

INSTITUTE FOR  
IBEROAMERICAN STUDIES  
Hamburg, Germany



INSTITUTE FOR IBEROAMERICAN STUDIES

Research Project:  
“Heading towards a regional Security  
Community? A comparative analysis of the  
national security policies in the South of Latin  
America”

**Institution Building in  
Mercosul’s Defence- and  
Security Sector (II).  
The Common Containment  
of Transnational Security  
Threats**

*Daniel Flemes*

Arbeitspapiere des IIK Nr. 22

Oktober 2004

AP 22 (2004)

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The Common Containment of Transnational Security Threats**

**Daniel Flemes**

ISSN: 1611-0188



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INSTITUT FÜR IBEROAMERIKA-KUNDE · HAMBURG

· Institute for Iberoamerican Studies, Hamburg (Germany) ·

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The Common Containment of Transnational Security Threats**

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Oktober 2004



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## **Institution Building in Mercosul’s Defence- and Security Sector (II). The Common Containment of Transnational Security Threats**

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In comparison to the economic-political pillars of the Mercosul the foreign- and security political cooperation between the member states of the integration alliance is so far considered to be little developed. To what extent this judgement needs revising can be seen from the latest development of the Mercosul-bodies responsible for the foreign- and security policy. In doing so the conference of the home secretaries and the foreign political consultation forum of the Mercosul (FCCP) are of particular importance. Over the past years especially the conference of the home secretaries and their working groups have given vital impetus to the common fight against the organized drug trafficking and arms trade, international terrorism and other transnational crimes. Numerous multilateral agreements (amongst others on the operative cooperation of the police- and security forces), a subregional information network with data relevant to the security and finally the general plan for regional security passed by the conference of the home secretaries imply the starting institutionalization of the subregional security cooperation. In view of the so-called new threat forms that are getting increasingly more significant even the collaboration across the national borders in the containment of the transnational security risks is more and more becoming the centre of the political interest. The trusting, international cooperation in this problem area has therefore got to be seen as a current criterion of a regional security community, the constitution of which the states of the South of Latin America are involved in at present.

Comparada con el área económico-político del Mercosur, la cooperación exterior y en política de seguridad entre los estados miembros está considerada como menos fuerte. El desarrollo reciente de los órganos del Mercosur responsables de la política exterior y de seguridad muestra, sin embargo, la necesidad de revisar este juicio. La reunión de ministros del interior y el foro de consulta y concertación política (FCCP) tienen una especial importancia al respecto. Justamente de la reunión de ministros del interior y de sus grupos de trabajo surgieron en los últimos años importantes impulsos para la lucha común contra el tráfico organizado de drogas y de armas, contra el terrorismo internacional y otros delitos transnacionales. Hay indicios que marcan el comienzo de una institucionalización de la cooperación subregional de seguridad: numerosos tratados multilaterales (por ej. sobre la cooperación operativa de las fuerzas policiales y de seguridad), una red subregional de información con datos relevantes a nivel de seguridad y por último el plan general para la seguridad regional aprobado por la reunión de ministros del interior. Ante las crecientes y cada vez más importantes nuevas formas de amenazas, la cooperación para la lucha contra los riesgos de seguridad transnacionales se sigue acercando al centro de atención en la política de seguridad. La cooperación interestatal confiada en estos ámbitos problemáticos debe ser considerada como un criterio actual para una comunidad regional de seguridad, en cuya constitución los estados del sur de América Latina se consideran parte.

Im Vergleich mit dem wirtschaftspolitischen Pfeiler des Mercosul gilt die außen- und sicherheitspolitische Zusammenarbeit zwischen den Mitgliedsstaaten des Integrationsbündnisses bisher als wenig ausgeprägt. Inwieweit dieses Urteil revidiert werden muss, lässt sich an der jüngsten Entwicklung der für die Außen- und Sicherheitspolitik zuständigen Mercosul-Organen aufzeigen. Besondere Bedeutung kommt hierbei der Innenministerkonferenz und dem außenpolitischen Konsultationsforum des Mercosul (FCCP) zu. Gerade von der Innenministerkonferenz und ihren Arbeitsgruppen gingen in den letzten Jahren wichtige Impulse bei der gemeinsamen Bekämpfung von organisiertem Drogen- und Waffenhandel, internationalem Terrorismus und anderen transnationalen Delikten aus. Zahlreiche multilaterale Verträge (u.a. über die operative Zusammenarbeit der Polizei- und Sicherheitskräfte), ein subregionales Informationsnetz mit sicherheitsrelevanten Daten und schließlich der von der Innenministerkonferenz verabschiedete Generalplan für regionale Sicherheit stehen für eine beginnende Institutionalisierung der subregionalen Sicherheitskooperation. Angesichts der zunehmend bedeutsamer werdenden sogenannten neuen Bedrohungsformen rückt auch die grenzüberschreitende Zusammenarbeit bei der Bekämpfung der transnationalen Sicherheitsrisiken immer weiter in den sicherheitspolitischen Blickpunkt. Die vertrauensvolle, zwischenstaatliche Zusammenarbeit auf diesen Problemfeldern muss deshalb als zeitgemäßes Kriterium für eine regionale Sicherheitsgemeinschaft gelten, in deren Konstituierung sich die Staaten des südlichen Lateinamerika begriffen sehen.

## 1. Introduction

The Mercosul-states are confronted with a number of new threats, which have to be defined as transnational and for which the subregion has to be prepared for. The protagonists of these new dangers are no longer the states, but guerillas, paramilitaries, the organized crime (especially drug- and arms dealer) as well as international terrorists who possibly organize themselves within areas out of government control. The containment of these new security political<sup>1</sup> challenges - before developing into extensive military conflicts threatening the peace and prosperity of the region - is in the common interest of the states of a potential security community. To generate stability and progress in the South of Latin America in the future and to support the economic integration process the security political cooperation between the countries of the South of Latin America will play an equally important part as the consolidation of the internal democracy and the respect for the human rights do today.

The countries of the Mercosul show different degrees of political stability and varying institutional deficiencies. Only over the past years the national security policies have developed into public policies controlled by democratically legitimated actors. The states in the South of Latin America do not have a tradition of public debates on security political issues, since the armed forces have exclusively dominated this field of politics in the past. That is precisely why the political institutions of the Mercosul-countries are obliged to respond to new safety risks and thus prevent that the armed forces respectively their intelligence services occupy this field of politics recently. Even more heavily weighs the argument, though, that neither the transnationally organized crime nor the international terrorism can be contained by military means only.

The integration of a multitude of government actors into the foreign- and security policy of the Mercosul-countries implies a tendency resulting from the increasing virulence of transnational threats. Whereas the external agitation of the countries has so far been left to the foreign ministries and the presidential offices, today even the home office, the ministries of

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<sup>1</sup> In the following the area of security policies implies all institutional and procedural aspects of political actions, which lead to the protection of the population against external dangers. This includes firstly potential transnational threats in the South of Latin America (drug- and arms trafficking, money laundering as forms of transnationally organized crime, transnational activities of guerrilla organizations, environmental risks, illegal migration, international terrorism, proliferation of means of mass destruction); secondly defence policies including the protection of the territorial integrity of a country against violent attacks of external actors; and thirdly all areas of foreign policies which aim at bilateral, subregional, continental or global cooperation in security issues, conflict resolution and the prevention of the organized execution of violence.

justice, -finance, the economics ministries and the ministries of defence as well as police authorities regard themselves to be integrated into the international cooperation. The priority in containing transnational safety risks should be the institutionalized cooperation between these actors who are democratically legitimated by their societies. In order to guarantee an efficient collaboration across the national borders the adjustment of the national legal systems is necessary in a second step. In doing so it has to be taken into account that rules of law and particularly the Mercosul-citizens' personal rights of freedom are not harmed.

Since the middle of the 1990s a cooperative process of the containment of non-conventional security risks can be observed within the Mercosul, which has proven to be increasingly consistent in the latest history. In spite of this rapprochement between Brazil and her neighbouring countries - Argentina, Chile, Paraguay and Uruguay - no security political regime or another subregional security system has derived from the international cooperation so far. Neither have the actors involved decided that the objective of the ongoing process should be the formalization or institutionalization of the security- and defence political collaboration. On the contrary this is about a widely open process, the result of which can hardly be forecasted by politicians and scientists. Therefore the first step has got to be the tracing of the actual development of the international cooperation over the past years in order to determine their degree of formalization and effect with respect to specific measures and cooperation forums. Only on this empirical foundation a hypothesis on the development of a pluralistic security community with the core countries Brazil, Argentina and Chile can be verified or disproved. To document the state of the subregional security political collaboration first of all the most significant security political cooperation forums already existing are introduced by the foreign political consultation forum (FCCP) and the conference of the home secretaries. The degree of institutionalization of these multilateral institutions is of vital importance for the definition of a security community. In the following the results of the work of the conference of the home secretaries so far will be shown: The general plan for regional security, the data bank for information relevant to the security (SISME), the subregional cooperation of the police institutions as well as the Mercosul-centre for police training. On the foundations of these multilateral institutions and mechanisms the range and effectiveness of the subregional security cooperation will be demonstrated by three concrete problem areas (organized drug trafficking, international terrorism and money laundering).<sup>2</sup>

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<sup>2</sup> To the author's knowledge there is no secondary literature available so far on the subregionally security political cooperation forums that have in far parts been founded only in the recent history. On the one hand the following paragraphs are based on research interviews by the author from November/ December 2003 and May/



The starting point for this cooperative process implies the establishment of a trilateral command of the federal police at the border triangle between Argentina, Brazil and Paraguay (*Comando Tripartito de la Triple Frontera*) in May 1996. Even in the same year the highest committee of the Mercosul (*Consejo del Mercado Comun – CMC*) established the conference of the home secretaries by the decision 7/96, by which the security political collaboration in the multilateral context experienced a partial institutionalization already. The conference of the home secretaries of the Mercosul - where Brazil is represented by its minister of justice, since in Brazil both departments are traditionally centralized in the ministry of justice - has been able to achieve a great number of security politically significant agreements since then. Amongst them are, for example, the following agreements signed at the end of the 1990s: Agreement on security political exchange of information (*Acuerdo sobre el Intercambio de Informaciones de Seguridad*); on safety at the border triangle (*Plan General de Seguridad de la Triple Frontera*); as well as on cooperation and mutual support in the field of regional security (*Plan General sobre Cooperación y Asistencia Recíproca en materia de Seguridad Regional en el Mercosur*).

Furthermore the Mercosul-countries have created a cooperation mechanism for the fight against drug abuse (*Reunión Especializada de Autoridades de Aplicación en Matéria de Drogas, Prevención de su Uso Indébito y Rehabilitación de Dependientes de Drogas del Mercosur – RED*) and an anti-terrorism working group (*Grupo de Trabajo Especializado sobre Terrorismo – GTE*). Other forms of the security collaboration between the South American states are not laid down in the political Mercosul. Those include, for instance, the fight against money laundering in the context of the GAFISUD (*Grupo de Acción Financiera de Sudamérica*) as well as bilateral security agreements. Noteworthy are also the operative cooperation of the police attachés with the police authorities of their receiving states as well as the exchange programs based on bilateral contracts between the police academies of Argentina, Brazil and Chile.

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June 2004 at the Brazilian foreign ministry, the ministry of justice and -finance as well as the presidential office and the Brazilian federal police (see list of interview partners). At this point I would like to thank my interview-partners for their support. On the other hand the information on the analysed forms of the security political cooperation are based on agreements of the conference of the home secretaries, decrees of the Mercosul-council, resolutions of the Mercosul-group as well as meeting records of various cooperation committees, the copies of which the above mentioned actors have kindly made available for the author. The following will mostly do without explaining the single documents forming the basis for the respective security political cooperation in the running text. However they are to be found in the bibliography in chronological order resp. according to the cooperation committee.

## **2. The Foreign Political Coordination in the Mercosul**

A basic requirement for the work of the mentioned committees is the coordination of the foreign policies of the member states of the Mercosul. It is true that the foreign ministers are together with the ministers for economic affairs at the head of the Mercosul-council (CMC). But the range of duties of the highest ranking Mercosul-body - namely the realization of the objectives defined in the treaty from Asuncion and finally the establishment of a common market - is broad. Therefore the foundation of a foreign political consultation body of its own was necessary. As early as in 1996 the presidents of the Mercosul-countries had expressed their political willingness to create a special foreign minister forum by the signing of the declaration from Potrero de los Funes. Consequently two years later the multilateral consultation- and concertation mechanism for questions of international politics (*Foro de Consulta y Concertación Política – FCCP*) was founded on the basis of the decision 18/98 of the CMC.

This auxiliary body of the Mercosul-council is usually casted with high-ranking employees of the foreign ministries of the member states. If the “nature and reach of the dealt with subjects requires it”, the consultation forum may also have a meeting on the level of the presidents. The priority of the FCCP is the “expansion and systematization of the political cooperation” between the member states. As a result the FCCP is planned to represent a common position of the member-countries opposite “third states, groups of states or other international institutions”.

It is not presumptuous to identify the FCCP as the embryo of a common foreign- and security policy of the Mercosul-countries, which is still a long way in coming. Since the Mercosul-council has assigned the responsibility for the minister conferences without direct economic and commercial political relevance to the FCCP in 2002 at the latest, the crucial channels of communication for the coordination of the foreign- and security policies of the member states gather in this forum. Thus the CMC-decision 2/02 instructs the FCCP amongst other things to “accompany and coordinate” the work of the conferences of the home ministers and the ministers of justice as well as the working groups against terrorism (GTE) and illegal arms trade and the anti-drug commission (RED). The same applies to the political subject areas education, culture, social issues and women. At all conferences of the minister

meetings and working groups at least one representative of the Mercosul-country holding the FCCP-presidency at the time is present. The rotational presidency of the FCCP changes semi annually between the full members of the integration alliance. During each temporary presidency at least two conferences of the consultation body are planned. However the foreign ministries of the associated Mercosul-states Chile and Bolivia are represented in the political consultation forum as well as even Peru is since March 2004. They all have got an equal vote with the full members concerning consensual decisions of the FCCP.

Especially since the end of the 1990s the FCCP shapes its own political agenda. In doing so the necessity to promote the integrative culture within the member states is emphasized on the one hand. This addresses the intensification of the cooperation between the government institutions as well as the collaboration between these and the social actors of the Mercosul-countries. On the other hand the FCCP pursues the intensified coordination of the institutions of the Mercosul, which again should lead to an improved output of the minister conferences and working groups. But the political consultation forum has particularly devoted itself to the intensification of the political process of institutionalization. The FCCP has given impetus to the following Mercosul-agreements:

- Inclusion of the democracy-clause into the comprehensive body of legislation of the Mercosul, Montevideo in December 1997
- Political declaration of the Mercosul to a peace zone, Ushuaia in June 1998
- Declaration for the support of the Paraguayan democracy and its process of institutionalization, Montevideo in November 1998
- Declaration of the Falkland Islands, Asuncion in June 1999

Apart from the fields of action within the states respectively the integration alliance the FCCP has got to be concerned about establishing the Mercosul as a devoted and responsible actor of the international system. This can be achieved by articulating previously and commonly agreed on positions concerning question on the regional and international policy. So the representatives of the foreign ministries of the Mercosul worked together within the FCCP in the run-up to the meetings of the Rio-group, the summit conference of the Americas, the Iberoamerican summit conferences and other international conventions, especially in the context of the organization of American states. The coordination of biregional agreements of the Mercosul - for example with the Andes-community and the

European Union - is another competence of the political concertation- and consultation forum as well as treaties relating to international law between the Mercosul and single states like the Russian federation, for instance.

Furthermore the member states of the Mercosul coordinate their voting behaviour in the UN-general assembly and the security council of the United Nations within the FCCP. Special importance was attached to this fact before the second Iraq-intervention led by the United States of America in 2003. The Mercosul-states represented at the UN-security council at the time, Brazil and Chile, strengthened themselves in their disapproving attitude in the FCCP and voted together - despite considerable pressure from Washington - against a military intervention in the authoritarian state. The agreement between Argentina and Brazil on exclusively giving common votes in the UN-security council until 2006 (see El País, 19 December 2003) was also met in the FCCP. A working group (*Grupo de Trabajo sobre Asuntos Consulares y Jurídicos*) employed by the FCCP formed a cooperation mechanism for consular questions. As a result common diplomatic representations of the Mercosul-countries in a third country may be established since August 2000. Argentina and Brazil are residing in Boston and Hamburg in common consulates, for instance.

The last rotational FCCP-presidency of Argentina ended in June 2004 with the altogether 32<sup>nd</sup> conference of the political consultation mechanism in Buenos Aires. By this at least three crucial initiatives came from the Argentine foreign ministry, the realization of which will probably happen within the next semi annual terms. Firstly the member states deal with the establishment of a body of scientific experts, which is intended to accompany the work of the FCCP intellectually. Secondly a mechanism for crisis prevention is planned to develop from the FCCP that also guarantees the regional stability in states of emergency. And thirdly the Mercosul-states want to develop a new legal norm, which refuses persons found guilty of genocide residence permit in the alliance states. In addition to that the FCCP has dealt with the internal conflicts in Peru and Haiti during the Argentine presidency. In doing so the national actors involved were asked to maintain the democratic institutions and processes as well as to consider the human rights. On the occasion of the terrorist attacks on 11 March 2004 in Madrid the FCCP banished any form of terrorist violence and offered its condolences to the Spanish people.

### 3. The Conference of the Home Secretaries of the Mercosul

The conferences of the home secretaries of the Mercosul-states originate from the agreement of Fortaleza from 17 December 1996, in which the signatory countries state their willingness to cooperate in questions of transnational security. For this purpose semiannual meetings are being held since 1997, which take usually place in the Mercosul.country holding the rotational presidency. The home secretaries and the ministers of justice decide by consensus. The agreements met at the conference of the home secretaries are documented in the protocols<sup>3</sup> and transferred to the council of the Mercosul, which acknowledges them and integrates them as council decisions into the legal system of the Mercosul. Apart from the home secretaries respectively the ministers of justice from Argentina, Brazil, Paraguay and Uruguay officials from the home offices of the associated Mercosul-states, Bolivia and Chile, participate in the meetings of the ministers. The associated states are only legally integrated into the decisions of the conference of the home secretaries in a second step, though: After the treaties of the meeting of the ministers have been transformed into CMC-decrees, they are applied to the associated countries by means of their own agreements between the Mercosul and the home secretaries of Bolivia and Chile (also of Peru in the future). The first conference of the home secretaries in May 1997 in Paraguay dealt with internal proceedings and technical questions in the first place. For the preparation of the conference of the ministers a technical commission meeting twice every half-year was employed in Asuncion. In content the home secretaries and the ministers of justice agreed to give priority to the safety problems at the border triangle between Argentina, Brazil and Paraguay within their working agenda.

In October 1997 the Uruguayan home ministry organized the second conference in Punta del Este. There the home secretaries and the ministers of justice of the Mercosul-states initiated the creation of a common data network for the exchange of information on police operations as well as on persons and goods linked with criminal offences. Moreover a security plan for the border triangle (*Plan de Seguridad para la Triple Frontera*) and a regional plan for the safety of the citizens (*Plan Regional de Seguridad Ciudadana*) were discussed. In the run-up to the meeting of the ministers the employed working groups had already presented plans for the centralization of the borders guards at the border triangle. These rough drafts aim particularly at common measures in the sectors of migration, regionally organized crime and fight against drug traffic. The home secretaries and the ministers of justice gave special

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<sup>3</sup> The following paragraph is mainly based on the protocols of the conference of the home secretaries of the Mercosul, which the Brazilian ministry of justice has kindly made available for the author.

attention to the tendency of the globalization of the organized crime and the possibilities of their containment in the regional context. Besides the already mentioned regional data exchange the government representatives stressed the necessity of training the police staff of the member states more specifically in controlling the transnationally organized crime.

**Image 1: The Border Triangle**



Source: <http://www.cnn.com/interactive/maps/world/dateline.terror.triborder/map.cu.terror.haven.jpg>

The technical commission of the conference of the ministers was instructed to work out the *Plan de Seguridad para la Triple Frontera*, which was intended to include concerted actions of Argentina, Brazil and Paraguay in the problem areas criminal offences, customs, migration as well as public finances. In order to be able to control drug dealers, smugglers and potential terrorist activities more efficiently a census of all residents and persons passing through was decided, which was to provide a first overall view of the population structure in the border region. In view of the central role of the border triangle within the regional security agenda the home secretaries from Argentina and Paraguay and the minister of justice from Brazil met on 18 December 1997 in Foz de Iguazú. By the record from Foz de Iguazú a trilateral surveillance system was created, which equally controls the financial- and commercial streams as well as the passenger traffic between the three countries. By means of aerial photographs illegal runways for small aircrafts are identified. The personnel reinforcement of the police stations and customs offices in the three states is meant to support a more efficient control of the mentioned sectors. A special passport for residents of the border regions is

intended to simplify the border traffic for them and lead to an easier distinction between residents and potential persons involved in criminal activities. But since even residents of the border triangle are not insignificantly involved in illegal activities, the efficacy of this measure is rather questionable.

At the third conference of the home secretaries in May 1998 in Buenos Aires the home secretaries and the ministers of justice of the Mercosul-states passed the *Plan General de Seguridad para la Triple Frontera*. One day prior to the conference of the ministers the Paraguayan government had decided to establish a department for counterterrorism (*Departamento de Prevención e Investigación del Terrorismo*) within its federal police. By this the Paraguayan government signalled to the partnership countries its serious intention of clearing up the confused situation in Ciudad del Este. This town situated at the border triangle is regarded to be a subregional stronghold of criminality where the smuggling of drugs, arms and merchandise implies a lucrative business for all persons involved - including the border- and police authorities. Another priority of the meeting of the ministers took the problems with money laundering. Argentina's national laws against this state of affairs had proven to be ineffective so far; in Brazil and Uruguay the legislator had not even passed legal norms against this crime. For the time being the home secretaries and ministers of justice noticed that this sector calls for action in the regional context. Beforehand Washington - critical observer of the development in the border triangle for years - had repeatedly reminded the three states to deal with the situation in the border region.

Furthermore the third conference of the home secretaries dealt with the subject of the illegal arms trade and instructed a working group to draw up a regional register of buyers and salesmen of small weapons and ammunition. Only one month earlier - in the context of the summit meeting of the Americas on 18 April 1998 - the presidents of the Mercosul-states had signed a common declaration on the fight against the illegal arms trade. Similar to the control of money laundering the main problem in this case is also the different national legislations of the Mercosul-countries. Apart from that the conference of the home secretaries employed working groups for the development of a common extradition- and legal aid treaty, for the draft of a regional plan for the civic security (*Plan Regional de Seguridad Ciudadana*) and the production of the legal frame conditions for the regional data network SISME (*Sistema de Intercambio de Información de Seguridad del Mercosur*). The *Plan sobre Cooperación y Asistencia Recíproca de Seguridad Regional* also passed in Buenos Aires was only of

provisional character and laid the foundations of the general plan for regional security signed in 1999.

The fourth conference of the home secretaries took place in November 1998 in Brasilia. The exchange of data relevant to the security within the subregion and the data network SISME were again given special emphasis in this meeting. The technical commission presented the home secretaries and the ministers of justice with the definitions of the state of criminal affairs and facts, which SISME will include. Presently the Chilean involvement in SISME is limited to the sending of electronic messages, since an integration of the national data banks into the subregional data network would violate Chile's data protection regulations. Moreover the home secretaries and the ministers of justice initiated a common register for the purchase and sale of small weapons and ammunition in the Mercosul.

At the fifth conference of the ministers in June 1999 in Asuncion the home secretaries and the ministers of justice signed an agreement on the return to their country of origin of vehicles and vessels that had been illegally transferred to other Mercosul-states. Additionally the ministers signed the reglementations of the SISME (*Reglamentación orgánica y de funcionamiento del Sistema de Intercambio de Información*). Furthermore the home secretaries and the ministers of justice founded committees for counterterrorism and organized crime control (*Organismos especializados en la lucha contra el terrorismo y el crimen organizado*) that meet semi annually as well as a sub commission, which accompanies and controls the working groups employed. Besides the already existing working groups for issues of criminal offences, migration, customs, finance and environment as well as computer science and communication the sub commission (*Subcomisión de Seguimiento y Control*) also supervised the working group for the containment of the illegal trade with radioactive material (*Grupo de Trabajo Especializado de Tráfico Ilícito de Material Nuclear y Radiactivo*) founded at the fifth conference of the home secretaries.

Since completing the final steps for the establishment of the organizational structure and installing the last working instruments at the fifth conference of the home secretaries in Asuncion, the subject agenda of the conference of the home secretaries relevant to the security policy is identical with the signed agreements and decided measures (see table 1) to a great extent.



**Table 1: Agreements Relevant to the Security Policy and Measures of the Conference of the Home Secretaries of the Mercosul**

	<b>Agreements and measures relevant to security policy</b>
1. Conference of the home secretaries May 1997, Asuncion	<ul style="list-style-type: none"> <li>• Passing of the internal rules of procedure</li> <li>• Establishment of a technical commission</li> </ul>
2. Conference of the home secretaries October 1997, Punta del Este	<ul style="list-style-type: none"> <li>• Initiation of the <i>Plan de Seguridad para la Triple Frontera</i></li> <li>• Trilateral record of Foz de Iguazú (control of the financial traffic, trade and passenger traffic at the border triangle ) between Argentina, Brazil and Paraguay</li> </ul>
3. Conference of the home secretaries March 1998, Buenos Aires	<ul style="list-style-type: none"> <li>• Passing of the <i>Plan sobre Cooperación y Asistencia Recíproca de Seguridad Regional</i></li> <li>• Passing of the <i>Plan General de Seguridad para la Triple Frontera</i></li> <li>• Passing of the reglementations of the SISME (<i>Sistema de Intercambio de Información de Seguridad del Mercosur</i>)</li> </ul>
4. Conference of the home secretaries November 1998, Brasilia	<ul style="list-style-type: none"> <li>• Initiation of a common register of the purchase and sale of small weapons and ammunition</li> </ul>
5. Conference of the home secretaries June 1999, Asuncion	<ul style="list-style-type: none"> <li>• Agreement on the return to their country of origin of vehicles and vessels illegally transferred to other Mercosul-states</li> <li>• Agreement on the foundation of the <i>Sistema de Intercambio de Información de Seguridad del Mercosur (SISME)</i></li> </ul>
6. Conference of the home secretaries November 1999, Montevideo	<ul style="list-style-type: none"> <li>• Agreement on the general plan for regional security (<i>Plan General sobre Cooperación y Asistencia Recíproca en materia de Seguridad Regional en el Mercosur</i>)</li> </ul>
7. Conference of the home secretaries May 2000, Buenos Aires	<ul style="list-style-type: none"> <li>• Amendment to the general plan for regional security in the sector of child trade</li> <li>• Amendment to the general plan for regional security in the sector of white-collar crime and financial criminality</li> <li>• Amendment to the general plan for regional security in the sector of environmental crime</li> <li>• Amendment to the general plan for regional security in the sector of illegal trade with radioactive materials</li> </ul>
8. Conference of the home secretaries November 2000, Rio de Janeiro	<ul style="list-style-type: none"> <li>• Agreement on a Mercosul-coordination centre for the training of police staff</li> <li>• Central bank agreement on the prevention and repression of white-collar crime and financial criminality</li> </ul>
9. Conference of the home secretaries June 2001, Asuncion	<ul style="list-style-type: none"> <li>• Agreement on police cooperation in the sectors of investigation, prevention and control of criminal offences</li> <li>• Amendment to the general plan for regional security in the sector of migration</li> </ul>
10. Conference of the home secretaries November 2001, Montevideo	<ul style="list-style-type: none"> <li>• Foundation of a permanent working group for counterterrorism</li> </ul>
11. Conference of the home secretaries May 2002, Buenos Aires	<ul style="list-style-type: none"> <li>• Agreement against slave trade</li> <li>• Agreement on the safety of the tourists in the Mercosul-states</li> <li>• Amendment to the general plan for regional security in the sector of counterterrorism</li> </ul>
12. Conference of the home secretaries November 2002, Salvador da Bahia	<ul style="list-style-type: none"> <li>• Agreement on the containment of transnational forms of crime connected with the illegal air traffic</li> <li>• Agreement on corruption control in the border regions</li> <li>• Agreement on the operative cooperation of the police intelligence services against terrorist and illegal activities connected with it</li> </ul>
13. Conference of the home secretaries June 2003, Asuncion	<ul style="list-style-type: none"> <li>• Amendment to the general plan for regional security in the sector of tobacco smuggle</li> <li>• Amendment to the general plan for regional security on the</li> </ul>

	<ul style="list-style-type: none"> <li>robbery of merchandise during transport</li> <li>• Amendment to the general plan for regional security in the sector of pirate copies</li> <li>• Amendment to the general plan for regional security in the sector of slave trade</li> </ul>
14. Conference of the home secretaries November 2003, Montevideo	<ul style="list-style-type: none"> <li>• Modification of the <i>Sistema de Intercambio de Información de Seguridad del Mercosur (SISME)</i></li> <li>• Agreement on the implementation of the SISME</li> </ul>

Source: Meeting records of the conference of the home secretaries of the Mercosul

Since 1999 the conference of the home secretaries of the Mercosul has been dealing with the general plan for regional security intensively. At almost every meeting amendments and modifications of the general plan were passed. In doing so partially new subjects were included in the regional security agenda, too. Between 1999 and 2003 the home secretaries and the ministers of justice have made changes and innovations within the general plan for regional security in the following sectors: Child trade, economic- and financial criminality, environmental criminality, illegal trade with radioactive material, illegal migration, counterterrorism, tobacco smuggle, robbery of merchandise, pirate copies and slave trade. Apart from working on the general plan the government representatives of the Mercosul-states signed a regional agreement against slave trade and an agreement for the guarantee of the safety of tourists in the member states of the Mercosul in May 2002 in Buenos Aires.

In addition to the general plan three further cooperation mechanisms are of great importance for the future subregional security collaboration. These cooperation mechanisms have derived from the conferences of the home secretaries over the last years and represent a qualitative further development of the security cooperation in the Mercosul: The Mercosul-centre for police training set up at the conference of the home secretaries in Rio de Janeiro in 2000, the operative police cooperation decided in Asuncion in 2001 as well as the security data bank SISME implemented in Montevideo in 2003. In the following the basic principles of the practical subregional security political cooperation will be shown and critically appreciated. Since most of the analysed forms of collaboration are still in their initial stages, an estimation of their respective effectiveness/ deficiencies is hardly possible at this moment.

### 3.1. The General Plan for Regional Security

In 1999 the general plan for regional security (*Plan General sobre Cooperación y Asistencia Recíproca en materia de Seguridad Regional en el Mercosur*) became effective by the

agreement 13/99 of the conference of the home secretaries (CMC-decree 22/99). In this general plan the security plan for the border triangle worked out as well as the regional security plan from 1998. The general plan for regional security represents by far the most comprehensive and furthest-reaching multilateral project of the conference of the home secretaries and the ministers of justice of the extended Mercosul. Introductorily it says:

*“The parallel running processes of the globalization and the regional integration lead to the stage where even the transnational dimension of the criminality proves to be increasingly more pronounced and thus more alarming. Amongst others organized groups in the sectors of drug traffic, terrorism, money laundering, smuggle, child trade, robbery and theft of vehicles, illegal dealing with radioactive material, illegal migration and environmental criminality belong to this sector.*

*[...] In order to do these new challenges justice it is necessary to act commonly and in a coordinated way on the regional level. Only by means of cooperation the different forms of the nationally and transnationally organized criminality can be contained effectively. Particularly those forms of crime that can - due to their transnational character - not be contained on the national level threat the common subregional security to a high degree.”*

For the improvement of the subregional security situation the states of the Mercosul aim to coordinate four central security political fields of function. Firstly the government bodies of security and police are intended to support each other mutually by the exchange of information. Secondly on the operative level simultaneous measures are planned to be executed for the control and repression of criminal activities. Thirdly the home secretaries and the ministers of justice want to improve the material equipment of the police institutions - especially in the important sectors of computer science and communication - and adjust subregionally. And fourthly the general plan for regional security aims at a more effective employment of the personnel resources. This is planned to be achieved by further developed and coordinated forms of training as well as a broad put on exchange of experience between the security- and police staff of the Mercosul.

At the same time the signatory countries emphasize that the creation of more subregional security must not take place at the expense of due process and personal rights of freedom of the Mercosul-citizens. The central chapter of the general plan for regional security is divided into those problem areas in which the partnership countries intend to cooperate in the future: Illegal drug trafficking, slave trade, smuggle, robbery resp. theft of vehicles, organized criminality, economic- and financial criminality, terrorism as well as environmental criminality. Following a Brazilian initiative the home offices and ministries of justice are

currently working on the transformation of the general plan into an outline agreement. A multilateral treaty relating to the international law would have to be ratified by the parliaments of the Mercosul-states. This would increase the pressure on the representations of the people to adjust the national legislations to the regional security plan (Oswaldo Portella, interview on 12 May 2004). First of all three cooperation mechanisms will be analysed in the two following paragraphs that might be seen as the basis for the intended operative collaboration on all other sectors: The electronically supported exchange of information between the security authorities of the Mercosul-countries in form of the SISME, the operative cooperation between the federal police of the subregion and the coordination of the training of the police staff of the Mercosul in a common training and practice centre. Finally an analysis follows of the subregional coordination measures for the control of central crimes - that partially go beyond the competence of the conference of the home secretaries (i.e. in the sector of illegal drug trafficking) or that are not at all laid down in the political Mercosul (i.e. the containment of money laundering in the context of the GAFISUD).

### **3.2. The Data Bank for Information Relevant to the Security (SISME)**

The subregional data bank for information relevant to the security (SISME) dates back to an agreement of the third conference of the home secretaries in Buenos Aires in 1998. Five years later the home secretaries and the ministers of justice decided in Montevideo to implement the system still in 2004, which the working group for computer science and communication had technically and methodically updated in the meantime. In doing so the government representatives describe the exchange of information as a crucial element of an effective prosecution of transnationally acting criminals. Their financial power enables these transnationally organized groups to pursue their illegitimate objectives by means of advanced technologies. In order to be able to contain the organized criminality effectively the government security authorities depend on technically equal equipment, especially in the fields of information and communication. Synergy effects develop by the centralization of the subregional government capacities. The exchange of information guaranteed by the SISME is intended to lead to considerable progresses concerning the control of transnational criminality.

Besides an improved organization and intensified control of the police institutions - that are often involved in illegal activities themselves - the utilization of the Mercosul-data archive in connection with coordinated administrative procedures within the home ministries resp. the ministries of justice of the subregion also promises a speeding up of the crime control on the operative level. The member states have got to feed completed police operations into the data bank and thereby pass them on to the partnership countries as well as data related to persons or information on goods (i.e. arms and vehicles) linked with criminal activities.

The SISME consists of different kinds of junctions respectively servers. The information stored on the servers of the security authorities in Argentina, Brazil, Chile, Paraguay, Uruguay and Bolivia (*nodos usuarios*) are centralized in the respective national junction (*nodos nacionales*). The administration and provision of the collected security data within the Mercosul-states is adopted by a special junction (*nodo gerenciador*) each. On the one side the national junctions are responsible for supplying a Mercosul-server (*nodo regional*) with state specific information. On the other side this is where the pooling from the partnership countries arrive, which have to be passed on to the national security authorities (*nodos usuarios*) again.

In content the subregional information system is intended to consist of three components: In doing so data relating to persons and goods are completed by a register on criminal cases and the police operations connected with them. Data with reference to persons of the first component include national as well as international arrest warrants, missing announcements and summons as well as entry- and departure prohibitions declared by the Mercosul-countries. Furthermore the SISME stores information on issued and refused visas of citizens from non-Mercosul-states as well as a register of notification of persons from a third country residing in the member states. The arrest warrants stored in the data archive are subdivided into the following types of crime:

- Criminal offences aimed against the life and physical integrity of persons
- Kidnappings
- Child trade
- Organ trade
- Terrorism
- Smuggle of animals and goods
- Illegal drug trafficking
- Money laundering

- Money counterfeiting
- Environmental criminality
- Robbery and theft of vehicles
- Hijacking
- Arms trade

Any previous convictions the wanted persons have served in one of the member states can also be seen from the data archive.

The data relating to goods, which form the second component of the SISME, refer to confiscated vehicles, vessels and aircrafts in the first place. Moreover the model descriptions and serial numbers of seized arms are recorded and stored centrally. A subregional register for cargo containers recording the imports and exports to resp. from the Mercosul-countries including the respective freight is intended to enable the security authorities a detailed detection of the transportation routes of the smuggled goods.

The third component of the subregional information system is finally about a register for resolved and unresolved criminal cases by the police institutions of the Mercosul-states. The likewise stored information on police operations carried out in connection with criminal offences contribute to the exchange of experience between the security authorities of the single states. On the basis of the SISME-data the state bodies dealing with a case or problem area can communicate with each other and decide on commonly resp. regionally coordinated measures on the operative level.

### **3.3. The Police Cooperation on the Operative Level**

In order to support the operative collaboration of the police forces of the Mercosul-countries the home secretaries and the ministers of justice signed an agreement on police cooperation in the sectors of investigation, prevention and control of criminal offences (*Acuerdo sobre la Cooperación Policial en la Investigación, Prevención y Control de Hechos Delictivos*) at the eleventh conference of the home secretaries in May 2001 in Buenos Aires. They decided the intensified collaboration between the federal police of the Mercosul-states: *Gendarmería Nacional Argentina, Prefectura Naval Argentina, Policía Federal Argentina, Policía Federal de Brasil, Policía Nacional del Paraguay, Policía Nacional del Uruguay, Prefectura Nacional Naval Uruguay, Policía Nacional de Bolivia, Carabineros de Chile, Policía*

*Nacional de Investigaciones de Chile, Dirección de Territorio Marítimo de Chile.* On closer inspection of the cooperating institutions it is striking that especially in the Chilean case there is no clear distinction between military and police security forces. The *Dirección de Territorio Marítimo de Chile*, which is ordered to control the civilian harbours, is subordinated to the navy, for instance. Administratively the Chilean police forces are also housed at the ministry of defence. Moreover the relationships between the security staff within the countries of the extended Mercosul are partially marked by considerable rivalry, so that the cooperation cannot even be guaranteed on the national level. As far as that goes the subregional collaboration of the federal police is an ambitious intention. Nevertheless the talked about cooperation agreement aims at the intensification of the police cooperation, especially in the border regions of the member states - in the following sectors:

- Criminal offences aimed against the life and physical integrity of persons
- Kidnapping and slave trade
- Trade with human-genetically material
- Terrorism
- Illegal trade with animals and plants
- Violations of the agrarian- and food statutes
- Illegal drug trafficking
- Money counterfeiting
- Robbery and theft of vehicles
- Hijacking and capturing of ships
- Violations of the statutes of the health authorities
- Environmental criminality and bio-piracy
- Illegal trade with nuclear material
- Smuggle
- Illegal arms trade
- Bomb attacks

It is absolutely vital for the operative cooperation between the police authorities that the pursued offences are equally defined as criminal offences by the legislations of the collaborating states. The exchange of information between the authorities in charge is planned for those cases, in which the preparation or execution of a criminal offence affects the majority of the Mercosul-states directly or is for various reasons of interest for several states. Cooperation requests of the partnership police may lead to the opening of a case and the introduction to concrete investigations into persons and groups associated with criminal offences in the Mercosul-area. But a mutual exchange of information is also possible on crimes featuring repeated patterns of operation in a state resp. the *modus operandi* of the organized criminality. The SISME is intended to represent the infrastructure for the exchange of information and cooperation requests between the federal police. The police authorities use

the communication medias available for the time being (telex, fax, email) until the communication system is put into complete operation. At the same time special communication mechanisms are planned to be established between the authorities in the subregions.

The transnational prosecution of criminal offenders in the Mercosul-area is settled in article 13 of the *Acuerdo sobre la Cooperación Policial en la Investigación, Prevención y Control de Hechos Delictivos*. Policemen on duty are legitimated to cross the state border provided the criminal offender(s) had been caught *in flagranti*, so during the execution of the criminal offence. In order to act on the national territory of the neighbouring country the federal police in charge of the respective scene of crime has only got to inform its counterpart and ask for support to the arrest of the prosecuted criminal offender. This regulation implies a theoretically significant progress concerning the practical crime control. After all before the signing of the Mercosul-agreement the prosecution authorities had to ask the international police authorities Interpol for an international arrest warrant first, which was far more complicated and lengthier.

### **3.4. The Mercosul-Centre for Police Training**

As early as in November 2000 the eighth conference of the home secretaries of the Mercosul in Rio de Janeiro decided the foundation of a coordination centre for police training (*Centro de Coordinación de Entrenamiento Policial del Mercosur*). The cross-disciplinary character of the coordination centre is intended to support the continuous scientific-technological development of the training contents. On the one hand the coordination centre encourages the exchange of experience between the national police schools, on the other hand the regional training centre is able to advise the national actors pedagogically and technically. To be precise this is about developing subregionally adjusted training schemes and evaluating the training- and practise programs carried out in the member states afterwards. For this purpose a data archive was set up, which gives an annual overall view of all training programs offered by the police academies of the Mercosul. The coordination of the training programs serves the purpose of supporting common prevention- and repression measures of the police that aim at transnationally acting criminals, too.



It has to be criticized that the home secretaries and the ministers of justice have not assigned a seat of its own to the *Centro de Coordinación de Entrenamiento Policial del MERCOSUL*. Instead departments have been set up in the national home offices resp. ministries of justice, which are instructed with the subregional coordination. The member state holding the rotational presidency of the conference of the ministers appoints the director of the centre for training coordination. However a leadership that changes half-yearly does not contribute to the constancy of the coordination between the national police schools and their course contents. Apart from the working group of the conference of the home secretaries only a secretariat resp. a secretary - who the director recruits from his own ministry - supports the director of the training coordination centre.

By the subregional agreements in the sectors of training, exchange of information and operative cooperation the member states of the Mercosul have created the political frame and the instrument for the common transnational crime control. The following paragraphs will illustrate to what extent the operationalization of the security political defaults has been successful in three central problem areas. Security experts concurringly rate the organized drug trafficking and crimes linked with it the priority problem. The international terrorism is rather considered to be a potential security risk that has to be prepared for in the best possible way. In this context, though, the security political influence of the hegemonial state USA on the subregion plays a significant part. After all the transnationally organized money laundering addresses a threat form, which represents a key factor at the fight against drugs and terrorism as well as the containment of most other crimes.

#### **4. Organized Drug Trafficking**

Above all in the general plan for regional security the conference of the home secretaries of the Mercosul sets a frame for the common control of the illegal drug trafficking, in which the responsible authorities of the member states are asked to realize simultaneous and coordinated anti-drug operations. At irregularly carried out common police raids in the border regions the federal police is in command in the national territory of which the prevention- and repression measure is realised. The partnership institutions are merely invited to send observers. Besides the selective exchange of information between the drug control authorities monthly secret briefings on a multilateral level are intended to give information on transportation routes,

hidden runways, techniques of smuggling, drug laboratories, cultivation, caches, results of interrogations and the like.

Beyond the conference of the home secretaries the special commission RED (*Reunión Especializada de Autoridades de Aplicación en Materia de Drogas, Prevención de su Uso Indebido y Rehabilitación de Dependientes de Drogas del Mercosur*) deals with the regional drug problems within the Mercosul in particular. This committee goes back to the resolution 76/98 of the executive body of the integration alliance, the *Grupo Mercado Comun* (GMC), from 1998. Within the member states the national anti-drug bureaus mostly based in the presidential office are responsible for the coordination of the subregionally coordinated control of drug production, -trafficking and use of drugs. The key tasks of the anti-drug commission - under the FCCP's supervision since 2002 as already mentioned - imply the prevention of drug abuse and the rehabilitation of drug addicts. At the same time the repression of the drug offer and therefore the problem of the illegal drug trafficking including the illegal activities implied (such as money laundering) are also subsumed by the generic term prevention.

The programmatical domains of the RED can be gathered from the technical sub commissions that have so far been established for the control of the illegal trade with chemical substances, the laundering of drug funds, the reduction of the drug demand and the harmonization of the legal systems. Since 2000 the anti-drug commission of the Mercosul has been sitting in conference once or twice a year in one of the four Mercosul-states. So far this commission has met six times in total. Bolivia, Chile, and lately Peru have got an observer's seat in the committee. The most recent conferences of the RED took place in Asuncion in May 2003 and in Buenos Aires in June 2004.

During the meeting of the national anti-drug bureaus in Paraguay the topics exchange of information and regional intelligence coordination dominated the working agenda. By these mechanisms progresses in the control of the trade with pharmaceutical products and chemical substances are meant to be achieved in particular. In order to enable a more efficient control of the trade with medicaments that are potentially used for the production of drugs the Mercosul-countries committed themselves to inform each other on the export of relevant pharmaceutical products. For this purpose national register of the import and export of pharmaceuticals are planned to be set up in the member states. For the repression of the illegal

trade with chemical drugs the federal police carried out the transnational operation *Seis Fronteras* coordinated by the RED in 2002 and 2003. In the course of the coordinated raids carried out simultaneously in all Mercosul-states the security officers arrested numerous drug dealers, confiscated chemical drugs and destroyed their production sites.

At the sixth RED-conference in Buenos Aires the government representatives stated their willingness to develop complementary strategies for the protection of their borders in a public declaration. The drug control strategies are equally meant to include control measures and public education regarding the risks implied by the use of drugs. In doing so the representatives of the Mercosul-countries emphasize that the social factors take priority within the analysis of causes as well as within the possible solutions of the drug problems.

This realization is owed to a pilot project for the reduction of the drug demand in which related civil districts of Argentina, Bolivia, Brazil, Paraguay and Uruguay participate. At the same time respectively two neighbouring municipals cooperate, the state borders of which cover a distance of of 7.100 kilometres altogether: Paso de los Libres (Argentina) and Uruguayana (Brazil); Corumbá (Brazil) and Porto Suárez (Bolivia); Ponta Porá (Brazil) and Pedro Juan Caballero (Paraguay) as well as Santana do Livramento (Brazil) and Rivera (Uruguay). By means of transnational activities in the sectors of prevention, police investigation and public education the integration of the border districts is intended to be supported on the one hand. The population of the border towns is meant to be mobilised and sensitised to the drug problems on the other hand. In order to achieve these aims first of all multipliers were integrated into the project via information meetings. These agents included teachers, professors, doctors, nurses, social workers, local politicians, representatives of the church, judges and police officers. In a second step binational anti-drug councils were established in the municipals, which dealt with legal and illegal aspects of the use of drugs and the drug demand in content. They also organized discussion meetings on the subject. It remains to be seen how far the six months lasting pilot project due to end in 2004 will manage to achieve its ambitious aim.

Apart from the mentioned multilateral forums for the containment of the drug trafficking and the use of drugs Brazil and other states of the subregion keep up bilateral anti-drug commissions (*Comisiones Mixtas Antidrogas*). These mostly annually meeting conferences are founded on bilateral treaties for the common control of the drug problems,

which have partially been signed during the 1980s. The Brazilian delegations, in which also the ministry of justice, namely the federal police and the SENASP (*Secretaría Nacional de Segurança Pública*) as well as the presidential office in the form of the SENAD (*Secretaría Nacional Antidrogas*) are involved, are coordinated by the Itamaraty. Since 2003 bilateral anti-drug commissions are existing with the Andes-states resp. Amazon-neighbours Bolivia, Ecuador, Peru, Colombia and Venezuela. In 2004 the department of the Itamaraty responsible for the coordination of measures against illegal transnational activities (*Coordenação do Combate de Ilícitos Transnacionais* - COCIT) also initiated bilateral anti-drug boards with the Mercosul-partners. In fact these commissions do not exclusively deal with the drug problems. Their domain is clearly further-reaching and includes all problems relating to the organized drug crime that are virulent in each of the two cooperating states (Marcos Vinicius Pinta Gama, interview on 11 May 2004). These problems include money laundering and arms trade in particular as well as the according control measures in the border regions, including the air spaces and inland waters. The coordinative function of the COCIT takes into account that the different areas of crime cannot always be separated from each other. The representatives of this department of the foreign ministry participate in various committees of other ministries. For example, the COCIT has got seats in the COAF (*Conselho de Controle de Atividades Financeiras*), the anti-money laundering-council of the ministry of finance, the CONAD (*Conselho Nacional Antidrogas*), the anti-drug-council of the institutional security cabinet in the presidential office as well as in the SISBN (*Sistema Brasileiro de Inteligência*), the Brazilian intelligence service system.

## **5. International Terrorism**

The foundation of a working group for counterterrorism (*Grupo de Trabajo Especializado sobre Terrorismo* – GTE) had already been set up in the general plan for regional security passed in 1999. Accordingly this is not about a reaction of the conference of the home secretaries of the Mercosul to the terrorist attacks from 11 September 2001 in New York and Washington. A crucial moment for the inclusion of the international terrorism in the regional security agenda can best be seen in the assassinations to the Israeli embassy in Buenos Aires in 1992 and the Israeli-Argentine association AMIA (*Asociación Mutual Israelita Argentina*) in 1994. By these suicide assassination attempts in the country with the largest Jewish community in South America more than 100 people have been killed altogether. The Israeli

secret service Mossad holds the Islamic republic Iran and the Hisbollah - rated a terrorist alignment - responsible for the bomb attacks. As a result of this up until today unresolved crime the already mentioned *Comando Tripartito de la Triple Frontera* was founded in 1996. Moreover a transnational security cooperation has been started, the institutional evolution of which has been laid down in the previous paragraphs.

It is correct that the anti-terrorism working group (GTE) is getting unequally more attention since the common declaration of the home secretaries and the ministers of justice of the Mercosul from 28 September 2001. In this declaration the ministers reacted to the Al Quida-attacks aimed against the USA and announced a far-reaching collaboration against this new quality of terrorist danger. Therefore the GTE was completed by a permanent working group (*Grupo de Trabajo Permanente – GTP*) via modification of the general plan for regional security (CMC-decree 13/01). Since then the GTE has been subordinated to the GTP. The meetings of the anti-terrorism experts take place in the context of the GTE. The participating experts include ministerial officers from the foreign ministries, the ministries of finance and -justice on the one hand and agents of the intelligence services on the other hand as well as anti-terrorism- and secret service departments of the federal police. In doing so a political coordination function is assigned to the working groups, since within these committees the representatives of the Mercosul-governments coordinate their positions concerning the problem of global terrorism in international forums such as the OAS and the UNO.

On the GTE's and GTP's initiative the conference of the home secretaries passed at least three crucial multilateral treaties: The agreement on the operative cooperation of the police intelligence services in counterterrorism, the agreement on the cooperation in the control of transnational criminal activities linked with illegal air traffic as well as the agreement on the fight against corruption in the border regions between the Mercosul-states.

- **Agreement on the operative cooperation of the police intelligence services in counterterrorism**

The agreement 23/02 of the conference of the home secretaries (*Acuerdo de Cooperación en Operaciones Combinadas de Inteligencia Policial sobre Terrorismo y Delitos Conectados*) is based on the legal aid agreement of the Mercosul already signed in 1996 in the Argentine San Luis. In the agreement the signatory states emphasize that the operative cooperation of the police intelligence services against terrorist groupings should not be kept restricted to

the border regions. On the basis of the multilateral agreement each member state may initiate a common operation against terrorism. But the intention as well as the local extent of the common operations has got to be precisely defined beforehand. The agents of the partnership countries are only involved as observers of the intelligence operation. The operation is supervised by the federal police of the state, in the territorial domain of which the operation is carried out. Furthermore the agents of the federal police of the Mercosul-partners are at any time accompanied by agents of the police authority of the receiving state.

- **Agreement on the cooperation in the control of transnational criminal activities linked with illegal air traffic**

In the first place the agreement 15/02 of the conference of the home secretaries (*Acuerdo sobre Cooperación para Combatir las Actividades Ilegales Transnacionales resultando del Tráfico Ilegal de Aviones entre los Estados del Mercosur*) refers to the containment of the illegal drug traffic and arms trade between the Mercosul-states, which is run by non-registered small aircrafts in far parts. Amongst those delicts enumerated in connection with the illegal air traffic there are also organized slave trade, international terrorism and the proliferation of radioactive material. According to the text of the agreement the cooperation of the national authorities is limited to the exchange of information. In essence it is settled that the federal police report to each other, which aircrafts or crew members have already become suspicious in the context of the relevant delicts. Moreover the contracting parties decided to keep the conveyed information secret and only to use these in the sense of the referred to contract.

- **Agreement on the fight against corruption in the border regions between the Mercosul-states**

In the agreement 17/02 of the conference of the home secretaries (*Acuerdo sobre el Combate de la Corrupción en las Fronteras entre los Estados del Mercosur*) the Mercosul-partner decide to cooperate in the prevention, investigation and punishment of cases of corruption at the common borders. For this purpose a special commission (*Comisión Especial para Corrupción Transfronteriza*) was instructed within the conference of the home secretaries to work out anti-corruption measures. First of all each signatory country committed itself to establishing a central national reception point for the citizens or other Mercosul-states to express corruption complaints against the border authorities. The national reception point informs the special commission of the conference of the home secretaries and passes justified corruption announcements on to the national prosecution authorities.

The actual tasks of the working groups (GTE/GTP) that have been meeting every two weeks since 2001 include the exchange and the analysis of information as well as the evaluation of current operations concerning potential terrorist activities in the Mercosul-area. In practice this is about permanently observing relevant sectors of the organized criminality (arms trade,

drug trafficking, money laundering) and investigating, if there are indications of links to terrorist groups (Robson Robin da Silva, interview on 21 May 2004). In Brazil the direction of the intelligence service of the federal police (*Diretoria de Ineligência Policial*) and especially its anti-terrorism department SANTER (*Secretaria Antiterrorista*) control the operative part of counterterrorism. However even the secret service-central in the Brazilian presidential office ABIN as well as the military intelligence services are integrated into the terrorism control and -prevention. The working group for biological defence (*Grupo de Trabalho Biodefesa*) of the ABIN deals with scenarios that anticipate biological and chemical terrorist attacks. However the persons in charge rather proceed on the assumption of a possible attack on Israeli, US-American or British institutions situated in the subregion than of potential terrorist attacks on Brazilian targets, for instance. At the same time there are particularly close contacts with the intelligence services of the other Mercosul-states, such as the Chilean ANI (*Agencia Nacional de Inteligencia*) founded only in 2004 and the Argentine SIDE (*Secretaria de Inteligencia del Estado Argentino*). Representatives of the national intelligence services meet for regular conferences on the one side and come together ad-hoc, if the situation requires it (José Antonio de Macedo Soares, interview on 14 May 2004). During a meeting on 13 September 2004 in Buenos Aires the ministers of defence of the extended Mercosul discussed the future role of the intelligence services of the armed forces in the context of counterterrorism (see *La Nación*, 14 September 2004). On this occasion the Argentine minister of defence Pampuro spoke for an increased integration of the military attachés into the terrorism prevention. These should intensify their cooperation with the military intelligence services of their receiving states, particularly in the Mercosul-region. The Brazilian minister of defence Viegas pointed out that the containment of terrorism is not about a purely military task. Therefore an improved coordination between the military and civil intelligence services of the Mercosul-states were necessary. Viegas' female Chilean colleague Michelle Bachelet took a similar view by emphasizing the "great variety of the anti-terrorism measures available" and pointing out that the military means were not at all given priority by this (*ibid.*).

The national coordinators of the working groups of the Mercosul-conference of the home secretaries are authorised to put inquiries to the trilateral command of the federal police in the border triangle between Argentina, Brazil and Paraguay to get information on activities of extremist groupings in this region, for example. The deployment of biological and chemical weapons by the terrorist groups worries the GTE/ GTP. In order to guard against actions of

this kind the security authorities of the Mercosul exchange information within the working groups about laboratories and factories in their countries, which produce chemical substances and technologies that might possibly be suited for the development of chemical weapons. Furthermore the government representatives try to get the exchange of experience on the dealing with infectious diseases, a calculated spreading of which the terrorists might start.

The conference of the home secretaries ordered anti-terrorism working groups to develop an integrated information system with person related data about relatives of terrorist alignments and those persons that support terrorist activities. These information intended for the internal use should only be made available for the judicial authorities in the state of emergency. This condition raises questions concerning the national control, since the national intelligences are not really controlled by their parliaments either. For the time being the general plan for regional security does neither plan to feed data relating to terrorism into the subregional information system SISME nor data relating to all other delicts.

Additionally the GTP and GTE established institutionalized communication mechanisms (*Sistema de Consulta Rápida*) to guarantee the immediate communication of the anti-terrorism experts of the Mercosul-states in case of urgent dangers resp. unexpectedly executed terrorist attacks. For this purpose weekly conferences of the GTP (Tuesday 10 am to 12 noon) and the GTE (Friday 10 am to 12 noon) supported by the media are taking place continuously. Every two months the GTE works out an evaluation of the situation, in which the risks regarding potential terrorist activities in the Mercosul-area are assessed. So far no particular trouble spot for the states in the South of Latin America could be discovered, though.

Outside the Mercosul the group 3+1 operates, which was established at Washington's request. Within this group, delegations of the foreign ministries from Argentina, Brazil, Paraguay and the USA deal with local security issues of the *Triple Frontera*. Since the terrorist attacks from 11 September 2001 US-American government representatives have repeatedly expressed their suspicion that the unclear border region between the three Mercosul-states might serve Islamic-fundamentalist terrorists as a retreat area. At the same time the US-security authorities relied particularly on the fact that the border region is a traditional destination of migration movements from the Arab area. Consequently financial streams from the border triangle to Palestine and other Arab states can be established.



However the group 3+1 could not prove the existence of terrorist cells in the border region. On the contrary the government representatives stated in a common explanation on 3 December 2003 in Asuncion that no terrorist activities can be proven in the border triangle. The reserved attitude of the three Mercosul-partners regarding the role of the USA at the dealing with subregional security questions is firstly revealed by the fact that the group 3+1 is managed as an informal cooperation mechanism; and secondly the Mercosul-states got through that common operative measures resulting from the work of the committee (such as common patrol travels on the Lago Itaipú and its side rivers) are only carried out in the trilateral context.

The use of financial streams coming from the border triangle for extremist purposes could not entirely be excluded. It is possible that these funds get via “charity organizations” into the tills of alignments rated terrorist by the USA such as the Palestinian Hamas, for instance. According to another thesis that is unproved so far money coming from criminal activities - such as drug trafficking and arms trade - is laundered in the border region to use it for the funding of terrorist groupings. In the latest history the group 3+1 has therefore been concentrating on the control of money laundering and terrorism funding. In doing so the contributions of the USA are mainly confined to the provision of information as well as the realization of courses on measures for the prevention of money laundering and flight of capital. The Argentine, Brazilian and Paraguayan financial- and security authorities reply positively to these offers.

## **6. Money Laundering**

The states of the region have got their own mechanisms of the multilateral control of financial- and economic crimes within the Mercosul as well as in the South American context. So the general plan for regional security passed by the conference of the home secretaries of the Mercosul designates coordinated measures for the prevention and prosecution of money laundering and financial fraud. A measure in this sense implies the agreement between the central banks of the Mercosul on the prevention and repression of money laundering (*Convenio de Cooperación entre los Bancos Centrales de los Estados del Mercosur para la Prevención y Represión de Maniobras para la Legitimación de Activos Provenientes de*

*Actividades Ilegales*) from 2000. In this agreement the central banks of the Mercosul-states decide the harmonization of their standards and controlling methods aimed against money laundering. Especially the exchange of information about money income and capital outflow of the national financial systems is meant to make the identification of illegal capital flows easier. In addition to that the directors of the central banks agreed to cooperate in the investigation and prosecution of financial crimes. At the same time a constant exchange of experience is intended to be kept up on those methods used in the member states, which have proven to be effective regarding the control of money laundering.

The multilateral cooperation in the context of the GAFISUD (*Grupo de Acción Financiera de Sudamérica*) proves to be even further reaching. This regional government organization is exclusively committed to the fight against money laundering and the terrorism funding. In December 2000 the GAFISUD was founded in Cartagena de Indias, Colombia, by nine South American states: Argentina, Bolivia, Brazil, Chile, Ecuador, Colombia, Paraguay, Peru and Uruguay. The GAFISUD has got an office based in Buenos Aires as well as a training centre for the control of money laundering in Montevideo. Within the South American countries the ministries of finance are responsible for the coordination of the subregional cooperation. In the Brazilian case by the COAF (*Conselho de Controle de Atividades Financeiras*) an independent sub-authority for the containment of financial delicts has been founded within the ministry of finance.

Apart from the World Bank, the IMF and the Interamerican Development Bank a few third countries also participate in the meetings of the GAFISUD as observers: Germany, France, Mexico, Portugal, Spain and the USA. These observers are integrated into a permanent evaluation process, which guarantees the constant analysis and perfection of the national legal systems regarding their effectiveness at the control of money laundering. The GAFISUD was founded as a descendant of the *Financial Action Task Force on Money Laundering* (FATF) that has already been acting globally since 1989. The regional *Task Forces* - those also exist in Europe, Africa and the Caribbean - take on the so-called 40 recommendations<sup>4</sup> of the altogether 31 member states the FATF counts for the effective control of money laundering. The 40 recommendations are intended to establish an international technical standard at the containment of money laundering, which the regional groups such as the GAFISUD may complete with further regional-specifically

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<sup>4</sup> The 40 recommendations of the *Financial Action Task Force* are listed on the home page of this international organization in detail: [www.fatf-gafi.org](http://www.fatf-gafi.org)

recommendations, though. In 2001 the GAFISUD added eight further recommendations to the technical recommendations of the FATF, all of them aiming at measures against the terrorism funding. By this the following areas take priority: the protection of charity organisations and social institutions resp. their improper use as receiver of cash remittances for terrorist alignments as well as the development of mechanisms for the identification of the ultimate receiver of international investment transactions.

As soon as every single government realizes and meets the parameters of the control of the money laundering as established by the 40 recommendations a global anti-money laundering policy develops. However this is still a long time in coming. Therefore the first step has got to be about keeping to the recommendations in the single subregions. The recommendations intend the integrated acting of all South American government authorities dealing with the problem. The aim is an integrated procedure of the South American states within the legal, financial-political and operative sectors of the control of the money laundering.

A medium-term objective of the GAFISUD is the standard typification of the crime money laundering in all subregional states. But difficulties arise especially when it comes to distinguishing the criminal offence of the money laundering from other criminal offences (i.e. the organized drug trafficking and arms trade). Another challenge implies the establishment of a preventive system in the context of which the banks are to be obliged to reveal information on their clients and to report remarkableness to the authorities. Furthermore the legal systems of most South American states miss standards that provide the prosecution authorities with the means to investigate financial crimes.

## **7. Intermediate Result: Heading Towards a Regional Security Policy**

The security political agreements between the Mercosul-states have clearly simplified the transnational cooperation of the police- and security forces of the subregion. Meanwhile the federal police of the Mercosul-countries carry out common operations in most cases of the criminality range mentioned. The subregional centre for police training implies an important precondition for the police collaboration on the operative level. Despite all structural deficiencies in the training centre it aims at creating a common basis for the police

cooperation in the Mercosul-area. In doing so it is to be hoped that the subregional centre gives impetus to the increased consideration of national standards and human right protection within the curricula of the national police. The data network SISME also represents a significant achievement in the practical cooperation between the security forces of the subregion. However its completed start-up is still some time in coming.

In the sector of the common drug control it has to be positively remarked that the anti-drug commission RED - besides coordinated measures for repression - does neither neglect to inform the public on the complex drug problems nor lose sight of their social causes and solutions. Exemplary for this tendency is an anti-drug pilot project that has been realised in neighbouring communities of various Mercosul-states in 2004. This project focused on the prevention of drug abuse by integrating and informing social actors. The intensification of the social integration in the border regions between the Mercosul-states is a pleasant side effect of this kind of crime- and abuse control.

The cooperation of the security authorities of the integration alliance has also been intensified in the field of counterterrorism over the last years. Exemplary for this is an agreement on the cooperation of the intelligence services in counterterrorism signed in 2002. In this context Argentina also demands the reinforced collaboration of the military intelligence services. The integration of the military secret services into counterterrorism might serve the armed forces of the Mercosul as an entrance in the sector of non-military transnational security issues. It is also alarming that in all states of the subregion the police carry out intelligence tasks. To prevent the concentration of power and competence intelligence services and police authorities are structurally separated from each other in most Western democracies. Especially because the civil and the military secret services in particular are not subordinated to an effective (parliamentary) control within their states, an agency of control has to be established on the Mercosul-level with regard to the subregional cooperation of these actors. But the anti-terrorism working groups GTP and GTE have so far not shown any intentions of creating transnational constitutional standards for the intelligences that often operate on the brink of legality.

The cooperation in the containment of money laundering is not limited to the Mercosul, but is coordinated in the South American (GAFISUD) resp. the international context (FATF). The necessity of the global collaboration of the fiscal authorities goes

without saying since nowadays investment streams flow worldwide by electronic communication media, too. For a long time the South American governments have ignored the problem of money laundering. Therefore the GAFISUD tries to get international partners to improve the tools for counter-money laundering that have already got more effective laws in this sector. The majority of the observing countries, which the South American states certify a higher competence concerning the control of money laundering crimes, come from Europe. The following applies to money laundering, transnational drug trafficking and arms trade as well as to almost all the other crimes: Contractual agreements on the subregional cooperation remain little effective, if the crime control is already undermined by corruption on the national level. It is true that the Mercosul-governments have signed an agreement on corruption control at the state borders in 2002, but far more sweeping measures against corruption in the national and subregional context are necessary to solve the problem only in parts.

On the political level the conferences of the home secretaries of the Mercosul are the most important forum for the dialogue between the member states concerning transnational threat forms and common means of their control. Since the end of the 1990s the security agreements signed at the semi annual conferences of the home secretaries have increased to a comprehensive normative catalogue, which points to an advanced degree of institutionalization of the security cooperation in the Mercosul. The high number of working groups and special commissions employed by the conferences of the home secretaries are by now forming an institutional structure of their own that is absolutely comparable with the (more differentiated) economic-political cooperation mechanisms of the integration alliance.

Apart from that the home secretaries and the ministers of justice have presented themselves as a support to the democratic processes of integration in the member states of the Mercosul. Thus the fifth conference of the home secretaries in 1999 in Asuncion declared its solidarity with the democratically elected Paraguayan government, which had got under considerable pressure after the murder of its vice president Argaña. On this occasion the government representatives emphasised the further existence of the democratic systems as *conditio sine qua non* for the subregional cooperation.

The main tasks of the political consultation- and concertation forum (FCCP) are the coordination of the foreign- and security policies of the Mercosul-states and the development

of common positions in negotiations opposite external actors. It is true that the degree of institutionalization of this committee is still relatively small compared to the conference of the home secretaries, but the Mercosul-council has assigned far-reaching security-political competences to the FCCP in spring 2002. It remains to be seen how the FCCP will use its coordination function (i.e. between the conference of the home secretaries and the RED) in the future. Apart from any divergences of interest between the member states in content the consultation- and concertation forum has undoubtedly got the potential of a common foreign- and security policy of the Mercosul. If the governments of the Mercosul-states strive for this political aim, the mentioned cooperation mechanisms represent the infrastructure for its realization. The FCCP would function as a political link between the security institutions that are already consolidated in far parts of the Mercosul. After all merely on a common political and strategic basis the transnational security risks in the South of Latin America will be controllable on the long-term and the personal rights of freedom of the Mercosul-citizens will be able to be protected effectively.

## **8. Documents**

### **8.1. Meeting records of the *Reunião de Ministros del Interior of the Mercosul***

MERCOSUL/RMI/ATA N° 02/00: VIII Reunião de ministros do interior do Mercosul

MERCOSUR/RMI/ACTA N° 01/01: IX Reunión de ministros del interior del Mercosur

MERCOSUR/RMI/ACTA N° 01/02: XI Reunión de ministros del interior del Mercosur

MERCOSUL/RMI/ATA N° 02/02: XII Reunião de ministros do interior do Mercosul

MERCOSUR/RMI/ACTA N° 01/03: XIII Reunión de ministros del interior del Mercosur, XXV Reunion de la comision tecnica

MERCOSUR/RMI/ACTA N° 01/03: XIII Reunión de ministros del interior del Mercosur, Bolivia y Chile

MERCOSUR/RMI/ACTA N° 02/03: XIV Reunión de ministros del interior del Mercosur, Bolivia y Chile

### **8.2. Agreements of the *Reunião de Ministros del Interior***

MERCOSUR/RMI/ACUERDO N° 14/00: Cooperación policial en la investigación, prevención y control de hechos delictivos

MERCOSUL/RMI/ACORDO N° 19/00: Acordo sobre regulamento interno do centro de coordenação de treinamento policial do Mercosul

MERCOSUL/RMI/ACORDO N° 20/00: Acordo sobre ampliação das ações referentes aos ilícitos ambientais constantes do plano geral de cooperação e coordenação recíproca para a segurança regional

MERCOSUL/RMI/ACORDO N° 21/00: Acordo sobre isenção de tadução de documentos administrativos para efeitos de imigração

MERCOSUR/RMI/ACORDO N° 03/02: Acuerdo contra el tráfico ilícito de migrantes, entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 05/02: Seguridad del turista entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 09/02: Adecuación del plan general de cooperación y coordinación recíproca para la seguridad regional, entre los estados parte del Mercosur

MERCOSUL/RMI/ACORDO N° 15/02: Acordo sobre cooperação para combater as actividades ilícitas transnacionais derivadas do tráfico ilegal de aeronaves entre os estados parte de Mercosul

MERCOSUL/RMI/ACORDO N° 16/02: Acordo sobre cooperação para combater as actividades ilícitas transnacionais derivadas do tráfico ilegal de aeronaves entre os estados do Mercosul, a República da Bolívia e República do Chile

MERCOSUL/RMI/ACORDO N° 17/02: Acordo sobre o combate a corrupção nas fronteiras entre os estados parte do Mecosul

MERCOSUL/RMI/ACORDO N° 18/02: Acordo sobre o combate a corrupção nas fronteiras entre os estados parte do Mercosul, Bolívia a Chile

MERCOSUL/RMI/ACORDO N° 19/02: Acordo sobre ampliação das ações referentes aos ilícitos ambientais constantes do plano geral de cooperação recíproca para a segurança regional

MERCOSUL/RMI/ACORDO N° 21/02: Elevação da comissão especial de segurança cidadã a grupo de trabalho especializado

MERCOSUL/RMI/ACORDO N° 22/02: Acordo sobre elevação da comissão especial de segurança cidadã a grupo de trabalho especializado

MERCOSUL/RMI/ACORDO N° 23/02: Acordo de cooperação em operações combinadas de inteligência policial sobre terrorismo e delitos conexos entre os estados partes do Mercosul

MERCOSUL/RMI/ACORDO N° 23/02: Acordo de cooperação em operações combinadas de inteligência policial sobre terrorismo e delitos conexos entre os estados partes do Mercosul

MERCOSUR/RMI/ACORDO N° 24/02: Acuerdo de cooperación en operaciones combinadas de inteligencia policial sobre terrorismo y delitos conexos entre los estados parte del Mercosur, la República da Bolivia y la República del Chile

MERCOSUR/RMI/ACUERDO N° 01/03: Acuerdo sobre complementación del plan general de seguridad regional en materia de contrabando y tráfico ilícito de productos derivados del tabaco entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 03/03: Acuerdo sobre complementación del plan general de seguridad regional en materia de robo de mercaderias en transito entre los estados parte del Mercosur

MERCOSUL/RMI/ACORDO N° 03/03: Acordo sobre complementação do plano geral de segurança regional em matéria de roubo de mercadorias em trânsito entre os estados parte de Mercosul

MERCOSUL/RMI/ACORDO N° 04/03: Acordo sobre complementação do plano geral de segurança regional em matéria de “roubo de mercadorias em transito” entre os estados parte do Mercosul, Bolivia e Chile

MERCOSUL/RMI/ACORDO N° 05/03: Acordo sobre complementação do plano geral de segurança regional em matéria de pirataria entre os estados parte de Mercosul

MERCOSUL/RMI/ACORDO N° 09/03: Acordo contra el tráfico ilícito de migrantes entre os estados parte do Mercosul



MERCOSUL/RMI/ACORDO N° 09/03: Acuerdo contra el tráfico ilícito de migrantes entre los estados parte del Mercosul, Bolivia e Chile

MERCOSUR/RMI/ACUERDO N° 09/03: Acuerdo contra el tráfico ilícito de migrantes entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 10/03: Acuerdo contra el tráfico ilícito de migrantes, entre los estados partes del Mercosur, Bolivia y Chile

MERCOSUR/RMI/ACUERDO N° 11/03: Acuerdo sobre conformación de una red de comunicaciones entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 13/03: Acuerdo sobre complementación del manual de definición y configuración del sistema de intercambio de información de seguridad entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 15/03: Acuerdo sobre implementación del sistema de intercambio de información de seguridad del Mercosur (SISME), entre los estados parte del Mercosur

MERCOSUR/RMI/ACUERDO N° 16/03: Acuerdo sobre implementación del sistema de intercambio de información de seguridad del Mercosur (SISME), entre los estados parte del Mercosur, Bolivia y Chile

### **8.3. Decrees of the *Consejo del Mercado Comun (CMC)***

MERCOSUR/CMC/DEC N° 20/99: Entendimiento sobre la contratación del vínculo de comunicaciones para el sistema de intercambio de informaciones de seguridad del Mercosur, Bolivia y Chile

MERCOSUR/CMC/DEC N° 21/99: Contratación del vínculo de comunicaciones para el sistema de intercambio de informaciones de seguridad del Mercosur

MERCOSUL/CMC/DEC N° 22/99: Plano geral de cooperação e coordenação recíprocas para a segurança regional

MERCOSUL/CMC/DEC N° 23/99: Plano geral de cooperação e coordenação recíproca para a segurança regional no Mercosul, República da Bolivia e República do Chile

MERCOSUR/CMC/DEC N° 24/99: Reglamentos internos de la subcomisión de seguimiento y control y de la comisión administradora del sistema de intercambio de información

MERCOSUR/CMC/DEC N° 25/99: Reglamento de organización y funcionamiento del sistema de intercambio de información de seguridad del Mercosur

MERCOSUR/CMC/DEC N° 26/99: Reglamento de organización y funcionamiento del sistema de intercambio de información de seguridad del Mercosur, Bolivia y Chile

MERCOSUR/CMC/DEC N° 27/99: Reglamento de reunión de ministros del interior del Mercosur

MERCOSUL/CMC/DEC N° 06/00: Complementação do plan geral de cooperação recíproca para a segurança regional em matéria de tráfico de menores

MERCOSUL/CMC/DEC N° 08/00: Complementação do plan geral de cooperação e coordenação recíprocas para a segurança regional em matérias de delitos econômicos e financeiros entre os estados partes do Mercosul

MERCOSUL/CMC/DEC N° 09/00: Complementação do plano geral de coordenação recíproca para a segurança regional em matéria de delitos econômicos e financeiros entre os estados partes de Mercosul, a República da Bolívia e a República do Chile

MERCOSUR/CMC/DEC N° 10/00: Complementación del plan general de cooperación y coordinación recíproca para la seguridad regional en materia de ilícitos ambientales

MERCOSUR/CMC/DEC N° 00/15: Declaración de Asunción sobre “Política regional de seguridad para el Mercosur, Bolivia y Chile”

MERCOSUL/CMC/DEC N° 40/00: Convênio de cooperação entre os bancos centrais dos estados partes do Mercosul para a prevenção e repressão de manobras tendentes à legitimação de activos provenientes de actividades ilícitas

MERCOSUL/CMC/DEC N° 07/01: Complementação do plano geral de coordenação recíproca para a segurança regional em matéria de tráfico de menores entre o Mercosul, a República da Bolívia e a República do Chile

MERCOSUL/CMC/DEC N° 13/01: Complementação e adequação do plan geral de cooperação e coordenação recíproca para a segurança regional, entre os estados partes do Mercosul (Modificação da DEC/CMC N° 22/99)

MERCOSUL/CMC/DEC N° 14/01: Complementação e adequação do plano geral de coordenação recíproca para a segurança regional, entre os estados do Mercosul, a República da Bolívia e a República do Chile (Modificação da DEC.CMC N° 23/99)

MERCOSUR/CMC/DEC N° 02/02: Coordinación entre el GMC y el FCCP

MERCOSUL/CMC/DEC N° 09/02: Adequação do plano geral de cooperação e coordenação recíproca para a segurança regional entre os estados do Mercosul

MERCOSUL/CMC/DEC N° 29/02: Acordos emanados da XXII reunião de ministros do interior do Mercosul, da República da Bolívia e da República do Chile

MERCOSUR/CMC/DEC N° 12/03: Memorando de entendimiento para el intercambio de información sobre la fabricación y el tráfico ilícito de armas de fuego, municiones, explosivos y otros materiales relacionados entre los estados partes del Mercosur

MERCOSUR/CMC/DEC N° 23/03: Reglamento interno del foro de consulta y concertación política

MERCOSUR/CMC/DEC N° 03/04: Informe de la presidencia pro tempore argentina del foro de consulta y concertación política al consejo del mercado común

#### **8.4. Resolutions of the *Grupo del Mercado Común (GMC)***

MERCOSUR/GMC/RES N° 76/98: Reunión especializada de autoridades de aplicación en materia de drogas, prevención de su uso indebido y rehabilitación de drogadependientes

MERCOSUR/GMC/RES N° 39/00: Reunión especializada de autoridades de aplicación en materia de drogas, prevención de su uso indebido y rehabilitación de drogadependientes del Mercosur

#### **8.5. Meeting Records of the *Foro de Consulta y Concertación Política (FCCP)***

MERCOSUR/FCCP/ACTA N° 04/03: XXIX Reunión del Foro de Consulta y Concertación Política del Mercosur, Bolivia y Chile

MERCOSUR/FCCPMBCH/ACTA N° 05/03: XXX Reunión del Foro de Consulta y Concertación Política del Mercosur, Bolivia y Chile

MERCOSUR/FCCPMBCH/ACTA N° 05/03: XXVII Reunión del Foro de Consulta y Concertación Política del Mercosur, Bolivia y Chile

#### **8.6. Meeting Records of the *Reunión Especializada de Drogas (RED)***

MERCOSUR/RED/ACTA N° 01/03: V Reunión especializada de autoridades de aplicación en materia de drogas, prevención de su uso indebido y rehabilitación de dependientes de drogas del Mercosur

#### **8.7. Bilateral Agreements**

Convenio de cooperación en el área de justicia y seguridad pública que celebran, en el ámbito del Mercosur el Estado de Rio Grande del Sur Brasil y la Gendameria Nacional Argentina, Horizontina, 12 do septiembre de 1995

Protocolo de cooperación en el área de seguridad pública que celebran, en el ámbito del Mercosul, el consejo de seguridad pública del Condesul – Brasil y el gobierno de la provincia de Córdoba – Argentina, Foz do Iguaçu, Estado do Paraná, 12 de abril de 1996

Ata da segunda reunião da comissão mista antidrogas Brasil-Paraguay, Ciudad del Este e Foz do Iguaçu, 29 de noviembre de 2001

Acordo entre o governo da República Federativa do Brasil e o governo da República Oriental do Uruguai para permissão de residência, estudo e trabalho a nacionais fronteiriços brasileiros e uruguaios, Montevideú, em 21 de agosto de 2002

## **9. List of interview partners**

Bezerra Santos, Getúlio, Director of the department for organized crime of the Brazilian federal police (DPF), 21 May 2004

Caminha de Castilhos França, Paulo Roberto, Director of the department regional integration, Ministry of foreign affairs, 11 May 2004

Costa Vaz, Alcides, Universidade de Brasília, 18 November 2003

da Conceição Maninha, Maria José, Chairwoman of the foreign- and defence committee of the Brazilian chamber of representatives, 20 May 2004

de Araújo Leitão, José Carlos, Institutional security cabinet (GSI) at the presidential office, 14 May 2004

de Macedo Soares, José Antonio, Institutional security cabinet (GSI) at the presidential office, 14 May 2004

de Mello Vidal, Rafael, Department Mercosul, Ministry of foreign affairs, 14 May 2004

de Mesquita Neto, Paulo, Instituto São Paulo Contra a Violencia, 27 May 2004

Diniz Cordeiro, Marcelo, Secretariat for counter terrorism (Santer); Brazilian federal police, 21 May 2004

Dreyfus, Pablo, Viva Rio Brasil, 07 May 2004

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**Brazil`s Defence Cooperation:  
Between Dominant Armed Services and Marked Bilateralism**

**Daniel Flemes, November 2004, Nr. 20**

The defence cooperation between Brazil and her neighbours can be divided into two areas that are equally important for the establishment of a regional security community. Firstly the bilateral defence political cooperation, the development of which can be proven by the Brazilian-Argentine coordination mechanism for questions of security and defence as well as the bilateral working groups for defence policy. And secondly military collaboration mainly supervised by the three branches of service including conferences, common manoeuvres, training cooperation, personnel exchange as well as technical cooperation. Despite the marked autonomy of the armed services (especially in Brazil and Chile) the two areas do not develop independently from each other, but the defence political measures are reflected in the practical cooperation level. In doing so Argentina and Brazil may be regarded as the centre of gravitation concerning the subregional defence cooperation. Therefore they can be identified as the potential core countries of a security community that is about to develop in the South of Latin America. It is true that the UN-peace mission in Haiti supervised by Brazil offers the opportunity to break away from the bilateral corset and to develop multilateral instruments of the defence collaboration. But plannings – such as the deployment of a common permanent task force – are regularly petering out on the rhetoric level so far.

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**Zur Lage der Inneren Sicherheit in Brasilien**

**Angesichts des hohen Gewaltniveaus und markanter Strukturdefizite  
wirkt die Administration da Silva handlungsunfähig**

**Daniel Flemes / Jérôme Cholet, Juli 2004 (Ausgabe 14-2004)**

Auch im zweiten Jahr der Regierung von Luiz Inácio Lula da Silva ist das größte lateinamerikanische Land im internationalen Vergleich eines der gefährlichsten und unsichersten Länder. Gerade wurde es aus dem Wettbewerb um die Kandidatur für die Olympischen Spiele 2012 aufgrund mangelnder öffentlicher Sicherheit ausgeschlossen. Die Bewerberstadt Rio de Janeiro und das benachbarte São Paulo führen die landesweiten Kriminalitäts- und Mordstatistiken an. Präsident da Silva sah sich erstmals gezwungen, dem Einsatz der Streitkräfte im Inland zuzustimmen.

Da Silva hatte das Thema der inneren Sicherheit zu einem Schwerpunkt seines Wahlkampfes gemacht und angekündigt, sich verstärkt der Bekämpfung von Gewaltkriminalität anzunehmen. Mit der Zustimmung zum Armeeeinsatz gesteht der Präsident das Scheitern seiner Politik der inneren Sicherheit ein, deren kritische Analyse das Ziel des Beitrages ist.

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