas Europaea (SE) in 2015.

Industry

Aerospace, defense

157 https://www.airbus.com/newsroom/press-releases/en/2021/02/airbus-reports-full-year-2020-results.html
158 https://de.statista.com/statistik/daten/studie/13119/umfrage/beschaeftigte-von-airbus/
159 Brochure "Airbus in Germany" p. 6f, https://www.airbus.com/public-affairs/berlin/en/in-a-nutshell-publications.html#publikationen
160 www.airbus.com as of 17 July 2018,retrieved on 5 January 2019.
161 https://de.wikipedia.org/wiki/Airbus

Products (selection)

- Aviation: passenger aircraft (A380, A350, A330/A340, A320 etc.)
- Military aircraft: transport aircraft (A400M A330 MRTT), fighter aircraft (Eurofighter, Tornado), unmanned aerial vehicles (Barracuda, Talarion, Euro MALE RPAS), missiles
- Space systems: Ariane launch vehicles, orbital facilities (space laboratory Columbus; ISS), ENS satellites (Earth Observation, Navigation & Science), telecommunication satellites
- Communication, intelligence, security: border control systems, satellite communication, C4ISR, cyber security
- Electronics: radar devices, IFF, avionics, optronics
- Helicopters: civilian and military helicopters (Tiger, NH90, EC135, EC145 etc.)

Activities in Brazil

Via its Eurocopter subsidiary, Airbus runs a joint venture in Brazil called "Helibras" (see separate company profile in this study).

Criticism & incidents

- 2020: €3.6 billion in penalties to France, UK and US for bribery and corruption in connection with aircraft contracts in China, Malaysia, Sri Lanka, Taiwan and Ghana.[162, 163]
- 2019: allegations on both sides of state subsidies to Airbus and Boeing; tariffs imposed by US and EU.[164]
- 2018: helicopters equipped with machine guns are used as shooting platforms during raids in the favelas, injuring or killing many innocent bystanders[165] (see section 3, case 2). In a particularly tragic case, 14-year-old Marcos Vinicius da Silva is killed during a raid in Rio de Janeiro in 2018.[166]
- Since 2009, controversial deployment of German federal police officers in Saudi Arabia; the officers received trainer fees from EADS.[167]
- 2007: India cancels helicopter order due to irregularities in the bidding process.[168]
- 2002: Eurofighter affair, intransparent acquisition of new Typhoon fighter jets for the Austrian air force, possibly accompanied by bribes of up to €100 million.[169]
- 1999: corruption allegations related to a major arms contract in the Republic of South Africa.

162 https://www.welt.de/wirtschaft/article205518817/Korruptionsskandal-Airbus-hat-fuer-Flugzeugverkaeufe-weltweit-bestochen.html
163 https://www.spiegel.de/wirtschaft/unternehmen/airbus-zahlt-nach-korruptionsvorwuerfen-3-6-milliarden-euro-strafe-a-488dfd1a-a203-4694-a80f-2bab8f89c5c5
164 https://www.nzz.ch/wirtschaft/us-vergeltungszoelle-wegen-der-eu-hilfen-fuer-airbus-koennten-den-handelskonflikt-anfeuern-ld.1512368
165 https://urgewald.org/en/shop/airbus-company-decline
166 https://www.theguardian.com/world/2018/jun/21/brazil-latest-death-teenager-favela-raid-police-marcus-da-silva
167 https://www.welt.de/politik/deutschland/article146113292/Warum-deutsche-Polizisten-Saudi-Arabien-dienen.html
168 https://www.spiegel.de/wirtschaft/korruptionsvorwurf-indien-storniert-hubschrauber-bestellung-bei-eads-a-521925.html
169 https://de.wikipedia.org/wiki/Eurofighter-Aff%C3%A4re

Helibras (Helicópteros do Brasil)

Head office:	Itajubá, Brazil
Locations:	Itajubá (production plant), São Paulo (training center), Rio de Janeiro (maintenance facility)
Revenue:	€153 million (2016)
Employees:	452 (2016)
Ownership structure:	85.65% Eurocopter, 12.45% Minas Gerias, 1.84% Bueninvest, 0.05% SACS (2016)[170]
Management:[171]	Fernando Granco, Jean-Luc Alfonsi

History

Founded in 1978 by Aérospatiale with the local Brazilian authorities; Helibras is a subsidiary of Airbus.

Industry

Helibras is the only helicopter manufacturer in South America and has produced about 600 helicopters, of which 70 per cent are AS350 Écureuil.

Products (selection)[172]

- Civilian:
  - EC120 Colibri
  - AS350 B2/B3 Esquilo
  - EC130
  - EC135
  - AS355
- Military:
  - AS550
  - AS555
  - EC635
  - AS532
  - EC725

Criticism & incidents

- Helicopters equipped with machine guns are used as shooting platforms during raids in the favelas, injuring or killing many innocent bystanders[173] (see section 3, case 2). In a particularly tragic case, 14-year-old Marcos Vinicius da Silva is killed during a raid in Rio de Janeiro.

170 https://web.archive.org/web/20111201190525/http://www.eurocopter.com/site/en/ref/HELIBRAS_363.html, retrieved on 27/05/2021 00:42.
171 https://de.wikipedia.org/wiki/Helibras
172 https://en.wikipedia.org/wiki/Helibras
173 https://urgewald.org/en/shop/airbus-company-decline

General Dynamics European Land Systems – MOWAG GmbH

Head office:	Unterseestr. 65, 8280 Kreuzlingen, Switzerland +41 (0)71 672 28 86
Locations:	Kreuzlingen, Tägerwillen, Ermatingen[174]
Revenue:	(unpublished, as company is privately owned)
Employees:	ca. 900 + 50 trainees

History[175]

MOWAG GmbH (from the German "Motorwagenfabrik") traces its roots back to the coachbuilder Seitz, which produced bodies for cars of mainly German origin, commercial vehicles and buses. The company became MOWAG AG in 1947. Until the late 1960s, MOWAG's product range included civilian vehicles as well as military trucks. Only in recent years has the company specialized fully in armored vehicles for military use. In 2003, MOWAG joined General Dynamics European Land Systems, thus becoming part of one of the world's largest arms companies.

Industry

Today, the firm's main product is the **MOWAG** Piranha, an armored personnel carrier with amphibious capabilities. Other armored vehicles include the **MOWAG** Eagle, based on the American Humvee, and the Duro, which comes from Bucher Industries' all-terrain transporter division, acquired by **MOWAG** in 2003.

Products

- MOWAG Eagle I-III:[176] lightly armored vehicle based on HMMWV; MOWAG IV and V based on Duro. About 1,250 vehicles have been built.
- MOWAG Duro, all-terrain armored vehicle
- MOWAG Piranha, armored personnel carrier in various models, more than 10,000 deployed worldwide[177]

Activities in Brazil

In response to an inquiry, the Brazilian navy reported having bought 30 Piranhas worth US$72 million in 2007. According to the statement, they were intended for use in Brazilian-led UN peacekeeping missions in Haiti. However, the vehicles were also deployed in military operations to "uphold law and order" in Rio de Janeiro (see section 3, case 3).

174 https://www.kununu.com/ch/general-dynamics-european-land-systems-**MOWAG**
175 https://de.wikipedia.org/wiki/**MOWAG**
176 https://de.wikipedia.org/wiki/**MOWAG** _Eagle
177 https://en.wikipedia.org/wiki/**MOWAG** _Piranha

General Dynamics European Land Systems – MOWAG GmbH

Criticism & incidents

- 20 October 2019: Piranhas deployed to suppress protests in Santiago de Chile.[178]
- 2018: Piranhas disappear – the SRF report "Tricky arms deals" from 2018 asks "Where are the Swiss arms? Since 2012, SECO has carried out controls on exported military equipment, the so-called 'Post Shipment Verifications'. However, the controls in the critical countries show only moderate success, as documented in the uncensored report. In Brazil, for example, only 11 of 26 Piranha vehicles could be verified in 2014 [...]."[179]
- 2017: Piranhas are deployed in the favelas before the 2014 FIFA World Cup[180] and in the military intervention in Rio de Janeiro's Rocinha favela in 2017.[181], [182]
- 2015, Duro restoration: "In 2015, Parliament decided to completely overhaul 2,220 Duros. The order went to Thurgau-based **MOWAG**. The company was criticized from the get-go, initially for the high price: there were repeated complaints that the armored personnel carriers, once purchased for CHF 140,000, were now being refurbished for over CHF 200,000 each."[183]
- "Arms firm misleads Parliament";[184] related video by TVO.[185]
- 2010: four Piranhas are deployed in raids in the favelas of Vila Cruzeiro and Complexo do Alemão in Rio de Janeiro in 2010.[186]

178 http://www.aufbruch.ch/schweizer-waffen-gegen-die-bevoelkerung-in-chile/?fbclid=IwAR0L_YPRx5EkT-F90SyUg-e9DNSREopdGoiw1RAEBgpAFBK8W3r2E9HdfBM

179 https://www.srf.ch/news/schweiz/kriegsmaterial-exporte-der-ungeschwaerzte-waffenexport-bericht, excerpt translated by tdh.

180 https://www.youtube.com/watch?v=rfdbtGHYahM

181 Moradores da Rocinha negam guerra e criticam cerco militar: ‚cassaram nosso direito de ir e vir' – 26/09/2017 – UOL Notícias

182 Video on the military intervention using Piranhas: Com tanques, Exército começa a subir a Rocinha – TV UOL

183 https://www.blick.ch/news/politik/**MOWAG**-chef-oliver-duerr-verteidigt-den-armee-transporter-der-duro-ist-ein-tolles-fahrzeug-id15475444.html

184 https://www.berneroberlaender.ch/schweiz/standard/ruestungsfirma-hat-parlamentarier-hinters-licht-gefuehrt/story/23147832, excerpt translated by tdh.

185 https://www.tvo-online.ch/60-news/unter-beschuss-136523582

186 https://www.swissinfo.ch/por/carro-blindado-su%C3%AD%C3%A7o-vira--her%C3%B3i--na-guerra-do-rio/29008588

RUAG Ammotec AG

Head office:	Uttigenstr. 67, 3602 Thun, Switzerland +41 33 854 44 00
Locations:	Altdorf (CH), Fürth (DE), Sulzbach-Rosenberg (DE), Amotfors (SWE), Sirok (HUN), Tampa (USA)
Revenue (2018):	CHF 421 million
Employees (2018):	2,400
Ownership structure:	100% Swiss state ownership, plans for partial privatization

History[187]

In 1998, following a new federal law, the state-run arms manufacturers were converted into the private corporation RUAG (Rüstungs Unternehmen Aktien Gesellschaft), with a division called RUAG Munition.

In 2002, RUAG acquired the small-caliber ammunition division from the German company Dynamit Nobel AG The new business unit was named RUAG Ammotec. The following year, RUAG Ammotec took over the distribution and trademark rights for civilian ammunition from the Austrian firm Hirtenberger AG; five years later, it purchased the company MFS 2000 in Sirok, northern Hungary. RUAG Ammotec began production in Tampa (USA) in 2009, so it now has factories in five countries. Plans for a factory in Brazil were shelved in 2018 (see below).

Industry

RUAG Ammotec is the industry leader in Europe for small-caliber ammunition. It produces ammunition for pistols and submachine guns as well as infantry ammunition. Besides the German Bundeswehr, the Swiss Army and the armed forces of various NATO members, RUAG Ammotec counts police forces in several countries among its clients.

Its brands RWS (rifle cartridges and air gun pellets), Rottweil (shotshell), Norma Precision (rifle cartridges) and Geco (rifle and handgun cartridges) cover the full range of shotshell, rimfire and centerfire cartridges.

The company makes a wide range of products that are used by other manufacturers, such as primers for medium- and large-caliber ammunition as well as pyrotechnic compositions.

187 https://de.wikipedia.org/wiki/RUAG_Ammotec

RUAG Ammotec AG

Products

Besides manufacturing ammunition up to 12.7mm caliber, the company also makes defensive, offensive and practice hand grenades. Other products include the Swiss Army cartridges GP 11 and 5.6mm Gw Pat 90 (series ammunition for NATO caliber 5.56mm, made to fit the Swiss assault rifle 90) and the sniper ammunition series “Swiss P”.

Artillery and mortar training systems.

Activities in Brazil

In 2017, RUAG Ammotec announced plans to build a factory for small-caliber ammunition in Brazil. This was, however, prevented by the Swiss parliament in September 2018.[188] The reputational risk for Switzerland was considered too great. The decision to partially privatize RUAG means that parliament will no longer be able to take such direct influence in the future. It is conceivable that the plans for expanding to Brazil will be revived once the privatization process has been completed.[189]

Criticism & incidents

The firm lobbied persistently in Brazil for the government monopoly in the ammunition industry to be broken up so it could expand. In 2019, the manager responsible for the ammunition business in Latin America was recalled to Switzerland and demoted for praising President Jair Bolsonaro.[190]

RUAG affair:[191], [192]

The incident causes a stir in spring 2018: a RUAG executive is said to have conducted arms deals with Putin's presidential guard without the firm’s knowledge. On 22 February, RUAG files a criminal complaint against a then board member of its ammunition division Ammotec.

188 https://www.nzz.ch/schweiz/ruag-verzichtet-auf-bau-einer-munitionsfabrik-in-brasilien-ld.1417824, retrieved on 20/05/2021.

189 https://www.woz.ch/-9fc5, retrieved on 20/05/2021.

190 https://www.blick.ch/politik/eklat-bei-ruestungskonzern-ruag-manager-lobt-bolsonaro-und-wird-zurueckgestuft-id15257421.html

191 https://www.handelszeitung.ch/unternehmen/verdeckte-waffen-deals-durch-ex-ruag-manager-erstes-urteil

192 https://www.tagesanzeiger.ch/wirtschaft/standardruag-stellt-nach-razzia-manager-per-sofort-frei/story/10670987

SIG Sauer / L&O Holding

Head office:	Emsdetten, Germany (L&O Holding)
Revenue:	ca. €545 million (Holding, 2016)[193]
Employees:	2,300 (Holding)
Management:	Michel Lüke, Thomas Ortmeier (owners of the holding company)
Subsidiaries:	SIG Sauer GmbH & Co. KG, Eckernförde, Germany
	SIG Sauer Inc. USA, headquartered in Newington, New Hampshire, 6 other US locations[194]
	SIG Sauer AG, Schaffhausen, Switzerland, formerly SwissArms
	J.P. Sauer & Sohn GmbH, Isny, Germany

History[195]

J.P. Sauer & Sohn was founded in 1751, initially producing military weapons but focusing on hunting weapons after 1880. It began making pistols in collaboration with Krupp in 1893. During World War II, the carbine 98k and the MP44 were made in large numbers. In 1951, J.P. Sauer & Sohn AG was re-established in Eckernförde in Northern Germany; it was taken over by the compressor factory Wilhelm Poppe in 1966 and later restructured to become J.P. Sauer & Sohn Maschinenbau GmbH. In 1976, the hunting weapons factory in Eckernförde was sold to the Swiss Industrial Company SIG. In 2000, SIG Holding sold the weapons business including the SIG Sauer brand to Michael Lüke and Thomas Ortmeier, owners of the holding company L&O Holding based in Emsdetten in Western Germany. In 2009, J.P. Sauer & Sohn GmbH was re-established in Isny, Southern Germany, while SIG Sauer stayed in Eckernförde.

Industry[196]

Pistols, assault rifles, hunting rifles, ammunition, optics (e.g. riflescopes), suppressors, airsoft guns

Products (selection)

- Pistols:
  P210, P220, P226, P229, P320, P365
- Assault rifles:
  SIG MPX, SIG MCX, SIGM400

193 https://de.wikipedia.org/wiki/L_%26_O_Holding
194 https://www.glassdoor.de/Standort/Alle-Sig-Sauer-Firmenstandorte-E30691.htm?countryRedirect=true

195 https://de.wikipedia.org/wiki/J._P._Sauer_%26_Sohn
196 Other products: JP Sauer & Sohn GmbH made the Weatherby Mark V rifle series (from 1958 to the early 1970s). JP Sauer & Sohn Maschinenbau GmbH (independent since 1975) produces high-pressure air and gas compressors. Sauer & Sohn – https://de.qaz.wiki/wiki/Sauer_&_Sohn

RUAG Ammotec AG

Activities in Brazil

Active lobbying by international arms manufacturers accompanies the relaxation of Brazil's gun laws,[197] with SIG Sauer on the front line.[198] The firm has close ties to the president's son, Eduardo Bolsonaro. According to the largest daily newspaper in Brazil, Folha de São Paulo, Eduardo Bolsonaro is "considered a kind of propaganda boy by SIG [Sauer]".[199], [200]Most recently, about 4,000 SIG Sauer P320 pistols were procured for the police in the Brazilian state of Ceará (section 3, case 4). Since 2018, SIG Sauer Inc. and the Brazilian weapons manufacturer Imbel have conducted talks regarding a partnership; the nationalization plan to produce the P320 pistol (M17/ M18) was approved in Dec. 2020; US government approval is still pending (as of Dec. 2020).[201]

Criticism & incidents

- Possibly further deliveries of 10,000 pistols to Colombia even after the 2019 judgment.[202]
- 2019: suspended sentences and large fines for one of the owners, Michael Lüke, a former manager as well as the manager of SIG Sauer Inc. (USA), Ron Cohen, for illegal deliveries of pistols to Colombia from 2009-2011. The court in Kiel orders the confiscation of proceeds totaling more than €11 million.[203]
- 2013: corruption investigation connected to the purchase of assault rifles by India.[204], [205]
- 2009-2011: illegal delivery of 38,000 SIG SP 2022 pistols to Colombia via the US; 2010: delivery of 70 P226 and P228 pistols to Kasakhstan via the US without a license.[206]
- 2011: possibly illegal delivery of sniper rifles SSG3000 to Colombia via the US.[207]
- 2005: illegal delivery of 5,000 pistols to Iraq via the US.[208]

197 Between January 2019 and April 2020 alone, 70 meetings of weapons lobbyists and government representatives took place. Sou da Paz – Agência Pública | Fabricante alemã de armas Sig Sauer quer produzir no Brasil em parceria com a Imbel, ligada ao Exército

198 https://www.spiegel.de/ausland/brasilien-praesident-jair-bolsonaros-beziehung-zur-waffenfirma-sig-sauer-a-89a4b4ac-1269-44d9-88a9-0d21ac8ca489

199 https://blogs.taz.de/latinorama/sig-sauer-will-kuenftig-auch-in-brasilien-produzieren/ and https://nzzas.nzz.ch/hintergrund/waffenfabrik-sig-sauer-macht-in-brasilien-das-grosse-geschaeft-ld.1624259

200 Exército negocia parceria com empresa de armas apoiada por Eduardo Bolsonaro – 08/06/2020 – Poder – Folha (uol.com.br)

201 https://www.defesanet.com.br/bid/noticia/39120/Parceria-IMBEL-SIG-SAUER-para-nacionalizacao-da-Pistola-P320-tem-anuencia-do-Exercito-Brasileiro/

202 https://www.tagesschau.de/investigativ/swr/ruestungsexporte-sig-sauer-101.html

203 https://www.ndr.de/nachrichten/schleswig-holstein/SIG-Sauer-Prozess-Bewaehrungsstrafen-fuer-Ex-Manager,sigsauer226.html

204 https://www.spiegel.de/spiegel/print/d-115560236.html

205 https://timesofindia.indiatimes.com/india/verma-wife-bribed-mha-officials-to-help-sig-sauer-seal-deals/articleshow/19055735.cms

206 https://www.ln-online.de/Nachrichten/Norddeutschland/Pistolen-fuer-Kasachstan-Waffenhersteller-Sig-Sauer-durchsucht2

207 https://www.sueddeutsche.de/politik/waffenlieferungen-von-sig-sauer-nach-suedamerika-scharfschuetzengewehre-fuers-buergerkriegsland-1.2082732

208 https://www.sueddeutsche.de/wirtschaft/waffenhandel-sig-sauer-lieferte-offenbar-tausende-pistolen-illegal-in-den-irak-1.2122953

Heckler & Koch AG

Head office:	Oberndorf am Neckar, Germany **Heckler & Koch** Str. 1, 78727 Oberndorf a.N.
Locations:[209]	Nottingham, GB (NSAF Ltd.), Saint-Nom-la-Bretèche, FR (**Heckler & Koch** France SAS), Ashburn, VA, USA (**Heckler & Koch** Defense Inc. USA), Columbus, GA, USA (**Heckler & Koch** Inc.)[210]
Revenue:	€239.42 million (2019)[211]
Employees:	1,020[212]
Management:	Executive board: Jens Bodo Koch, Björn Krönert Chairman of supervisory board: Rainer Runte

History[213]

H&K was founded on 28 December 1949 by Edmund Heckler, Theodor Koch and Alex Seidel. The company made machine tools, tools and sewing maching parts. In 1954, production of CETME rifles for Spain began, later developed into the G3 rifle by H&K. In 1975, the firm expanded to the US. Facing bankruptcy in 1991 when the G11 contract was canceled, H&K was acquired by Royal Ordnance. In 2002, H&K was sold to a group of private investors led by Andreas Heeschen and Keith Halsey. Since 31 July 2020, the Luxembourg-based financial holding company CDE (Compagnie de Développement de l'Eau) has held the majority stake.

Industry

Infantry weapons such as pistols, submachine guns, assault rifles, machine guns, precision rifles, 40mm systems

Products (selection)

- Pistols:
  HK P10; HK P7; HK P2000, HK P30; HK SFP9
- Submachine guns: MP5; UMP; MP7A1
- Rifles: G3; G36; HK416; HK417; HK433
- Machine guns: MG4; MG5
- Precision rifles: G28
- 40mm system: GMW (automatic grenade launcher); HK269; HK169; AG36

209 https://www.heckler-koch.com/de/unternehmen/ueber-hk.html
210 https://www.beltfedinc.com/blogs/72-h-k-makes-a-move-in-america
211 https://www.heckler-koch.com/de/ir/abschluesse.html
212 https://www.heckler-koch.com/de/ir/abschluesse.html
213 https://de.wikipedia.org/wiki/Heckler_%26_Koch

Heckler & Koch AG

Activities in Brazil

Many Brazilian military and police units, including notorious special operations units in the Federal Police, Brazilian Army and in the State of Rio de Janeiro, are equipped with the full spectrum of small arms by **Heckler & Koch**, from pistols and submachine guns to sniper rifles and assault rifles. Since 2000, at least 640 G36 assault rifles by **Heckler & Koch** as well as UMP submachine guns have been sold to the Brazilian federal police and special units.

Criticism & incidents

- 2021: the German Federal Court of Justice confirms the verdict passed by the Stuttgart court.
- 2019: suspended sentences pronounced by a Stuttgart court for the former sales manager and a secretary because of illegal rifle exports to Mexico since 2004; €3.7 million of proceeds of the company are confiscated.
- 2018: assassination of left-wing city councilor Marielle Franco in Rio de Janeiro; forensic evidence reveals that the weapon used was a HK MP5 (section 3, case 1).
- 2017: killing of eight men in Rio de Janeiro; in three of the killings, forensic evidence suggests that they were executions. Of the 24 weapons examined in this case, 13 were of foreign origin, including 3 rifles by **Heckler & Koch** (section 3, case 3).
- Starting in 2011, investigations into the appearance of German-made G36 in Libya's civil war. Case was dropped.
- From 2004, illegal exports of G36 rifles to Mexico, based on false export declarations; two people sentenced in 2019.
- Use of G3 by Georgian troops in the Russo-Georgian War in 2008.
- 1992: violent suppression of a prison uprising in São Paulo, killing 111 prisoners, many of them with MP5 submachine guns made by **Heckler & Koch**.[214]
- 1992: delivery of G3 rifles to Yugoslavia despite UN weapons embargo.
- 1991: investigation against H&K regarding secret contacts to East Germany, e.g. import of HK weapons into the GDR via Austria.
- Delivery of HK weapons to the Stasi (GDR's secret police) in GDR and the Contras in Nicaragua in the 1980s by Royal Ordnance, bypassing German export bans.
- Delivery of HK weapons from licensed production in the UK and Saudi Arabia to Sudan in the 1980s, escalation of the fighting in Darfur.

214 https://www.kooperation-brasilien.org/de/themen/keine-heckler-koch-waffen-mehr-fuer-bolsonaro

Carl Walther GmbH

Head office:	Im Lehrer Feld 89081 Ulm, Germany (Walther) and Arnsberg Germany (Umarex)
Locations:	Ulm (DE), Arnsberg (DE), since 2013 Fort Smith, Arkansas (USA) (Walther Arms)
Profit:	€-182,312 (2018)
Employees:	200
Ownership structure:	Since 1993 part of Umarex GmbH & Co. KG, Arnsberg, Germany
CEO:	Bernhard Knöbel

History

In 1886 Carl Walther founded the Carl Walther weapons factory in Zella St. Blasii, Thuringia, Germany.[215] The family business originally made hunting and sporting rifles and, between 1924 and 1974, calculators.[216] From 1942/1943, the company ran a factory using prisoners in the concentration camp Neuengamme near Hamburg, called Metallwerke Neuengamme.[217] This factory and a plant using forced laborers in Zella-Mehlis produced up to 1.5 million weapons. After fleeing from the Red Army, the company was re-established in Ulm in 1948 and weapons production began anew in 1949. Since 1993, the company has been part of Umarex in Arnsberg in the Sauerland region in Western Germany. In 2006, it acquired the trademarks and rights of use of Swiss sporting weapons firm Hämmerli.

215 Company history, carl-walther.de, retrieved on 26 June 2020.

216 Walther – Die Firma und die Rechner. rechenkasten.de, retrieved on 27 June 2020.

217 Häftlingsarbeit in Rüstungsbetrieben im KZ-Hauptlager Neuengamme (Prisoner labor in arms factories in concentration camp Neuengamme), neuengamme-ausstellungen.info, retrieved on 26 June 2020.

Industry

Rifles and pistols for sport shooting (air guns/small-bore rifles) and automatic pistols, submachine guns and rifles for police and military use.

Production history and development

After the war, production of the successful pistol series PP, PPK, P38 was resumed in Ulm. Production of high-end sporting guns also quickly got underway again.

The submachine guns MPL and MPK (both 9mm Parabellum) and the semi-automatic sniper rifle Walther WA2000 were produced exclusively for the government market.

More recent pistol models include the P5 and P5 Compact (adapted from P38 for police use), the P88 and P88 Compact (both developed from P38 with double-stacked magazine for 15 cartridges), the P99 and P22 (a small-caliber practice gun based on the P99).

Walther pistols and submachine guns (selection)

- Walther PP (Polizeipistole), production period 1929-1999, caliber 9mm short
- Walther PPK (Polizeipistole Kriminal), production period 1931-1999, caliber 9mm short
- Walther P38, produced from 1938 on, caliber 9mm Parabellum (9x19mm)
- Walther P1, modified P38, produced until 2000
- Walther P5, production period 1979-1993, caliber 9mm Parabellum
- Walther P88, production period 1986-2000, caliber 9x19mm
- Walther P99, developed from P88, since 1996
- Walther PPQ (Polizeipistole Quick Defence), developed from P99, since 2011
- Walther submachine guns MPL, MPK (Germany, 9×19mm Parabellum)

Carl Walther GmbH

Walther rifles

- Walther G22
  (Germany, semi-automatic rifle, .22 LR)
- Walther WA 2000
  (semi-automatic sniper rifle)
- Gewehr 41
  (prototype, for the Wehrmacht, s
  emi-automatic rifle)

Sporting guns

- Air rifles, air pistols, target pistols, small-bore rifles

Activities in Brazil

A significant portion of the guns confiscated in Brazil come from Europe; of these European guns, 86 per cent are pistols, among them Walther pistols (see section 8, table 25 (in the corresponding text) and table 31).

Criticism & incidents

- 2017: the weapon used in a massacre and femicide in Campinas (São Paulo) was identified as a Walther P5, which the perpetrator was said to have bought from the widow of a police officer (section 3, case 7).
- 2015: public prosecutor launches investigation against the Carl Walther company following a criminal complaint by the network "Aktion Aufschrei – Stoppt den Waffenhandel" (Action Outcry – Stop the arms trade) regarding illegal export of pistols to Colombia.[218]

Two years later, in 2017, the Stuttgart public prosecutor's office announces that the investigation will be dropped, stating that the Walther P22 pistols delivered to Colombia were "not of military significance" and the export therefore not subject to authorization. It further states that the Walther P99 pistols did require authorization, but no indication had been found that guns of this type had been delivered to Colombia or produced there, nor had proof been found that licensing requirements were circumvented by shipping via the Czech Republic.[219]

- 2007, illegal export of pistols to Mexico: large volumes of an authorized export of over 6,000 pistols and parts worth €1.5 million are redirected to Mexican states for which no export authorization exists.[220]
- 2004: employees of the security firm Grupo Golán murder a policeman in Guatemala City when attempting to free a prisoner involved in organized crime. The murderers are in possession of Walther P99 pistols. The security firm acted as agent for Walther in Central America.[221]
- 2000s: illegal exports of over 1,000 pistols via Switzerland to Guatemala during 2002-2004. Investigations against three Walther employees; two get off with fines while the former international sales manager is given a suspended prison sentence of 23 months and a five-figure fine by a court in Ulm in 2006.[222], [223]

218 Willi Böhmer: Pistolen aus Ulm für Kolumbien? Südwest Presse, 24 September 2015, https://www.swp.de/suedwesten/landespolitik/pistolen-aus-ulm-fuer-kolumbien_-21377529.html

219 Ermittler: Kein illegaler Export von Waffenhersteller. Heilbronner Stimme, 27 September 2017, https://www.swp.de/suedwesten/landespolitik/pistolen-aus-ulm-fuer-kolumbien_-21377529.html

220 https://taz.de/Waffenexporte-nach-Mexiko/!5253977/

221 Ermittler: Kein illegaler Export von Waffenhersteller. Heilbronner Stimme, 27 September 2017, https://www.swp.de/suedwesten/landespolitik/pistolen-aus-ulm-fuer-kolumbien_-21377529.html

222 https://taz.de/Waffenexporte-nach-Mexiko/!5253977/

223 https://www.focus.de/finanzen/news/export-toedliche-briefmarken_aid_211073.html

Glock GmbH

Head office:	Ferlach, Austria Gaston-**Glock**-Park 1, A-9170 Ferlach, +43 2247 903000
Locations:	Deutsch-Wagram (AT), Ferlach (AT), Bratislava (SVK),[224] Smyrna, Georgia (USA) (**Glock**, Inc.)
Revenue	€502 million
Employees:	1,325 (2015)
Ownership structure:	Shareholders: **Glock** private foundation (99%); Gaston **Glock** (1%)[225]
Executives:	Dr. Günter Gigacher, Gaston **Glock**, Dr. Stephan Dörler[226]

History[227]

Glock was founded as **Glock** KG by Gaston **Glock** in Deutsch-Wagram in 1963. The company produced consumer goods and, from the 1970s, field knives as well as components for hand grenades and machine gun belt links. Production of the polymer-frame **Glock** pistol started in the early 1980s. The US subsidiary **Glock**, Inc. was founded in 1985. Another plant was opened in Slovakia in the last years according to the company' official website

Industry

Semi-automatic pistols, field knives, entrenching tools

Products (selection)

- **Glock** 17, first **Glock** pistol, magazine capacity 17 rounds, 9x19mm
- **Glock** 19, standard magazine 19 rounds, 9x19mm
- **Glock** 21, standard magazine 13 rounds, caliber .45 ACP

Subsidiaries[228]

- **Glock** (H.K.) Ltd., PR China, 100%
- **Glock** America S.A., Uruguay, 100%
- **Glock** Asia Pacific Ltd., PR China, 100%
- **Glock** De Venezuela, C.A., 100%
- **Glock** Do Brasil S.A., 100%
- **Glock** Middle East (FZE), United Arab Emirates, 100%
- **Glock** Professional, Inc., USA, 100%
- **Glock**, Inc., USA, 50%

Activities in Brazil

The analyses and tables on confiscated weapons in the appendix of this study show that the Austrian **Glock** pistol was the most frequently confiscated foreign pistol in Brazil, with a total of 708 confiscated pistols (see table 42).

➤

224 https://www.derstandard.de/story/2000087828990/wie-europas-waffenbauer-den-us-markt-erobert-haben
225 https://www.firmenabc.at/**Glock**-gesellschaft-m-b-h_HTxx
226 https://www.firmenabc.at/**Glock**-gesellschaft-m-b-h_HTxx
227 https://eu.**Glock**.com/en/Explore-**Glock**/**Glock**-History
228 https://de.wikipedia.org/wiki/**Glock**_GmbH

Glock GmbH

Criticism & incidents

- 2019: the company wins the contract to supply 40,000 semi-automatic .40 caliber pistols to the São Paulo military police.[229], [230]
- 2018: **Glock** America announces successful bid for the delivery of 5,000 **Glock** G22 as service pistols to the PMESP – Polícia Militar do Estado de São Paulo (São Paulo military police) in Brazil.[231] [232]
- 2016: taking imports and US production together, one out of five pistols sold in the US in 2016 was a **Glock**.[233]
- Impact on popular culture: the **Glock** has achieved great popularity thanks to clever product placement in Hollywood movies. [234]

229 https://g1.globo.com/sp/sao-paulo/noticia/2019/08/22/**Glock**-vence-licitacao-internacional-e-vendera-40-mil-pistolas-para-a-pm-de-sp.ghtml

230 https://www.thefirearmblog.com/blog/2019/08/23/**Glock**-wins-brazilian-contract/

231 https://www.all4shooters.com/en/shooting/pistols/**Glock**-will-provide-service-pistols-for-brazil/

232 https://g1.globo.com/sp/sao-paulo/noticia/2019/08/22/**Glock**-vence-licitacao-internacional-e-vendera-40-mil-pistolas-para-a-pm-de-sp.ghtml

233 https://www.derstandard.de/story/2000087828990/wie-europas-waffenbauer-den-us-markt-erobert-haben

234 http://www.imfdb.org/wiki/**Glock**_pistol_series#Film

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Our goal is to have a “terre des hommes”, which in French means “land of humanity”. We contribute to the end of violence against children and protect them from slavery, exploitation, abuse and neglect. We are committed to helping children grow up in a healthy and sustainable environment that will provide life opportunities for future generations. In addition to direct local support, we engage at the political level through campaigns and advocacy work to improve the situation of children and defend children's rights. We currently support over 350 projects worldwide. terre des hommes Germany was founded in 1967 and is independent from governments, companies, religious communities and political parties. As terre des hommes Switzerland, we are members of the network of the International Federation of terre des hommes.

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terre des hommes schweiz promotes the empowerment of young people in Africa, Latin America and Switzerland. Together we work to fight poverty, violence and discrimination, defend the rights of children and young people, as well as strive for fair relations between the Global North and South. Our key competences are participatory methodologies aimed at finding solutions with young people. In the more than 60 projects that focus on the three priority themes – violence prevention, health and education and sustainable lives – we support young people to develop themselves personally and economically, and mobilize for change in their countries. For this, we work with local partners. In Switzerland, we raise awareness of global interdependent relationships. With the young people of the imagine project, we defend diversity and fight against all forms of discrimination.

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