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**Overcoming the Odds – Integration of Intelligence Agencies in Colombia**

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## **Abstract**

Colombia has been seriously affected by terrorism and criminal organizations operating in its territory. FARC, ELN, AUC, and drug trafficking organizations operating in the country have developed into a regional threat and seriously erode democracy and the rule of law for parts of the population. In August 7 2002, President Alvaro Uribe came into office backed by a clear mandate to strengthen the rule of law and the authority of the state throughout the nation.

With a clear goal in mind, and recognizing the importance of intelligence in the war against terrorism, the Uribe administration has initiated a pushed for a transformation to increase the effectiveness of intelligence agencies, through, among others, their integration into an effective interagency community. It has proved no easy feat. Similarly to experiences lived by other countries, the intelligence agencies have different backgrounds, confusing tasks and little interest in working closer.

Structural, cultural and political issues affect the integration process of the intelligence agencies. Lack of knowledge on the part of the intelligence consumers has also played a historic role in their evolution. Although major improvements have been achieved in the last ten years, through cooperation with countries like the United States of America and the United Kingdom, much remains to be done.

While some of the elements required for an effective transformation have been set out, others remain awaiting. In the process of integration some successes have been accomplished, but setbacks have also happened. A continued effort towards further integration, a process that has already been started, will be the only way for the intelligence agencies to defeat an adversary, that in the case of narcoterrorism, threatens there very existence.

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## Glossary

AUC	Autodefensas Unidas de Colombia (United Self Defences of Colombia)
CIA	Central Intelligence Agency
DAS	Departamento Administrativo de Seguridad (Security Administrative Department)
DIJIN	Direccion de Policia Judicial e Investigacion – Policia Nacional (Judicial and Investigation Police Directorate – National Police)
DINTE	Direccion de Inteligencia del Ejercito (Army Intelligence Directorate)
DIPOL	Direccion de Inteligencia - Policia Nacional (National Police Intelligence Directorate)
ELN	Ejercito de Liberacion Nacional (National Liberation Army)
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)
HUMINT	Human Intelligence
J-2	Jefatura de Inteligencia y Contrainteligencia Conjunta (Joint Intelligence and Counterintelligence Command)
JIA	Jefatura de Inteligencia Aerea (Air Force Intelligence Command)
JIC	Junta de Inteligencia Conjunta (Joint Intelligence Committee)
JINA	Jefatura de Inteligencia Naval (Naval Intelligence Command)
MI-5	British Security Service
MI-6	British Secret Intelligence Service
OSINT	Open Source Intelligence
SIGINT	Signals Intelligence
TECHINT	Technical Intelligence
UIAF	Unidad de Informacion y Analisis Financiero (Financial Information and Analysis Unit)







# CHAPTER 1. INTRODUCTION

## 1.1. Background

Colombia is the third largest South American country in terms of population and the fourth largest in terms of territory. Geographic factors that have been deepened by historical, economic and trade processes have created an invisible division between the country's largely populated and industrial north and sparsely inhabited south mainly made up of

tropical forests and jungle. Due to its large size and comparatively small population, the Colombian state has had historic difficulties in imposing effective control over the whole territory, a fact that has facilitated the emergence of individuals or organizations that challenge the state's authority and its legitimate monopoly over the use of force.

As a result, and although Colombians like to think of themselves as one of the oldest democracies in the continent with only a brief four year interruption between 1953 and 1957, a more detailed analysis of the country's situation and its democratic regime carries a different conclusion. According to Ed-



uardo Pizarro and Ana Maria Bejarano:

In the best of cases, the [Colombian] state's glaring incapacity to provide security and justice leads to a paradoxical situation in which democratic rights (participation and competition) are respected, while democracy's liberal components (human rights and civil liberties) are systematically violated<sup>1</sup>.

In their view,

During the last decade and a half, Colombia has witnessed both an improvement in the dimensions of political participation and contestation and a severe deterioration in the dimensions related to effective protection of civil liberties and subordination of the military. Consequently, the Colombian political regime is difficult to clas-

sify, since it is neither a full democracy nor an authoritarian regime. The term “semidemocracy” seems most appropriate to us.<sup>2</sup>

This overall context of weak state control and erosion of the rule of law has given way during the last forty years to the growth of illegal armed organizations that emerged first as guerrilla movements during the 1960s, but which have since transformed themselves to become highly criminalized organizations largely involved in terrorist activities. Although over time organizations such as the M-19 (April 19 Movement) and the Popular Liberation Army (*Ejercito Popular de Liberacion* – EPL) reintegrated to society through successful peace processes<sup>3</sup> during 1989-1994, the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia* – FARC), the National Liberation Army (*Ejercito de Liberacion Nacional* - ELN) and the United Self Defences of Colombia (*Autodefensas Unidas de Colombia* – AUC) did not reach any similar agreement by 2002, regardless of repeated attempts by different administrations to consolidate peace negotiations<sup>4</sup>.

This situation changed during the Uribe administration. The AUC, a right wing terrorist organization<sup>5</sup> which grew in some areas as a response from cattle ranchers, landowners and peasants to actions carried out by left wing guerrilla groups in the 1980s and then went on to enmesh with the illegal drug trade<sup>6</sup>, finalized in April 2006 a disarming, demobilization and reintegration process that had begun in 2003<sup>7</sup>. The ELN, a Cuban inspired left wing guerrilla movement dating back to 1962<sup>8</sup> initiated in December 2005 exploratory talks with the government “in search of initiating a peace process”<sup>9</sup>, which although not yet formally reached has nonetheless seen some progress.

The remaining group, the Marxist oriented FARC, founded in 1964, continues to present the greatest danger to stability in Colombia<sup>10</sup>. A description by Mary Anastasia O’Grady ten years ago, reflects very closely the Revolutionary Armed Forces of Colombia aims.

[FARC are] Well financed by narco-trafficking, kidnapping and extortion..., maintain some 60 units throughout the Colombian countryside and an army of 10,000. They strike small towns after midnight, killing police, local politicians and peasants. They rob banks, free prisoners from jails, burn down buildings and steal food and supplies. In rural areas they destroy oil pipelines. They also like kidnapping. The little popular support they have - most campesinos who cooperate do so out of fear - is achieved by protecting peasants’ coca fields.<sup>11</sup>

Little has changed since then, even though their links with terrorism, the drug trade and kidnapping and extortion have expanded. Although they come from different backgrounds and have had different transformation processes, by 2002 FARC, ELN and AUC had earned the label of “unabashed terrorists”<sup>12</sup>.

The terrorists’ criminal record only goes to validate this assertion. According to figures released by the Colombian Ministry of Defence, during the 1998-2002 period an average of 1470 terrorist attacks, 1900 kidnappings and 370 attacks against transmission towers were being carried out annually by these groups<sup>13</sup>. By 2002, the country not only had the highest level of kidnappings in the world, but also, with close to 30,000 homicides, one of the highest murder rates<sup>14</sup>.

To counter this situation, on August 7 2002, President Alvaro Uribe came into office backed by a clear mandate to strengthen the rule of law and the authority of the state throughout the whole country. Speaking shortly after his election, Mr. Uribe described the support received to his candidacy as a demonstration to “the international community...” of the Colombian citizens’ “... will to recover civility and order”<sup>15</sup>. This mandate was reflected in the publication in 2003 of the Democratic Defence and Security Policy, the first ever Colombian Government defence policy<sup>16</sup>, whose objectives included the “consolidation of state control over the territory”, “protection of the population” and the “elimination of illegal drug trade in Colombia.”<sup>17</sup>

According to the new policy the immediate threats facing “...the nation, the democratic institutions and the lives of the Colombian citizens” are “...terrorism, illegal drugs trade, illicit trade of small arms, explosives and ammunition, homicide, and kidnapping and extortion”<sup>18</sup>. All of these threats are attributable in a higher or lesser degree to the actions of classic terrorist-bandit organizations such as the FARC, the ELN and the AUC, and to criminal organizations such as the new regional drug cartels that emerged after the decline of the Medellin and Cali cartels in the mid nineties<sup>19</sup>.

To counter these illegal organizations, intelligence has been identified as one critical element. President Uribe made this point strongly during a speech given at an intelligence officers’ graduation ceremony in October 2002, “Paucity, insufficiency and a lack of coordination in government information and intelligence operations and, what can be even worse, rivalry between the agencies responsible for collecting and managing this information and intelligence, has been mentioned over and over again as the first and foremost

flaw of our public security system”<sup>20</sup>. It is therefore not surprising that the Defence and Security Policy contains several references to the various intelligence agencies and the need for them to restructure in order to become more efficient tools for the State’s security requirements.

For Colombia’s war on terror and banditry a crucial problem was one of intelligence fragmentation; there are no less than six separate agencies with direct responsibilities over the intelligence collection, analysis and dissemination processes. The Army<sup>21</sup>, Navy<sup>22</sup> and Air Force<sup>23</sup> each have an intelligence service, although according to their internal organization, the Army’s intelligence unit (*Dirección de Inteligencia*) is part of J-3 (the Operations Staff), whilst for the Navy (*Jefatura de Inteligencia Naval - JINA*) and Air Force (*Jefatura de Inteligencia*) the intelligence units are independent commands. The National Police<sup>24</sup> has an Intelligence Directorate of its own which answers directly to the Deputy Director of the National Police and as recently as August 1999, a new intelligence agency, the Financial Information and Analysis Unit (*Unidad de Inteligencia y Análisis Financiero - UIAF*), under the Ministry of Economy was set up to expand and systematize the exchange of financial intelligence information<sup>25</sup>. Finally, there is the specialized secret service in Colombia, the Security Administrative Department (*Departamento Administrativo de Seguridad - DAS*), the only intelligence agency linked directly to the President, which as described by Jeremy McDermott, “...combines the powers and roles of the UK’s Security Service, Secret Intelligence Service, Special Branch, Customs and Excise and the US Secret Service”<sup>26</sup>.

Unfortunately, and because of the way in which successive governments have been dealing with the threats to the country’s security and the tools to counter them, the intelligence agencies’ tasks have overlapped and blended, generating administrative confusion in the way they carry out their missions<sup>27</sup>. In this context, duplication of tasks is a common problem, which not only reduces the effectiveness of the individual security agencies actions, but also increases the demand for very scarce resources to achieve high standards. As a result, the military intelligence agencies, the Police Intelligence Directorate (DIPOL), and the secret service replicate their functions and often compete with one another by accident or design.

The Secret Service stands as a prime example of this bureaucratic confusion. The DAS must, as part of its national mission, provide strategic intelligence, security for the President and the Ministers, and serve as the link for INTERPOL in Colombia. Because of the lack of clarity in its mission, it is even, as former Director, Jorge Noguera told *Jane’s Intel-*

*ligence Review* in an interview, "... getting new equipment, and better weapons for the executive arm so we can be more autonomous and effective. For example, we are creating [a] specialized group for hostile arrests"<sup>28</sup>. But some of these functions are carried out by the National Police and others by the Armed Forces, two institutions that in any case are far better suited than the DAS to act as executive authorities.

Another factor that has worked against the effectiveness of the Colombian intelligence agencies has been the penetration from narcoterrorism. Although it is difficult to establish the exact dimension of the infiltration by terrorist groups and drug trafficking organizations, over the years cases involving individuals from the intelligence agencies working for these criminal organizations have been known to the public and accounted for in some detail<sup>29</sup>. However, the real extent of their influence over the intelligence agencies remains a vaguely known matter, closer to a witch-hunt and imaginary assumptions between individuals than to precise facts.

For their part, the military intelligence and police intelligence must provide operational and tactical intelligence for the Armed Forces and National Police operations against the FARC, ELN and AUC as well as the drug cartels. In this scenario, cooperation between them is essential. The truth is that it is poor due to a number of factors, not least the fact that sharing information might mean another service will get the credit for a successful operation. This systemic fragmentation and competition between Colombia's intelligence services means that the result is a weak and uncoordinated service for decision makers and a waste of taxpayers' money.

Finally, the fact that the major threats have a large domestic component makes the link between intelligence and law enforcement a fundamental aspect that has not yet been entirely addressed. It also means that the intelligence cooperation that Colombia has been receiving over the years from the United States of America, and which has exerted an important influence over intelligence doctrine and operations, is ill-suited to confront an internal challenge, as can be seen from the current debate over the lack of adequate intelligence structures to confront an internal enemy<sup>30</sup>.

To face this situation, Colombia's intelligence agencies and their reporting structures need to be reformed and reorganized to ensure better cooperation and information sharing. A coordinated structure that can capture all the pieces involved in the intelligence process

and re-arrange them to provide decision makers with the intelligence needed to defeat the various terrorist and criminal organizations is an urgent national requirement.

## **1.2. Aim and Enabling Objectives**

The aim of this study is to explore the level of integration within the Colombian intelligence community and to recommend courses of action and policies to improve that level of integration.

The objectives of the study are:

- To examine ways in which key national security policy issues, embodied in the Democratic Defence and Security Policy, rely on effective intelligence and effective intelligence support;
- To examine current approaches supporting intelligence management (consolidation and analysis) used by the Colombian Government;
- To define roles and missions of the intelligence agencies;
- To identify the degree and results of joint working and intelligence integration within the existing intelligence agencies; and
- To propose courses of action and make policy recommendations for effective integration of intelligence agencies to be adopted by the Colombian Government.

## **1.3. Rationale**

Throughout history, intelligence has been used as a tool for decision makers to make timely and well informed choices, based on an “assumption that facts and insight are better than ignorance in charting a nation’s course”<sup>31</sup>. Although the assumption might seem obvious, there are a number of recent examples that reflect a certain indifference towards the structure and functioning of the intelligence agencies in many nations.

From Joseph Stalin’s repeated disregard for his intelligence staff’s reports on the imminence of a German attack<sup>32</sup> to the United States Secretary of State Henry Stimson’s disbanding of the United States diplomatic code-breaking team because “Gentlemen don’t read each other’s mail”<sup>33</sup> to more recent episodes, like the heedlessness shown by US high-level policymakers to the 1995 Central Intelligence Agency’s Counterterrorism Center warnings on the likeliness of “aerial terrorism... filling an airplane with explosives and dive-bombing a target”<sup>34</sup>, there are plenty of examples of how intelligence is sometimes ignored by policy makers or left to its own devices. On the other hand, there is also the case

that within any general theory of intelligence, there is no “right” structure or organization, as well as no wrong one. As Peter Wilson has pointed out, intelligence and intelligence reforms need to be “...carefully tailored to each country’s unique political situation”<sup>35</sup>. It is a difficult balance to achieve from scratch with a blank sheet of paper; and even harder to restructure existing policies and long established organizations to meet new challenges.

For Colombia, defining how much intelligence is needed and what form that intelligence should take has not been an easy task, not least because, as Lock Johnson has pointed out, “the answer [to how much intelligence] depends on the scope of a nation’s foreign policy objectives, its sense of danger at home and abroad, and its affluence”<sup>36</sup>. This is one aspect in which successive Colombian Governments have failed.

Until 2002, Colombia lacked a coherent defence and security policy that would give “political direction to the nation’s defence resources as a whole, with a view to ensuring national security, protecting vital interests and furthering the international aims of the state”<sup>37</sup>. As stated by the United States Military Attache in Colombia in 1999, Colonel William Spracher, during a seminar held by the National Defense University: “The most serious deficiency Colombia confronts is the lack of a national strategy outlined by the civilian government to initiate the tasks with the compromise of the whole of society to resolve the conflict”<sup>38</sup>. In this sense, and being as they are part of the security establishment, intelligence resources were not being directed at a strategic objective.

With the new Democratic Defence and Security Policy not only has there been a definition of threats and goals, but also the intelligence resources have been given a coherent task to help in the attainment of the objectives defined by the security policy. One central element in the orientation given to the intelligence community is the need for greater integration of its various components. As stated by the policy: “The Armed Forces professionalization process will be accompanied by an effort to increase coordination and joint work, both within the Armed Forces and among the latter and other law enforcement and judicial state institutions. Reflection of this is the coordination of intelligence”<sup>39</sup>.

The policy goes on to create a Joint Intelligence Committee which is instructed to

Produce consolidated strategic intelligence analysis, so the President and the Defence Minister have the required information for the decision-making process; to translate the governments security policies into intelligence requirements; and to



coordinate the tasking of the different requirements, promoting specialization and eliminating duplicity of efforts among those involved.<sup>40</sup>

Unfortunately, and although some steps in the right direction have been taken, there still appears to be a long way to go in the integration of the intelligence agencies. Lack of coordination, confusing tasks and the demand for immediate short-term results posed by, *inter alia*, the Government's pressure to improve local security conditions, has continued to erode the integration efforts. A reflection of this lack of integration was seen during the capture in Ecuador of a senior level member of the FARC, on January 2, 2004. Ovidio Palmera, also known as "Simon Trinidad", was captured on a street in Quito, Ecuador, whilst undergoing a routine check of his identification papers, according to Ecuadorian authorities, and Colombian security forces had no role to play in the operation. At least this was the official version<sup>41</sup>.

But this cover story collapsed when a surveillance video tape of "Simon Trinidad's" in Quito was leaked to the press by the Colombian Army. Apparently, the tape was leaked because the Army wanted to show its involvement in the operation. Up to that point the Army's silence had misguided the Press in to assuming that the Colombian Police had been the leading actors in the capture<sup>42</sup>. It was a clear case of inter service rivalry, with disastrous results. With the videotape and interviews that followed, secret sources were uncovered, covert operations compromised and the preparations for follow-on operations and intelligence gathering against other FARC members destroyed. The conclusion from this case – which is by no means unique - is the overriding need for intelligence coordination and control to prevent future re-occurrences and a clear requirement for greater integration of the intelligence agencies as a priority for Colombia's national security.

#### **1.4. Conceptual Framework**

This paper will begin by evaluating the theory and practice of intelligence. Taking into account the predominance of western intelligence writings, these will be used as the foundation for the document. As the subject of intelligence is fairly broad, this document will concentrate on the definition of intelligence, how it is expected to work in theory and how it effectively operates in practice. This will lead to lead the integration issue among the intelligence community, a view that will be applied to the Colombian case.

In understanding the way the Colombian intelligence agencies interact, it is necessary to draw a static picture of the intelligence community according to its institutional and formal arrangements and compare it with a more dynamic vision of how the system effectively works and how not only structure, but also culture and power politics play a role. As a result of this balance, between the static and dynamic visions, the issues that need to be addressed will emerge. With a scheme of the impending issues, the conclusions will deliver the basis for the recommendations that will be formulated to overcome the difficulties experienced by the Colombian intelligence agencies and to transform them into an effective community, where interaction and cooperation are deeply entrenched values. Figure 1 describes the process that will be followed by this paper.

Figure 1. Conceptual Framework

QuickTime™ and a  
TIFF (LZW) decompressor  
are needed to see this picture.

Source: the author.

## 1.5. Research Methodology

Because of the nature of the issues to be discussed in this paper, a priority will be given to information gathered from primary sources, for in intelligence, there is no perfect structure to look for in the books. In intelligence there can be no “one size fits all” and every solution must be tailored to suit each country’s national factors and individual needs. Furthermore, the integration of existing intelligence agencies requires that a number of important factors

other than mere theoretical structure must be taken into account. It is what Peter Wilson calls the “interlocking perspectives of organizational structure (how the organization looks on paper), culture (how people behave) and power politics (where the power really lies) to understand an institution”<sup>43</sup>. So even though structures can be drawn in books, culture and power politics are much harder to obtain.

In this sense, the primary focus will be the interviews with the “prime sources”: the different actors involved in the Colombian intelligence process, including the heads of the Army (DINTE), Navy (JINA), and Air Force Intelligence, the head of the National Police Intelligence Agency (DIPOL), the Director of the Finance Intelligence and Analysis Unit (UIAF) and the Director of the Security Administrative Department (DAS). Other structures which also deal with intelligence, and therefore have a say in any valuable research, are the Armed Forces Joint Intelligence and Counterintelligence section (*Jefatura de Inteligencia y Contrainteligencia Militar Conjunta - J2*), which has a separate organization altogether from the three services’ agencies, the Judicial Police (*Direccion de Policia Judicial - DIJIN*) and the Attorney General’s Technical Investigation Body (*Cuerpo de Investigacion Tecnica - CTI*).

Finally, and because of their experience and relation with the issue, interviews are planned with former Defence Minister Mr. Jorge Alberto Uribe Echavarría, and with the Chairman of the Joint Chief of Staff, General Freddy Padilla de León. The information collected from these interviews and the other interviews will constitute the primary material for the project. This means that the outcome of this study will depend largely on the answers that will be given by the interviewees and their own views based on first hand experience. The result of this essentially practical and utilitarian methodology means that, notwithstanding that all interviews will have to conform to Cranfield University’s academic guidelines and be approved by the project supervisors, there is no way to ensure the absolute veracity of the information submitted.

Apart from primary sources, the project will require extensive research from a number of secondary sources such as governmental decrees and orders which contain the structures and functions by which intelligence agencies are expected to operate. Unfortunately – but unsurprisingly - not much open source literature on intelligence matters can be found on the Colombian case, not least because of the lack of civilian knowledge on the matter. As noted by former Defence Minister Marta Lucía Ramírez,

The main difficulty [to the civil-military relations in Colombia] lies in the absence of understanding from the civilians on the nature of the armed conflict and of the role the Armed Forces can play in it...For long, us civilians have renounced to our responsibility to understand security. There are still few who from the civil society – the academia for example – study with depth the military sector.<sup>44</sup>

As a result, most information must be collected from specialized journals and books written on the subject, mainly taking account of the intelligence communities of the United States of America and the United Kingdom.

## **1.6. Limitations**

Perhaps no other issue will be as limiting for this project as secrecy, a basic element in the intelligence culture. As described by Abram Shulsky, “With respect to intelligence agencies, this basic problem is compounded by secrecy, even though secrecy springs from the legitimate need to keep knowledge of certain intelligence sources, methods, and activities secret from the public and restricted to the smallest possible number of officials within the government”<sup>45</sup>. Herman has also stated how “Secrecy is intelligence’s trademark: the basis of its relationship with government and its own self image”<sup>46</sup>. Although this project will not touch on intelligence operations currently underway, it will deal with *how* things are done, which might not be considered useful among a conservative institution like the military.

This is especially true in the actual circumstances in which the Colombian security sector is being employed to its maximum capacity in eliminating terrorism, narcotrafficking, and kidnapping and extortion, while at the same time regaining territorial control and protecting the population. Under this situation, one would expect a similar response to the one Churchill received when trying to transform the British Intelligence Service during the Second World War, and that is accurately described by Christopher Andrew: “How, he [Churchill] provocatively asked his Chiefs of Staff, was intelligence organized, and who was the man responsible for it? The Chiefs replied that the attractions of a single secret service were outweighed by many ‘grave disadvantages’: ‘it seems to us very undesirable that a drastic reorganization of this magnitude should be attempted at the very moment when we are fighting for our lives’<sup>47</sup>. The case for change in Colombia may similarly be categorized as inappropriate because of the very real conflict the Security Forces are

fighting and also because of the positive results that have been achieved during the four years of the Democratic Security and Defence Policy.

At the same time, positive results achieved by the Security Forces recently naturally generate a stronger support from the population, making it harder to impose any measure that can be seen as a threat to the status quo. Other limitations arise from the fact that most of the people interviewed are public servants who will invariably try to show good results and stick to the government line. Human nature being what it is, apparent successes, turf wars and bureaucratic inertia can be expected to combine to prevent change, particularly from those who feel most threatened. The result is that there is a real danger of misleading data and even “withheld data” in a study such as this, and not only for reasons of classification and national security. As stated by Colonel John Hughes Wilson:

Turning over stones invariably lets a hard sunlight onto some areas that many would prefer to remain hidden or forgotten... There are many other government officials and intelligence officers, in all regimes, who would much prefer to remain creatures of the shadows and keep their blunders and bad decisions secret, if only to protect their reputations, careers and pensions. Secrecy in intelligence matters is not always for the highest motives.<sup>48</sup>

This combination may well hinder the efforts to acquire the accurate information necessary to judge the reality of the level of integration between the intelligence agencies. Turkeys tend not to vote for Christmas.

## **1.7. Structure**

This paper will follow the following structure: Chapter 2 will review the intelligence theory and the organizational challenges to a successful transformation of the intelligence sector by way of a review of the appropriate literature. Chapter 3 will outline the existing Colombian intelligence agencies, their structures, roles and their interaction. Chapter 4 will present the findings and will discuss them in the Colombian context, including the way in which culture and power politics play a role in the intelligence sector. Finally, Chapter 5 will present the main conclusions, any policy recommendations and identify the areas that could not, for whatever reason, be covered by the present research but that should be, in the author’s opinion, further evaluated.

## CHAPTER 2. HOW IT WORKS: THE THEORY AND PRACTICE OF INTELLIGENCE

This Chapter examines the available literature on intelligence. In common with many other subjects, writers on intelligence theory do sometimes offer conflicting definitions and analysis. It therefore also seeks to assess the relative merits of the various unclassified writings on intelligence.

### 2.1. Towards a shared definition

I have called you to me because you wrote on the campaigns of Frederick the Great, because you understand their army, and because you have thoroughly studied the theatre of operation. You may assist me with valuable information.<sup>49</sup>

With these words, Napoleon addressed Antoine de Jomini, one of the most celebrated writers on the art of war, before heading to fight the Prussians. Napoleon had turned this collecting of information into a habit, one of various elements that gave him superiority in the battlefield. According to Jay Luvaas,

Long before beginning the active operations, Napoleon habitually turned to history and geography (along with politics and statistics) to find all that could be learned about the enemy and the likely theater of operation. When he assumed command of the Army of Italy in 1796 he had ordered the *Depot General de la Guerre* to send him the memoirs of generals who had previously campaigned in northern Italy along with detailed maps of the area. In 1798 before embarking for Egypt he put together a substantial library that contained 125 titles on history and the memoirs of the great generals, plus books on geography, travel, the Bible, the Koran, and Montesquieu's *Spirit of the Laws* - the last three titles catalogued under the heading 'politics'.<sup>50</sup>

Far from being the first leader to discover the potential that derived from the use of intelligence, he was able nonetheless to acquire information about his adversary and use it to his advantage in war. As Sun Tzu had stated 2,300 years before,

The reason the enlightened prince and the wise general conquer the enemy whenever they move and their achievements surpass those of ordinary men is foreknowledge,... [something which]... cannot be elicited from spirits, nor from gods, nor by analogy with past events, nor from calculations. It must be obtained from men who know the enemy situation.<sup>51</sup>

In this sense, the study and practice of intelligence has ended up by fusing all the meanings given to the concept. As a result, intelligence is not only used to refer to processed information, of the kind described above and used by Napoleon, but also as an activity, as suggested by Sun Tzu, and finally, as a distinct type of organization<sup>52</sup>. In the words of Sherman Kent intelligence can be defined as “a *particular* (sic) kind of knowledge, the type of organization producing this knowledge, and the activity pursued by the organization”<sup>53</sup>, directed towards enhancing the interests of a determined nation. This is as far as the agreement goes.

Even though intelligence is a fairly diffused concept, there is no consensus over a definition. A brief overview of the existing literature is revealing. While Shulsky defines it as, “information relevant to a government formulating and implementing policy to further its national interests and to deal with threats to those interests from actual or potential adversaries”<sup>54</sup>, for Kenney, intelligence means “the collection, analysis and dissemination of information for government officials involved in the formation and execution of foreign, defense, and economic policy”<sup>55</sup>. For others, like Hughes-Wilson, intelligence is “processed accurate information, presented in sufficient time to enable the decision maker to take whatever action is required”<sup>56</sup>, a concept also shared by Jones, for whom the “ultimate objective of intelligence is to enable action to be optimized”<sup>57</sup>. The list of definitions for intelligence could go on, but rather than stick with one specific meaning, they will be used in this chapter so that “nevertheless a picture emerges of intelligence’s character”<sup>58</sup>.

## 2.2 The Intelligence Cycle

QuickTime™ and a  
TIFF (LZW) decompressor  
are needed to see this picture.

Figure 2

Source: Johnson, L., Bricks  
and Mortar for a Theory of  
Intelligence.

For this, the concept of intelligence as a product, activity and organization will be very useful. As a product, intelligence can be broadly defined as processed information. For information to become intelligence, it has to undergo a process in which it transforms itself from raw material to finished product. A basic model called the intelligence cycle allows the transformation to be understood clearly. The cycle consists of five phases: direction, collection, collation, analysis, and dissemination<sup>59</sup>. Figure 1 illustrates how the model works. Although the intelligence process does not necessarily follow the strict order that is shown, more often than not the direction stage sparks the cycle. In this stage, decision makers, also known as the intelligence consumers, be they the President, military, or any other senior leader, set out the information requirements needed. In this stage, they direct the intelligence efforts towards the knowledge they need to acquire, the “foreknowledge” as described by Sun Tzu, “on the assumption that facts and insight are better than ignorance in charting a nation’s [or any other organization’s] course”<sup>60</sup> and that “intelligence reduces the quota of government’s mistakes and misperceptions in its chosen world role, and enables it to do better than if it had had to manage without it”<sup>61</sup>.

These information requirements, which are also known as essential elements of information, are then assigned to the different agencies and departments involved in the intelligence process. Notwithstanding that a deeper examination of intelligence organizations will follow, suffice it to say that at the collection stage, different agencies with different methods and sources will search for the information required. After it has been collected,



the information from the different sources must be collated or processed so that it can be viewed and understood by the analysts. Due to the different methods in which information is acquired, for example satellite images and encrypted communications, they must first be converted to easily readable data.

In the next stage, readable information is analyzed on the basis that “intelligence seldom speaks for itself; it must be interpreted by smart, well-trained people who understand the country, group or topic at question”<sup>62</sup>. This is the analyst’s main task, and one of the most important phases in the whole intelligence cycle, because it will result in the added value to the collected and collated information. Once the information has been analyzed, it will become a product to be disseminated among the decision makers that sparked the cycle.

### **2.3 Intelligence Principles<sup>63</sup>**

Albeit the intelligence cycle description illustrates the wide range of activities undertaken by intelligence agencies, a few principles must be emphasized. Intelligence needs to be timely or otherwise it will be no intelligence at all. In his book *Military Intelligence Blunders and Other Cover-ups*, Colonel John Hughes-Wilson describes the term “overcome by events (OBE)”<sup>64</sup> as one of the worst responses the intelligence professional can receive from the intelligence consumer. Untimely intelligence is no intelligence at all.

A second element to be taken into account is the need for information to be accurate. In intelligence jargon, it is known as being able to separate the “wheat” from the “chaff”, the “signals” from the “noise”<sup>65</sup>. Whatever information has been collected needs to be true. Otherwise, the intelligence product will lead the decision maker to erroneous conclusions. Intelligence history is full of such examples.

The intelligence cycle, as has been described, is not a static but a continuous process sparked by the information needs of a central authority. Centralized control of the intelligence process is therefore necessary for coherent, effective and planned tasking and collection efforts to be possible. Multiple heads imply dispersed efforts from the intelligence agencies, with the consequent duplication of efforts and waste of resources. Multiple heads also imply that information will not always be accessible to those who need it for the decisions to be taken.

## 2.4. Methods and Sources

The product that results from the intelligence cycle, having accomplished accuracy and timeliness, and having answered the information requirements set out by the decision makers, can take different shapes and influence different variables. In this sense, adjectives are added to the intelligence product to guide the consumer into the type of intelligence product. For Abram Shulsky, who follows Sherman Kent in this respect, there are three main groups: current, basic descriptive, and speculative-evaluative, which respond to information from the past, the present and the future<sup>66</sup>. But many other adjectives are used to imply different types of products. There is business intelligence, actionable intelligence, tactical intelligence, national intelligence, strategic intelligence, drug and counter drug intelligence<sup>67</sup>, security intelligence<sup>68</sup>, and many others, all differing not in the way the product has been obtained (although invariably the same intelligence cycle pattern will change on a case by case basis), but in the purpose for which the intelligence was gathered.

Even though there are no precise definitions for any of the types of intelligence presented above, there are some traits that distinguish them from one another. Tactical intelligence is referred to as the “essential elements of enemy information the commander requires in order to make a reasoned decision”<sup>69</sup>, while counter drug intelligence is defined as “the collection, analysis, and dissemination of information for officials who design and implement drug enforcement policies and programs”<sup>70</sup>. Strategic intelligence is often described “by professional intelligence officers... as the knowledge and foreknowledge of the world around us – the prelude to Presidential decision and action”<sup>71</sup>. In the end, and even though they aim to shed light into different levels of action, tactical, operational or strategic, they all refer to the same transformation of information into intelligence.

Intelligence as an activity refers to the sources and methods used to collect and analyze information that is used in the intelligence cycle. Although there are various methods of gathering information, the broadest categories are Human Intelligence (HUMINT), Technical Intelligence (TECHINT) and Open Source Intelligence (OSINT), all other categories falling into one of these three. Human intelligence refers to the information gathered through agents, spies, informants, prisoners of war and other sources, either by covert<sup>72</sup> or overt action<sup>73</sup>. Technical intelligence can be considered as “a group of techniques using advanced technology, rather than human agents, to collect information”<sup>74</sup>, and include photographic or imagery intelligence, also known as PHOTINT and IMINT, and signals intelligence or SIGINT<sup>75</sup>, which includes the interception of communications, cryptanalysis

and other signals from sensors or military equipment. Finally, open source intelligence, or “the gathering of information from open sources, that is, newspapers, books, radio and television broadcasts and any other public source of information”<sup>76</sup>.

Apart from open source intelligence, which has gained in importance with the advent of internet and the flood of information<sup>77</sup> available, a discussion remains about the importance of HUMINT and TECHINT within the intelligence community. Lock Johnson, in describing how much intelligence is necessary touched one aspect of the debate between HUMINT and TECHINT. In his words,

Human spies (agents or “assets”) and their handlers (“case officers”) must normally be paid for their information-gathering services; so must highly educated analysts for their interpretive skills. And spy machines are phenomenally expensive to build, deploy (on land, sea, or in the air), operate, and maintain. A single large surveillance satellite, some the size of a Greyhound bus, costs a billion dollars just to launch into space - let alone the expense of design, construction, and in-orbit management.<sup>78</sup>

But there is more to the debate than just costs. HUMINT remains by large the best tool for acquiring information on intentions, while TECHINT is primarily used to determine capabilities. Even though there are constant attempts to undermine one at the expense of the other, in the end, their effectiveness is enhanced when put together to assess the enemy’s intentions and capabilities. As has been noted,

Cameras on satellites and UVAs [Unmanned Aerial Vehicles] cannot see through mud hut roofs or into labyrinth of caves where Al Qaeda terrorists may still be hiding in Afghanistan, or into the vast caverns in North Korea where the government of P’yongyang is thought to be constructing weapons of mass destruction. This takes a human agent...[yet] machines neither lie nor come down with the flu and miss two weeks work.<sup>79</sup>

With regards to the sources, they are varied and depend upon the gathering methods used. TECHINT sources include satellite imagery, aerial photo-reconnaissance and crypt-analysis, while HUMINT sources, further to the ones mentioned above, also include “routine interviewing of refugees and travelers”<sup>80</sup>. As with the methods, sources can also be of a covert or an open nature.

Except for OSINT, which is accessible to the general public, there is a clear association between the intelligence activity and secrecy. According to Michael Herman, this arises from the sensitivity linked to the collection and exploitation of intelligence,

For reasons that include questions of propriety and legality but are mainly based on the vulnerability of its sources and methods to countermeasures. From this comes intelligence's special secrecy, extending from collection/exploitation to cover most aspects of analysis. Secrecy is intelligence's trademark: the basis of its relationship with government and its own self-image.<sup>81</sup>

Finally, intelligence can be referred to as an organization which carries out these activities, one of whose main characteristics is secrecy. Shulsky notes how

One of the most notable characteristics of such [intelligence] organizations is the secrecy with which their activities must be conducted. Many of their methods of operation, such as the use of undercover agents or strict rules concerning access to information, derive from this requirement. Since intelligence agencies are organized to enhance their capacity for secrecy, they also may be given, along with their information-obtaining or denying functions, the responsibility of undertaking secret activities to advance their government's foreign policy objectives more directly.<sup>82</sup>

## **2.5. Intelligence in practice**

In the real world though, things work differently. The lines that separate intelligence as product, activity, and organization are continually blurred. The methods and sources utilized in information gathering overlap constantly as do the organizations seeking for strategic and tactical intelligence. The intelligence consumers may not like the information they are receiving or the intelligence community may be perceived as a loose cannon within the Government, working on irrelevant information. In Michael Herman's words, "institutionally its [intelligence's] boundaries are sometimes arbitrary or fuzzy,..., the use of the intelligence label also varies from country to country,..., [and], just as confusing is the variety within intelligence itself"<sup>83</sup>.

Absence of control and oversight, common elsewhere throughout governmental institutions, hinders the management of intelligence activities and may erode the government's accountability in the long run. Given the need to maintain operations out of the public do-

main, accountability over the use of resources is scarce at best. It also means that in terms of their organizational structure, intelligence agencies are highly independent. Countries with mature intelligence communities and developed democracies have only recently created legislation accounting for the different intelligence agencies. It was not until 1994 that the British Secret Intelligence Service (SIS) was placed on a statutory basis through the Intelligence Services Act, which gave the Foreign Secretary “responsibility for the work of the SIS, defining the functions of the service and the responsibility of its Chief”<sup>84</sup>. The Government Communications Headquarters (GCHQ), responsible for SIGINT, also operates under the 1994 Intelligence Services Act, while the Security Service, known as MI5, was incorporated by the Security Services Act of 1989<sup>85</sup>.

Notwithstanding the mechanisms that have been created to overcome this lack of accountability, such as executive and legislative control bodies in countries like Australia, Canada, the United Kingdom and the United States<sup>86</sup>, no definite solution has been achieved, a fact that is revealed by the number of independent commissions launched to review faults, mistakes and abuses in the intelligence community’s activities. As Johnson has pointed out,

National security decision makers face a conundrum: the best intelligence systems involve state secrecy, deception and clandestine efforts to steal; yet such systems, when turned inward to address foreign threats to vital domestic interests, can threaten the very institutions of democracy and representative government that they were set up to protect in the first place.<sup>87</sup>

But secrecy is not the only challenge that confronts the intelligence community’s activities. Subordination of intelligence to policy, received opinion, mirror imaging<sup>88</sup>, circular intelligence<sup>89</sup>, lack of integration, duplication and fragmentation<sup>90</sup>, are also recurrent issues that limit the intelligence agencies’ capabilities to perform their tasks properly. One aspect in particular, has garnered special attention since the Second World War: the integration of intelligence agencies.

As Stan Taylor and Dan Goldman recall,

In the case of the IC [Intelligence Community], the primary problem has been the existence of overlapping entities with shared jurisdictions, inadequate communication, and selective intelligence sharing. This problem is not new. The CIA came in-

to existence because of Pearl Harbor. At least seven different investigations into what went wrong led reformers to conclude that inadequate sharing of information and competition between the various military intelligence agencies was a significant cause of the Japanese surprise. As a result, the National Security Act of 1947 was passed and, among other things, a 'central' intelligence agency was created to coordinate intelligence activities and facilitate intelligence sharing and production.<sup>91</sup>

Forty-nine years later, the Aspin-Brown Commission, a congressional oversight committee on the roles and capabilities of the intelligence community came to the conclusion that "intelligence agencies should function more closely as a community" and put forth various recommendations to that end, among others the rotation of personnel between agencies and the creation of a common list of senior posts<sup>92</sup>. But the problem has persisted to this day, as is clear from the 9/11 Commission report,

The U.S. Government does not presently bring together in one place all terrorism-related information from all sources. While the CIA's Counterterrorist Center does manage overseas operations and has access to most Intelligence Community information, it does not collect terrorism-related information from all sources, domestic and foreign. Within the Intelligence Community, agencies did not adequately share relevant counterterrorism information, prior to September 11. This breakdown in communications was the result of a number of factors, including differences in the agencies' missions, legal authorities and cultures. Information was not sufficiently shared, not only between different Intelligence Community agencies, but also within individual agencies, and between the intelligence and the law enforcement agencies.<sup>93</sup>

This reluctance to integrate seems to be a widespread trait in most intelligence communities. In the British case, as noted by Michael Herman,

Since 1945 most civilian intelligence practitioners have spent their careers in their own, single organizations...intelligence is now quite good at promoting knowledge of the 'outside world'. It has been less good at exchanges within the community itself. There has been no system for 'broadening' postings for promising officers between the agencies and the DIS [Defence Intelligence Staff], or between the agencies themselves. Half a century of professional intelligence in peacetime pro-

duced sets of leaders without inside knowledge of each other's professional disciplines, or the community-mindedness that springs from it.<sup>94</sup>

Similar accounts of this endemic problem can be found on the Canadian, French, Israeli and Indian intelligence services. On the latter, the March 1999 edition of *Jane's Intelligence Review* reflected fully the consequences of uncoordinated operations by intelligence agencies in the field. According to the journal,

India's civil and defence intelligence agencies are locked in a web of deceit, intrigue and rivalry... intelligence sources said 'Operation Leech', carried out by the three services and the Coast Guard off the Andaman and Nicobar island territory against Thai and Burmese gun-runners in February last year, and Operation 'Poorab' three months later had 'unmasked' the covert operation being run in Burma – unknown to the military – by the Research and Analysis Wing (RAW), India's external intelligence agency to counter growing Chinese influence in Rangoon (Yangon)... A lack of coordination between RAW and military intelligence officials and absence of mutual confidence between the two led to serious developments that still need to be smoothed over.<sup>95</sup>

But although it is a problem that has been recognized over and over as one of the main obstacles in the work of the intelligence community, little has been achieved to overcome it. This has frequently been the case because the solutions to address the problem almost always tend to address some immediate political goal rather than longer-term issues. In the case of the United States of America,

Restructuring, particularly the creation of new agencies or sub-agencies, is usually the political siren song. Those who can pursue it can say, "look what we have done". But the allure of restructuring is always greater than the reality. All too often restructuring merely creates additional units that muddy rather than clarify what is really needed – better correlation and communication across agencies and sub-agencies. Virtually every investigation of IC [Intelligence Community] problems points to the need for greater unity and direction.<sup>96</sup>

## **2.6. Structure, culture and power politics**

Structures can be modified easier than organizational culture or the minutiae of the power and resource struggles within the bureaucracy, because as the saying goes, old habits die

hard, especially in large bureaucracies<sup>97</sup>. But structures have the least influence in the outcome, as can be seen from the American example. After all, and “whereas structure can affect practice in positive ways, form should follow function”<sup>98</sup>. Function is given by the way the agencies’ individuals interact, which in turn is influenced by culture and politics.

Regarding the structure, there is a wide spectrum of options differentiated by coverage and function, and ranging from single to all all source agencies and a separation between domestic and foreign intelligence or those responsible for both areas. This spectrum is well exemplified by the Soviet, British and United States intelligence apparatus. For the West, specialization has been preferred. According to the Geneva Centre for the Democratic Control of the Armed Forces,

It is a good rule that each intelligence function [HUMINT and TECHINT] should be carried out by one agency. This avoids wasting effort and resources, and minimizes the risk of unhealthy and unnecessary competition between the various agencies...Democratic states generally separate domestic and foreign intelligence services. This is justified by the different missions and even more by the fact that different rules and laws apply to intelligence operations on national soil and abroad.<sup>99</sup>

On the other hand, various authors have determined how culture influences the intelligence community. Dennis Nagy, in questioning the use of investments in developing better technologies towards information superiority and dominant battlespace knowledge concludes on the importance of other factors in the outcome. In his words, “if the policies and doctrine are reasonably clear and the enabling technologies are here and getting better, why are we not getting better? The answer, in my view, lies principally in what I call cultural factors”<sup>100</sup>, which he goes on to define as “the structure of the Intelligence Community and DoD [Department of Defence], the attitudes of the members of those organizations, and the processes that have grown up over the years within and between those entities and between those entities and the Congress”.<sup>101</sup>

In the same line, Jerry Tuttle argues that “the greatest inhibitors to decision superiority are cultural and the resistance to share information and intelligence”,<sup>102</sup> an argument that is shared by James Harris, who referring to the restructuring of the U.S. Intelligence Community after 9/11 supports the idea that “when all is said and done, the joint House and



Senate investigations will need to focus on intelligence community culture and business practices, not merely on the organizational charts".<sup>103</sup>

Finally, Philip Davies, in an attempt to compare the intelligence cultures in the United States of America and the United Kingdom, notes how "Culture in both countries leads to intelligence failures that are endemic to political and civil society at large... the United States organizational culture of divisiveness, weak consensus and minimal collegiality...[has meant that] failures in the United States intelligence stem from inadequate or ineffective institutional integration"<sup>104</sup>. Power and resource competition are also issues that impede an effective integration of intelligence agencies.

In his book *Keeping us Safe: Secret Intelligence and Homeland Security*, Arthur Hulnick describes how,

Intelligence agencies have a tendency not to share particularly sensitive intelligence data with their counterparts in order to protect sources and methods, to be sure, but sometimes they withhold the data because having the sensitive material gives them power and the ability to one-up the other agencies.<sup>105</sup>

Similarly, Charles Cogan notes about the United States intelligence system:

Assuming that the present system remains more or less intact we are faced with the continuing prospect of jockeying between the Pentagon and the CIA [Central Intelligence Agency], because the lines of authority are not clear; and concomitantly, the continuing accrual of power by the Pentagon at the expense of its weaker partner, the CIA.<sup>106</sup>

One approach that can be considered as offering an alternative against the lack of integration is the British intelligence system, in which all agencies meet at a Joint Intelligence Committee (JIC), responsible for the final intelligence product. Despite its apparently more efficient structure, the type of interdepartmental organization represented by the JIC has been criticized because "it is a forum without managerial teeth. The intelligence coordinator has influence rather than responsibility"<sup>107</sup> and because,

Depending on consensus increases the likelihood of analysts falling back on common assumptions and institutional orthodoxies in formulating assessments

that can be agreed upon. In other words, a high degree of collegiality can lead to one of the most serious ills of intelligence analysis: group think.<sup>108</sup>

Another criticism that is frequently made to the JIC, and which has worried its members over the years has been that “the members of the JIS were, perhaps, too closely tied to their Departments with the resulting danger that papers sometimes represented the lowest common factors in Departmental thinking rather than well-thought-out studies based on longer experience”.<sup>109</sup>

Even if the JIC could solve the integration of the intelligence agencies, its effect would only be felt at the top of the organizations. This approach does not include specific measures aimed at enhancing the overall integration of the agencies, a move towards reaching a more complete spectrum of analysis for any given situation. In this sense, some writers have proposed alternative answers for a more complete integration throughout the whole organization.

Harris recommends three issues which not only will improve intelligence agencies integration but can be used to “measure” the level of integration on the Intelligence Community, basically, the level of established connectivity between and among the agencies, the level of multidisciplinary analysis and the importance given to the individual initiative within the structures<sup>110</sup>. Other possible solutions have been addressed in repeated occasions, as Amy Zegart notes on the work of the various Congress commissions setup to investigate failures in the intelligence system: “The need to realign the personnel skill mix and improve coordination through temporary tours of duty in other agencies received major attention in all but two reports”<sup>111</sup>.

Other responses to the historical lack of integration between agencies has been the creation of committees or centers assigned with specific tasks and which are made up of representatives from the whole of the community. Such initiatives as the Joint Terrorism Task Force (JTTF) and the fusion community centers have achieved, at best, mixed results. In the case of the centers, Michael Turner argues that

In practice, however, the centers (fusion community centers) have fallen far short from being the focal points of all work on an intelligence issue and in exhibiting community spirit. One problem has been that numerous other entities within the intelligence community duplicate the work of the centers.<sup>112</sup>

For all the literature on the insularity of intelligence agencies and its impact on community work, solutions are still far away. Individuals, personalities and relationships continue to be a definite factor in the intelligence sharing sphere. But most of the analyses that are found in intelligence literature are based on the western intelligence communities, mainly that of the United States. As Peter Gill admitted, “the existing literature on security intelligence matters in the UK is both less extensive than in North America and, qualitatively, has contributed less to the development of a systematic body of knowledge”<sup>113</sup>.

## **2.7. The Colombian case**

About Colombia, a country with very little research on intelligence matters, the same could be said. A brief overview of the existing literature on intelligence gives a good indication, as Russell Swenson notes, “Intelligence scholarship on Latin America is barely nascent, as reflected in the scant bibliographies for the five countries covered in Brassey’s encyclopedic *Yearbook* on intelligence services”<sup>114</sup>. However scant and nascent the literature on Colombian intelligence may be, it nonetheless addresses tangentially the integration issue. Andres Villamizar states that,

Notwithstanding Colombia has various institutions responsible for the intelligence tasks, presently there is no true Intelligence Community, understood as an integral system in charge of collation, processing and dissemination of strategic information directed towards decision making and public policy formulation regarding security and national defence.<sup>115</sup>

He goes on to suggest some actions aimed at overcoming the agencies’ insularity; namely the creation of a security advisor’s post, under the President’s office, directly responsible for the centralization of the intelligence product from all agencies, as well as a clear definition on the roles and missions of all agencies involved<sup>116</sup>. Another author who addresses the need for integration of the Colombian intelligence agencies is Laude Fernandez, a former Head of the Directorate of Intelligence at DAS. During his presentation at a conference on Colombian security policy, in September 2002, he expressed his concern over the lack of coordination between the agencies. In his words,

Let us first state that the only possibility that intelligence has of working as a tool for the security and national defense policies in any country is in the shape of a *Community* [sic], which means that the agencies in this field must come together

on the basis of a definition and acceptance of established parameters of administration, coordination, task distribution and professional standards.<sup>117</sup>

His proposal for improved coordination includes the creation of a National Intelligence Council made up of the heads of the intelligence agencies and high level officers from the Ministries of Defence, Interior, Foreign Relations, Industry and the Treasury, whose President or leader will be responsible for defining the annual intelligence priorities, presenting the budget requirements on behalf of all agencies and certifying the competence of the nominees for senior posts in the agencies<sup>118</sup>. Other aspects of his proposal resemble recommendations that have been issued over time by the U.S. Congress Intelligence Commissions, mainly, joint training for all agencies' recruits on some of the modules and rotation of personnel through the intelligence establishment, both civilian and military<sup>119</sup>.

Both of these proposals for improving the intelligence community coordination in Colombia, although valuable in representing a break with the past, limit themselves to changes in structures, leaving untouched fundamental aspects such as culture and power struggles. It is interesting nevertheless that even though Laude Fernandez's approach includes the culture factor as an obstacle to change<sup>120</sup>, much in the manner of Herbert Simon and Amy Zegart<sup>121</sup>, he does not include this issue in his recommendations.

Finally, Andres Saenz and Ismael Idrobo, briefly describe how the lack of integration of the intelligence agencies affects specific military and police operations, in this case, against drug trafficking organizations. In their view,

The present [intelligence] system promotes rivalry between the services and institutions and encourages competition to attract attention and resources from the decision makers in this area. The lack of continuity of intelligence personnel in their posts and the immediate demand for intelligence – sponsored greatly by the internal situation in Colombia- has retarded and impeded the improvement through interinstitutional agreements that allow the strengthening of the operational and strategic intelligence in the higher levels of decision making.<sup>122</sup>

The Colombian intelligence community, although scarcely studied, seems to suffer from the same problems which confront other more developed nations, such as the United States, Canada or France. In what way this intelligence community interacts will be discussed in the following chapter.

## CHAPTER 3. COLOMBIA'S INTELLIGENCE STRUCTURE

Colombia has six main intelligence organizations which have evolved in their structure over time to serve the nation's needs. As well as structure, other elements that are sometimes overseen influence the way in which they operate. Intelligence agencies interact with each other in a context characterized by a determined organizational culture and within a framework of established political power relations. Apart from these elements, Colombian intelligence agencies have been heavily influenced by U.S. cooperation in the form of Plan Colombia, and by recent scandals about infiltration of paramilitaries in DAS.

Figure 3

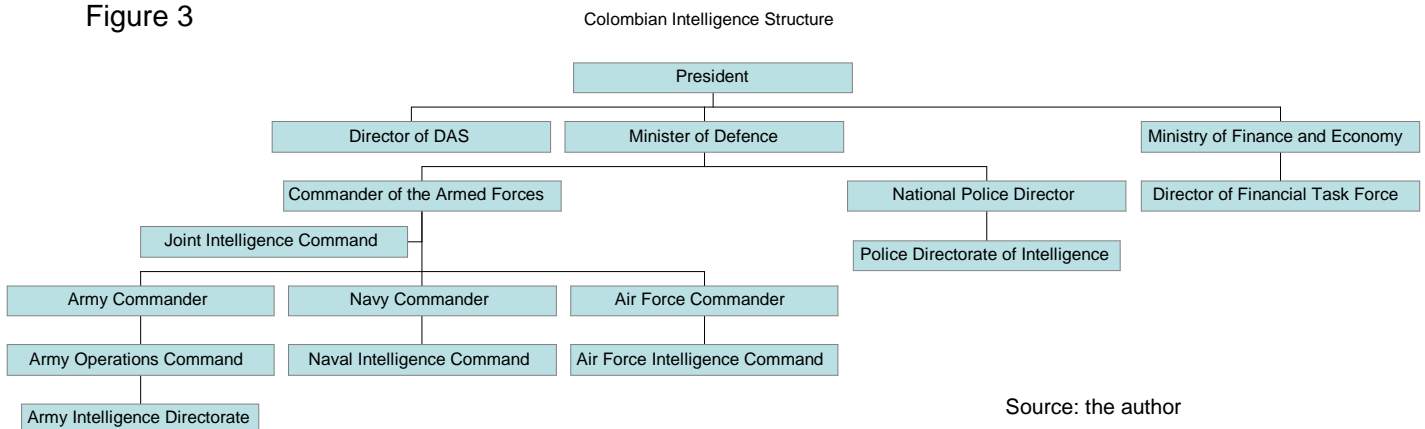


Figure 3 describes the current structure of the Colombian intelligence community. A more detailed description of the individual agencies' structure will be found in the appendix.

### 3.1. Army Intelligence

Although intelligence has played a part in army operations since the independence campaign led by Simon Bolivar in the first half of the nineteenth century, it was only after the participation of a Colombian contingent, the "*Batallon Colombia*", in the Korean War that the Colombian Army adopted a move towards a more institutional approach. As Villamizar has pointed out,

Notwithstanding, it's only after the involvement of Colombia in the Korean War (1950-1953) when the true development of intelligence as a professional activity begins. The return of this conflict's veterans initiated the process of consolidating the methods, techniques and procedures pertaining to military intelligence. In fact, the impact of the Colombian Army's participation in the Korean War marked a highlight in the institutional development of the military organization because the

officers, NCOs and soldiers involved in this confrontational stage had the opportunity to assimilate the most recent technological, doctrinal and strategic advances. It can be stated that the modern Colombian Army was born after it took part in Korea.<sup>123</sup>

In Colombia, the military personnel that had been involved in the war shared the experience they had gathered fighting alongside the United States Army, the most powerful military establishment in the world at the time. One of the most complete accounts of the lessons learned was written by Lieutenant Colonel Alberto Ruiz Novoa in 1956, who in his book *Lessons from the Korean Campaign* suggested elements that should be taken from the United States Army and adapted into the Colombian Armed Forces, including military intelligence<sup>124</sup>. As a result, and after United States advisors had been sent to train Colombian officers in basic military intelligence in 1962<sup>125</sup>, in 1963 the first intelligence units were deployed in Bogota, Cucuta and Barranquilla, under the direction of the E-2 Army Department<sup>126</sup>. A year later, the newly born military intelligence organization was named *Batallon de Inteligencia y Contrainteligencia - BINCI* (Intelligence and Counterintelligence Battalion)<sup>127</sup>.

Although some changes in the military intelligence organization would occur between 1964 and 1986, mainly the creation of the Army's Intelligence Directorate, the Intelligence and Counterintelligence Command and the Intelligence and Counterintelligence School in 1985 and the Intelligence and Counterintelligence Brigade (XX Brigade) a year later, it was only in 1991 when military intelligence was established as an "arm for combat support"<sup>128</sup>.

Presently, the Army's Directorate of Intelligence (*Direccion de Inteligencia - DINTE*) is part of the Operations Command, along with the Operations and the Integrated Action Directorates, and is composed of a TECHINT and HUMINT sections, as well as open source analysts.

### **3.2. Air Force Intelligence<sup>129</sup>**

Intelligence activities within the Colombian Air Force go back to the 1970s and the creation of the Aviation Infantry branch within the service. In those days, and in the absence of a defined air intelligence doctrine, the Aviation Infantry used the land army's intelligence doctrine, for intelligence in the Air Force was limited to the security of the airfields and the air force headquarters. This fact was reinforced by the training of the Aviation Infantry officers in the Intelligence and Counterintelligence facilities run by the Army. It was not until

the 1990s that a proper air intelligence doctrine was established along with an Air Intelligence School to instruct officers in Air Force intelligence, whose main objective is to support aerial operations.

Within the Air Force, intelligence has evolved in the internal structure from a Department in the 1970s, to a Unit in the 1990s and since January 31, 2002, by Ministerial Resolution 0068<sup>130</sup>, to a Command (*Jefatura de Inteligencia Aerea*), in response to the increasing importance it has gained for the service. Following the single service/all source approach that has been predominant in the Colombian Armed Forces, the Air Force Intelligence Command handles the complete intelligence cycle and also carries out TECHINT, specially SIGINT and IMINT operations which are performed in aerial platforms. They also carry out HUMINT operations as well as open source analysis for their product, which is used for aerial operations against the terrorist organizations and the drug cartels. The Aerial Intelligence Command participates in the Joint Intelligence Committee.

### **3.3. Naval Intelligence**<sup>131</sup>

Until 1991, the Naval General Staff M-2, notwithstanding its advisory role, was in charge of guiding and articulating the intelligence requirements in the Colombian Navy, throughout the intelligence sections of all Navy structures, from brigades to companies. After 1991, and in line with the ongoing changes happening in all intelligence services of the Armed Forces, the Naval Directorate of Intelligence was created with a new operational concept replacing the old advisory role performed by the late M-2. The Directorate was subordinated to the Naval Operations Command, where its operational role could be most fully exploited.

In 1997, the Directorate of Counter Intelligence, previously one of the Intelligence Deputy Directorates, was created with the aim of separating tasks and specializing the knowledge over the Navy's jurisdiction, mainly the oceans and rivers. Five years later, a reform to the procedures in the intelligence cycle process was put in place. Before, the intelligence was collected throughout the country and was sent to the Navy's Intelligence Directorate for its collation and analysis. Once the product had been terminated, it was disseminated among the naval units that required it for their operations. With the reform, intelligence was decentralized and Regional Intelligence Directorates were created to handle the intelligence cycle in a more autonomous way, therefore accelerating the time between the collection and

dissemination of intelligence. As with the other services, the Naval Intelligence conducts HUMINT, TECHINT and OSINT operations and the whole intelligence cycle.

Finally, all the changes that had been partially and disorderly happening were incorporated in the 2005 Naval Intelligence reform, which under Ministerial Resolution 0305<sup>132</sup>, March 17, 2005, gave way to the Naval Intelligence Command and its current structure. With the transformation from Directorate to Command level, the organization's status was enhanced and reorganized under the command of a Rear Admiral who controls four Directorates: internal intelligence, counter intelligence, maritime and foreign intelligence, and the Naval Intelligence Training School. The structure of the Naval Intelligence Command is shown in Chart 3.3. As with the other agencies, it also participates in the JIC.

The training for the naval intelligence officers was carried out in the Army's Intelligence and Counterintelligence School (*Escuela de Inteligencia y Contrainteligencia Charry Solano*), until this reform which not only brought about the creation of a specialized Naval Intelligence School, but also, and with the United States Navy cooperation, the creation of a naval intelligence doctrine. To complete the process, there is a legislative project that has been approved by Congress and is awaiting Presidential sanction, to create the official intelligence branch in the Navy.

### **3.4. Police Intelligence**

Intelligence activities within the Colombian National Police have been closely linked with criminal investigation, as was revealed by the transformation of the F-2, the police intelligence unit in the 1970s, into the Judicial Police and Investigation Directorate (*Dirección de Policía Judicial e Investigación - DIJIN*) in the 1980s and finally to the Intelligence Directorate of the National Police (*Dirección de Inteligencia de la Policía Nacional - DIPOL*) in 1995<sup>133</sup>. In 1997, by Presidential Decree 2158, September 4, 1997, the nature and structure of DIPOL was defined. The decree defines its nature as being "The logical and rational process that requires the information in the institutional and governmental decision taking"<sup>134</sup>. With regards to the structure, DIPOL is made up of five main areas: public order and internal security, electronic intelligence, counterintelligence, technical operations and support and services.<sup>135</sup>

However, DIPOL is not the only Police agency who deals with intelligence. The Anti-Kidnapping and Extortion Police Directorate (*Dirección Antisecuestro y Extorsión - DIASE*) created by Ministerial Decree 864, May 15, 1998, is made up of four areas, one of them



being the Intelligence Directorate. According to paragraph 4, article 2 of the Decree, this Directorate must, “Coordinate and develop with [DIPOL], the reception, register, analysis, systematization and distribution of the information related with the kidnapping and extortion crimes”<sup>136</sup>. The Decree also tasks the intelligence area of DIASE to

Direct and guide the search for information carried out by intelligence for the prevention and repression of the kidnapping and extortion crimes...., coordinate the exchange of information acquired by this area with own agencies and the other State agencies, for the control of kidnapping and extortion crimes..., elaborate information search plans..., carry out counterintelligence and internal control missions..., and, deliver in a timely fashion trustworthy intelligence information to the Directorate and the Regional Commands, for the planning of operations against kidnapping and extortion.<sup>137</sup>

The Police intelligence agencies' structure are shown in Chart 3.2. One feature that stands out in the structure of both branches is the replication of signals and imaging processing as well as of information processing<sup>138</sup>. As a direct result of this situation, a duplication of duties is most likely to occur, given the fact that both Directorates contain sections that deal with TECHINT, HUMINT and OSINT.

### **3.5. Security Administrative Department - DAS**

In 1953, during the only lapse of democratic ruling in Colombia (1953-1957), General Gustavo Rojas Pinilla created the *Departamento Administrativo del Servicio de Inteligencia de Colombia - SIC* (Administrative Department of the Colombian Intelligence Service), giving birth to “intelligence as a professional activity of the State”<sup>139</sup>. After a few years, and due to the fall of the military regime and the close association between the SIC and the regime, the Administration of Alberto Lleras Camargo, the first democratically elected President of the *Frente Nacional*, introduced some changes, the clearest of them being the transformation of SIC into the *Departamento Administrativo de Seguridad - DAS* (Administrative Security Department). The new organization did not establish clear objectives and by the 1970s it had become, “a changing profile depending on the Director, in an instrument to which the governments of the *Frente Nacional* would come to when the law would not be enough to ensure ‘governance’, as well as performing its role of investigation and judicial police”<sup>140</sup>. Throughout the 1980s and 1990s, without a clear institutional objective the DAS acquired new tasks. As described by Steven Boraz:

The DAS's intelligence mission is to produce strategic state intelligence to guarantee internal and external state security. It conducts collection, analysis, and operations, runs human sources, and is responsible for counterintelligence sections. DAS is also charged with investigating crimes that threaten state security, such as terrorism, kidnapping, drug and human trafficking, and all issues concerning immigration. It is responsible for the personal security of the President and his ministers, and is Colombia's link to INTERPOL. The DAS employs about 7000 personnel (a small number of whom are working specifically on intelligence issues).<sup>141</sup>

With such a broad scope of activities, over the years the DAS saw its main task dilute into other less important but more pressing assignments. According to Andres Villamizar,

DAS is the clear example of an organization, which notwithstanding having an explicit legal mandate, is involved in all kinds of activities distant from its prime task. According to the Decree No. 218, 2000, DAS is assigned with the production of state intelligence to support the President in policy making and decision taking. However, historically, the DAS has not fulfilled this fundamental mission. Instead of focusing its activities towards intelligence and specifically against the main threats to national security, the DAS dedicates a good share of its efforts to combating all forms of common crime, which despite requiring attention by the State do not constitute threats against the national security, as do the insurgency, the drug trafficking and the illegal self defence groups.<sup>142</sup>

As a result, by January 2006, the DAS concentrated the largest share of its personnel and financial resources in VIP protection, criminal investigation and activities other than intelligence and counterintelligence. According to the final report from a Special Commission set up to investigate the way DAS was operating, at the beginning of this year, out of a total 7,039 personnel, approximately 1,319 were dedicated to the protection of VIPs or sensitive installations, 2,227 were assigned to criminal investigation and only 819 were attending DAS's main tasks: intelligence and counterintelligence. The same can be said about financial resources. While only 14 percent of the Department's budget goes to intelligence and counterintelligence activities, nearly 62 percent is distributed among bodyguards, armored cars and criminal investigation<sup>143</sup>.

As with Police and Military Intelligence, the Department contains branches that deal with HUMINT, OSINT and TECHINT, as well as an operations branch. It even contains an Anti-

Kidnapping Branch which functions under the Operations division, therefore replicating tasks that have been placed under the Police's Directorate for Anti/Kidnapping and Extortion - DIASE. It even serves as the INTERPOL liaison office in Colombia, an uncommon practice among other countries who have included the INTERPOL liaison office inside the National Police structures.

However any account of DAS would be incomplete if the latest series of scandals that have hit the institution were left out. During the second half of 2005, rumours were spreading about the infiltration of members of the self defence groups and the drug trafficking organizations into the DAS databases, changing their information and their criminal files. This was done with the inside help of DAS personnel, who went as far as alerting members of AUC and drug trafficking organizations of operatives being carried out by the National Police and the DEA to capture them. This support meant that on various occasions, and thanks to the anticipation with which they received the information, the criminals evaded the authorities' operations against them<sup>144</sup>. An investigation during the second half of 2005 was carried out over this affair and as a result DAS members, including the Head of the Computer and Technology Systems division, Rafael Garcia, were imprisoned.

From then on, the situation would only worsen. In November 2005 a scandal broke because of differences between the Director and Deputy Director of DAS over the handling of an internal problem. The President decided to dismiss them both and to appoint Andres Peñate, who until then had been working as Defence Viceminister, as the new Director of DAS. However, the problems would not stop there. During the first quarter of 2006, Rafael Garcia gave some statements to the press in which he claimed the links between DAS and the AUC sprang all the way to the top, and involved the Director of DAS, Jorge Noguera and other senior officers. Apart from the links to favour the AUC, Garcia accused Noguera of plotting against Venezuelan President Hugo Chavez and of mounting a murder campaign against trade union leaders<sup>145</sup>.

Although Peñate has been quick to make deep changes in the institution, its credibility has been diminished, as he recognized in a recent interview. According to the Director of DAS, "Confidence in the DAS had to be restored, and quickly ... We brought in polygraphs, drew a risk map, and identified the 500 officials who handled the most sensitive information to sit the test"<sup>146</sup>. He has also introduced changes in the administration of the Department, which meant the sacking of five regional Directors and other measures. As he described it, "One of the things that most affected the DAS was that appointments and promotions

ceased to be based on merit. Rather, people would bring in friends from outside. We are strengthening the concept of meritocracy. All but the top three positions are now open to competition”<sup>147</sup>.

Albeit the efforts put forward to improve DAS image, the underlying problem that affects not only the intelligence agencies but also the whole of the Colombian society is the overwhelming financial power of the narcoterrorist organizations and their corruption potential. This has been evidenced for the last thirty years of Colombian history, where the criminal organizations have succeeded in infiltrating the executive, judicial and legislative spheres in varying degrees.<sup>148</sup>

### **3.6. Financial Information and Analysis Unit - UIAF**

The Colombian Financial Information and Analysis Unit (*Unidad de Informacion y Analisis Financiero* - UIAF) was established in August 1999 following the recommendations made by the International Financial Action Task Force in 1989 and the creation of various financial intelligence units in the 1990s<sup>149</sup>. Its main objective, as established by Law 526, is to “detect, prevent, and in general, fight against asset laundering in all economic activities, for which it shall centralize, systematize and analyze all information collected”, from all financial entities and firms that may end up involved with asset laundering operations, which “shall be obliged to supply, either on a regular basis or upon request from the Unit, all the information the present article deals with”<sup>150</sup>.

For its work, the UIAF depends on reports from the financial system, as it has no supervision powers. It receives the information in the Suspicious Operations Report (*Reporte de Operaciones Sospechosas* – ROSE) format that is generated in all financial institutions as well as money exchange agencies and gambling enterprises which may be used for money laundering when they suspect of an illicit transaction. It is this report that initiates the investigation which is continued by UIAF and later handed to law enforcement agencies

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One of the main differences the UIAF has with the other intelligence agencies, is that according to its objectives and structure, the Unit does not bear the power to enforce or act upon its intelligence. In this sense, it stands apart from DAS, Police and Military Intelligence organizations who, aside from being all source agencies in charge of the whole intelligence cycle, possess operations branches which enables them to act on their intelligence. UAIF’s structure, which is described in chart 3.4. consists of three Deputy Direc-

torates, two of which are in charge of strategic analysis and operational analysis, respectively. The third section deals mainly with administrative issues. This has led to UIAF being considered “a real example for the intelligence agencies in Colombia to follow.”<sup>152</sup>

This separation of tasks that characterizes UIAF has been part of its success. In dealing with money laundering it has established institutional links with the Attorney General's Office and judicial police agencies such as the National Police's DIJIN (*Dirección de Policía Judicial*) and DAS, all of which are assigned to act upon the information they receive from the Unit. Witness to this success has been the “open doors” program, an occasion in which representatives from other countries visit the Unit to deepen their knowledge on new techniques for fighting money laundering and strengthening the ties between financial units around the world. In 2005 the second “open doors” forum was held in Bogota with the participation of financial units from 19 countries as well as multilateral agencies such as the World Bank and the United Nations Latin American Legal Assistance Program<sup>153</sup>.

### **3.7. Joint Intelligence and Counter-Intelligence Command - J2<sup>154</sup>**

With the appointment of Minister of Defence Luis Fernando Ramirez in 1999, the Colombian Armed Forces began a process of transformation from a single service to a joint command structure, following similar transformations occurring around the world in other Armed Forces, specially the United States of America through the Goldwater-Nicholls Act for joint operations<sup>155</sup>. Within this transformation process, intelligence has also been affected, as can be derived from the Minister of Defence's introduction to the Democratic Defence and Security Policy:

The Security Forces professionalization process will be accompanied by an effort to increase coordination and joint work within the Security Forces as well as between the Security Forces and the States' judicial and investigative institutions. An example of this is the coordination in intelligence. From the beginning of this administration the Ministry of Defence has staged joint meetings of the Intelligence Directorates of the Armed Forces, National Police, DAS, and the Attorney General's Office. This coordination is already bearing fruits.<sup>156</sup>

With this new ‘joint’ vision, the General Staff ‘2’ section was transformed three years ago into the Joint Intelligence and Counterintelligence Command, subordinated to the Joint Chief of Staff. Its task is to articulate and coordinate the operations of the Army, Navy and Air Force intelligence services, through the Joint Intelligence Center, a tri-service division

of J-2, which ensures that the Directives instructed by J-2 are effectively followed. The Joint Intelligence Command, as opposed to the single service intelligence commands, has no operational role, and therefore only works with strategic intelligence in an advisory role. Its structure is divided into four Directorates: external intelligence, counter intelligence, administrative resources and the Joint Intelligence Center (*Centro de Inteligencia Conjunta* - CIC), which as has already been mentioned, ensures that the information flows smoothly between the Joint Command and the single service's intelligence staffs.

### **3.8. Joint Intelligence Committee - JIC**

Realizing the need for a more integrated approach from the Colombian intelligence agencies, in 1995, President Ernesto Samper issued Decree 2233 by which the National Intelligence System (*Sistema Nacional de Inteligencia* - SINAI) and the National Intelligence Technical Council (*Consejo Tecnico Nacional de Inteligencia*) were created<sup>157</sup>. The Decree alluded to intelligence as “a Government's task whose objective is to serve as a tool in the decision making process of the state, and in consequence, contributes to safeguard the peace and security of the Nation”<sup>158</sup>, and established the creation of the SINAI on the basis of the need to develop “an integrated and coordinated mechanism between the various governmental entities entrusted by the juridical order to carry out this task [intelligence]<sup>159</sup>.”

Unfortunately this effort would fail, and after less than six meetings during 1996<sup>160</sup> it would never meet again. According to Laudo Fernandez, a former Director of Intelligence at DAS, the SINAI did not work, among other reasons, because “there was no political will to enforce its mandate, there was a lack of interest of the agencies in working as a community, and the Decree was issued without an open debate among the intelligence agencies over its content”<sup>161</sup>. However arguable these reasons for failure may seem, the fact that the administration of Ernesto Samper was more worried about being able to stay in power rather than to govern, did not give the SINAI much chance of survival<sup>162</sup>.

The next opportunity to revive such a space for the integration of the intelligence agencies would not come until the Uribe administration. In 2002, and after being elected President of Colombia, Alvaro Uribe requested assistance in intelligence matters from the United Kingdom's Prime Minister Tony Blair. As a result, a British advisor was sent to work with the Colombian intelligence agencies in the creation of a Joint Intelligence Committee (*Junta de Inteligencia Conjunta* - JIC) which would serve as a “space for intelligence coordination and to develop the Democratic Defence and Security Policy's mandate”<sup>163</sup>. Although

the JIC has been a step in the right direction, as can be seen in the consistency and frequency of the meetings since its inception (every two weeks since its inception under the leadership of the Viceminister of Defence and the J-2 Chief), it does not yet have a legal basis, much in the same way as many other of the intelligence agencies' activities in the country.

Notwithstanding the above, the four main objectives of the JIC, "To elaborate unified reports and recommendations on issues which facilitate the strategic decision making process in security matters for the National Government, propose policies in intelligence matters, translate into intelligence requirements the Government's security policies and serve as a coordination space for information sharing on terrorist attacks" have proved useful so far<sup>164</sup>.

### **3.9. Plan Colombia**

Throughout the consolidation of the military intelligence organization, the influence of the United States has been felt all along. From the special advisors sent to train the Colombian Army in basic military intelligence in 1962, to the intelligence mission that made some recommendations to the Gaviria administration for the 1991 intelligence reform, to the very recent Plan Colombia projects which have boosted the military capabilities, the U.S. weight can be seen in the Colombian military in general, and more specifically in the intelligence community.

Although resources from the United States for the Colombian authorities had been flowing since the late 1970s and early 1980s, when the U.S. Government delivered aid to the Colombian National Police's efforts in eradicating marijuana crops from the Sierra Nevada de Santa Marta and the Llanos Orientales regions<sup>165</sup>, it was only with the entry into force of the so called Plan Colombia that a bilateral coherent and planned strategy was set in place. According to the *Departamento Nacional de Planeacion* (National Planning Department – DNP), Plan Colombia

Is a bilateral cooperation integral strategy, whose general objective is to combat the illicit drugs and organized crime, therefore contributing to economic reactivation and the achievement of peace in Colombia. This agreement is based on the shared responsibility principle, which recognizes that the world drug problem is a common responsibility shared by the international community that demands an integral and balanced vision to confront the supply and demand of illicit drugs. Fur-

thermore, Plan Colombia encourages the efforts and the results achieved by Colombia in its fight against the world's drug problem.

Likewise, Plan Colombia is designed to strengthen the State and Colombian society to overcome the narcoterrorist threat, within a context of strengthening the democracy and human rights, while at the same time improving the economic and social conditions of the most vulnerable population.<sup>166</sup>

According to figures from DNP and the Defence Ministry, during the period 1999-2005, the United States has put into Plan Colombia nearly US\$ 3,780 million of which around 85 percent was destined to either the institutional strengthening or the fight against illicit drugs programs. It is as part of these programs that the Colombian intelligence community has received resources and funding for various projects, the most important being the acquisition of intelligence aerial platforms for communications interception for the National Police, the Air Force, and the Navy. The Army has also received aerial platforms for intelligence collection, but these have been acquired with their own resources. In practice this means that all three services and the National Police maintain the capability to work TECHINT with the help, in most cases, of the United States Government.

Although the aid received from Plan Colombia has boosted military and police capacity to levels which would not have been possible otherwise, new channels have opened for the Police and Armed Forces leaders to overcome the lack of resources and funding from the Colombian Government, a clear case being the aid provided during the late 1990s decade to General Rosso Jose Serrano, Director of Colombia's National Police<sup>167</sup>. This practice has undermined the planning processes that result from a well defined national intelligence policy.

In as much as the Armed Forces chiefs can obtain resources outside which they are denied locally, not only are policies ineffective, but also, as pointed out by Nicole Ball, "despite considerable rhetoric about 'empowerment' and 'ownership' donor agencies and their representatives frequently insist on defining what is to be done, how is it to be done, and who is to do it<sup>168</sup>. This practice has introduced a high level of distortion to the intelligence community. In the event a requirement arises, Plan Colombia gives incentives for acquiring new resources as opposed to looking for institutionalized and cooperative solutions. This is clearly one of the issues to be addressed if, as Mark Joyce states, "The levels of



political investment in Plan Colombia, both in Washington and Bogotá, are sufficiently high that the Plan is unlikely to be scrapped in the foreseeable future”<sup>169</sup>.

## CHAPTER 4. THE COLOMBIAN INTELLIGENCE COMMUNITY:

### THE PRACTICE

“If *community* (sic) is taken to mean a large organization with common goals, purposes, and direction, then the phrase *Intelligence Community* (sic) is, in fact, an oxymoron”<sup>170</sup>. Even though this phrase refers to the United States Intelligence Community, its significance could well be applied to other countries’ Intelligence Communities, including Colombia’s. Many factors have affected the evolution of the Colombian intelligence agencies for, as has been noticed, they “were created and developed like most bureaucracies throughout history – haphazardly, independently, competitively and awkwardly”<sup>171</sup>.

In this sense, the present chapter will attempt to give a more detailed picture of how the Colombian intelligence agencies interact and how they are moving towards greater integration, following the path set out by the Democratic Defence and Security Policy. In setting out its objectives, the policy underlines the need for “promoting all measures which contribute to the intelligence integration, such as the horizontal exchange of information between agencies, the confidence building through the safe use of information, the responsible protection of sources and the joint release of operational successes”<sup>172</sup>.

#### 4.1. Intelligence Community?

Perhaps the most vivid description of the evolution of the Colombian intelligence agencies is expressed by the former Viceminister of Defence, Andres Peñate, the Defence Minister’s delegate to the JIC, and the current Director of DAS. In his words,

Before [1990 and the Gaviria Administration], the debate was about the need to play music and not having the right musical instruments; today, we have excellent instruments and people that know how to play them well, but we need to articulate them into an orchestra so they can play together.<sup>173</sup>

This lack of an integrated intelligence community is reflected in the lack of a structure oriented towards the close interaction between the various intelligence agencies. Not one agency within the Armed Forces, the National Police agencies, DAS or UIAF, includes in its organizational structure a direct link to the JIC, the only entity created with the specific purpose of intelligence integration. This situation is worsened by the fact that other than its mention in the Democratic Defence and Security Policy<sup>174</sup>, and notwithstanding various efforts at formalizing its existence<sup>175</sup>, the JIC experiment in Colombia still lacks a legal framework to exist and in which to operate. In practice this means that the only integration channel for the intelligence community as a whole does not exist by law. Therefore, the intelligence community structure is missing a formal workplace to which all agencies can relate to and interact in as an effective community.

#### **4.2. Problems with structure: our lack of external eyes**

Other problems arise from the current structure, none more obvious than the absence of the Ministry of Foreign Affairs or another legitimate user and producer of external policy and information. Colombia, as any other country within the international community has foreign interests<sup>176</sup>. To address those interests, the government must collect and produce intelligence in order to take informed decisions. As the Geneva Centre for Democratic Control of the Armed Forces has noted,

The mission of foreign intelligence is to obtain, correlate and evaluate intelligence relevant to external security and for warning purposes. Maintenance of external security requires knowledge of the threats, dangers, and risks as well as of the opportunities and likelihood of events and outcomes up to aggressions. Hence, information is needed about intentions, capabilities and activities of foreign powers, organizations, groups or persons and their agents that represent actual or potential threats to the state and its interests.<sup>177</sup>

However, in Colombia there is no institutional relation between the Ministry of Foreign Affairs and the intelligence community. The Ministry does not contribute to the only intelligence interagency body, the JIC, and has no institutional contact in any way with the individual intelligence agencies. In this sense, and as the Director of DAS stated when interviewed by the autor, Colombia is lacking “capabilities to collect intelligence about the threats faced by Colombian interests further away from our borders”.<sup>178</sup>

Jaramillo has pointed out that, “Colombia, like the other countries of the continent – with the exception of Cuba - has never had the type of foreign policy interests to justify a real international intelligence service”<sup>179</sup>. However, without the Ministry of Foreign Affairs as an intelligence consumer and a source of foreign information, there is no legitimate demand for external intelligence, and consequently it can be assumed that strategic decisions on external affairs are taken without the best possible information available. This separation between a potential consumer and the producer of intelligence is a result both of the absence of an intelligence product that is useful to the potential consumer, and of the lack of knowledge from the potential consumer of what the intelligence product can help him achieve<sup>180</sup>.

The current structure not only keeps other entities with clear interest in the intelligence product outside the intelligence community, but also challenges further integration. As is clear from the previous chapter, the organizational structures of the intelligence agencies were not created with their integration within the intelligence community in mind. Even agencies within one organization, such as the Army, Navy and Air Force intelligence structures, which are presumed to come together under J-2, are not working as close as they should be. In this sense, although the intelligence cycle is working properly inside the agencies, various principles have been neglected, namely the tasking process and the availability of the information for decision makers.

### **4.3. The Armed Forces**

In theory, the creation of the Joint Intelligence and Counterintelligence Command was based on the need to “integrate the areas of intelligence and counterintelligence of all services” and to serve as the “directive and guiding body for all intelligence commands”<sup>181</sup>. In practice it works differently. Even though J-2 is expected to serve as the “directive and guiding body” of military intelligence, a mission for which control of tasking is required, the Army, Air Force and Navy Commanders also rely on their service intelligence commands for their own intelligence needs. The service Commander’s intelligence requirements, for which they obviously task their service intelligence units, do not necessarily match those of the J-2, creating a friction that will be felt by the service Intelligence Directorate Chiefs. While in practice they owe their allegiance, the resources they receive, and their future career to the Army, Air Force or Navy Chief Commander, in theory they are expected to work under the guidance of and for the ‘benefit’ of the Joint Command.

On the other hand, J-2 has been left almost an exclusive advisory role, leaving the intelligence operations to the services. The J-2 is dependent for the collection and collation stages of the intelligence cycle on the single service intelligence agencies. The only exception to this rule are the jurisdictions covered by Joint Commands and Joint Task Forces, which presently represent a minimal fraction of the territory<sup>182</sup>. In these cases, Joint Commands and Joint Task Forces deliver the collected information straight to the J-2 analysis unit, the CIC. For the rest of the jurisdictions, which in practical terms means most of the country’s territory, Army, Air Force and Navy intelligence services deliver the collected information to their analysis units and only later is the information they deem necessary disseminated to the J-2.

Discussing about a similar situation, Taylor and Goldman argue that in the United States Intelligence Community,

No significant improvement will occur until the DCI (Director of Central Intelligence) is actually given some kind of personnel and budgetary authorities over all Intelligence Community entities. No bureaucracy will have the desired coordination and unity if the putative director of that community lacks control over the career advancement and salaries of those he or she needs to coordinate.<sup>183</sup>

Another difficulty that arises from this current arrangement within the Armed Forces intelligence agencies stems from the differences in hierarchy both in the positions within the structure, and the officers appointed to them. While in the Air Force and Navy structure, the intelligence units are subordinate to the Second Commander, and headed respectively by a Brigadier General and a Rear Admiral, in the Army structure the intelligence Directorate is subordinate to the Operations Command. Presently, J-2, itself a Command, is headed by an Air Force Brigadier General, who might have difficulties in tasking and directing officers who might be senior to him or who feel their service has more to offer.

This feeling pervades throughout the Army, as being the oldest and largest service, it has been known to underestimate other services and contradict their views. Such proved to be the case in April 2005 when the President sacked four high ranking Generals, including the Army's Second Commander and the Inspector General, who publicly expressed their disagreement with the Defence Minister and the Joint Chief of Staff, over the creation of Joint Commands in some regions. In their opinion, the joint command policy was mistaken and would crumble the Army's unity, taking into account it was the largest service, with around 220,000 members, and the leading force in the fight against the terrorist organizations<sup>184</sup>.

A final problem within the Armed Forces intelligence services comes from different visions that have resulted from their doctrine, training and orientation. Even though in the 1960s and 1970s, with the creation of intelligence first in the Army and then in the Air Force and the Navy, there was only one doctrine and one

training school attended by all three services, over the years, and as described in the previous chapter, this has changed. Presently the three services not only have different doctrines but also separate training facilities, which in turn lead to differences in intelligence practices.

From interviews carried out with members of the Armed Forces intelligence services, the understanding of their role and of intelligence concepts is uneven. It seems that in the Navy concepts such as strategic, operational and tactical intelligence are very similar to those found in western intelligence literature. This is probably because of the recent creation of the naval intelligence school and the fact that it has been influenced largely by the United States Navy in both its doctrine and training. However, the Air Force and the Army or J-2 seemed to have different, although not contradictory understandings.

#### **4.4. The National Police**

In the National Police, the DIPOL is clearly empowered as the guiding body of intelligence within the National Police. According to General Chavez, head of DIPOL,

At the Executive Level Police Intelligence Committee, which meets with the intelligence units from the Anti-kidnapping and Extorsion Directorate – DIASE, the Antinarcotics Directorate (*Direccion Antinarcoticos – DIRAN*), and the Road Police Directorate (*Direccion de Policia de Carreteras*) every 15 days, upon convocation of DIPOL, we generate the doctrine, training and intelligence operation guidance. At the Directive Level Police Intelligence Committee, which holds meetings every month with all the Operational Directorates' heads, we generate intelligence policy for the National Police Operational Directorates.<sup>185</sup>

In this sense, the DIPOL exercises effective leadership over intelligence within the National Police, even though it neither controls does not control nor centralizes the intelligence activities, which are an inherent part of each operational Directorate. On the other hand, and in similar circumstances to the Colombian Na-

vy, the National Police has had an important influence from the United States Government over the years. As Michael Kenney rightly notes,

Washington and Bogotá entered into a series of agreements in which the U.S. provided substantial material and symbolic assistance to reform existing institutions and create new ones, including specially trained enforcement and investigative units...prominent among these efforts was the computerization of law enforcement intelligence collection, analysis, and dissemination systems, the creation of a new CNP (Colombian National Police) Directorate for Intelligence (DIPOL) in 1995, and the construction of a state-of-the-art *Central de Inteligencia Política* to support DIPOL programs three years later.<sup>186</sup>

As with the other intelligence agencies, DIPOL lacks any formal links in its structure to the JIC. This situation stems in part because of the lack of JIC legislation, but also from the lack of clarity in the assignments of roles and missions throughout the wider security community. For General Chavez, DIPOL's Director, this confusion over who does what is one of the main obstacles to further integration.<sup>187</sup>

#### **4.5. The Ministry of Defence**

Even though the Ministry of Defence does not have an intelligence structure, it is one of the most important organizations within the intelligence community puzzle as it controls the Armed Forces and National Police, and therefore the whole of those institution's intelligence agencies. In fact, the JIC was an initiative launched by the Minister of Defence, after the British Government had agreed to cooperate with Colombia on a request by President Uribe, as explained in chapter 3. For this reason the JIC is headed by the Minister of Defence or his representative, and attended by the heads of the other intelligence units belonging to the Armed Forces and the National Police, as well as DAS and UIAF.



Other schemes have been launched by the Ministry of Defence in its aim to improve the intelligence product through a deeper integration of the intelligence agencies. *Plan Cancerbero* is an operation to eliminate or apprehend high value targets, where National Police and Armed Forces intelligence chiefs meet with the Minister of Defence to gather information and eliminate undesirable compartmentation of the intelligence between the agencies. Civilian intelligence agencies do not participate in this operation which is presently assigned to an Army Brigadier General, who is directly responsible to the Minister of Defence.

Success of JIC and *Plan Cancerbero* is mixed. For former Defence Minister Jorge Alberto Uribe, the cultural factor that inhibits the Armed Forces to integrate better is deeply entrenched and not easily overcome. As the Minister described, intelligence concealing among the Armed Forces and National Police was such that to keep information from others attendants to *Plan Cancerbero* meetings would share unimportant information during the gathering, and privately report to the Minister any valuable intelligence they had collected<sup>188</sup>. Some of these issues have been overcome by sheer insistence on the part of Ministers Uribe and more recently Ospina, who have made an effort in making sure whatever intelligence is given to them is shared between the agencies.

The results have borne fruit. For General Chavez, from DIPOL, the methodology used for *Plan Cancerbero* is becoming more useful, as officers are not allowed to approach the Minister privately. Even if they try to, because of the Minister's compromise with intelligence sharing, such an action will be considered wrong. In his words,

*Cancerbero* was working at 2 per cent of its potential [at the start], but now we're working at 60 per cent of our capability. If we have not captured a high value target its not because of intelligence, but because some things have gone wrong during the operations<sup>189</sup>

Two issues arise from this experience. First of all, despite Minister Uribe's disap-

pointment with *Cancerbero's* results, it was a move in the right direction and his perseverance and that of Minister Ospina have resulted in a scheme that is beginning to be appreciated by all involved. Time has been of the essence. Second, joint task forces or committees have a room among the Colombian intelligence community, notwithstanding an organizational aversion to their creation. In Andres Peñate's words, "there is a cultural feature we are missing here, which is somewhat the formal Governmental procedures in committees and councils, because that is not the way we work over here"<sup>190</sup>. Infiltration enforces this isolation culture. Because shared information can all too easily be leaked, compromising sources and methods and leading to intelligence failure, there is no incentive towards cooperation and information sharing. Given the corruption and bribery all too prevalent during the era of the cocaine wars, the final balance has yet to be assessed.

But other issues remain. The lack of a body where intelligence consumers and producers other than the Armed Forces and the National Police interact regularly in defining the intelligence requirements and the tasking and collection priorities have meant that intelligence has been used, mainly for tactical and operational purposes against drug trafficking organizations and terrorist groups. Intelligence for strategic state purposes is close to nonexistent. This was reflected in the shaping of the Democratic Defence and Security Policy that embodies the key national security issues affecting Colombia, which did not even require the intelligence community's views. In Sergio Jaramillo's words, responsible at the time for the policy, "Basically, what we did was take the policy guidelines President Uribe had drawn since his campaign, and by the Defence Minister's initiative, transform them into a policy we expect to be coherent, from the state and that dictates the whole government's security effort"<sup>191</sup>.

The JIC experience has not been the solution. Although in the beginning it was expected to become the bridge between the decision - making bodies and the intelligence community, this never materialized. The Colombian Government has not yet found a proper scenario for the interaction between intelligence producers

and consumers where strategic intelligence requirements are tasked and the results are disseminated in an all-source community backed product.

The Security Councils where the President, Minister of Defence, heads of the Armed Forces and National Police and the Director of DAS meet, have not become such a place either. One interviewee mentioned the ground that the intelligence is losing before the decision maker's eyes, because of the way intelligence is disseminated. In those Security Councils, the head of every Armed Force is expected to have and share the information its service has collected, something that is neither possible nor desirable. In the end, the service commander is not responsible for the intelligence section. There is also no evidence that the intelligence reports are acted upon by the intelligence consumers for either taking actions or making decisions.

The JIC has also shown that joint meetings are not enough. Even though sharing information is a good start, the intelligence agencies still duplicate efforts and underutilize resources. The Director of DAS exposed a clear example when he explained how in this year's budget both DAS and Army intelligence were investing resources in acquiring or improving satellite communications interception. This is replicated all over the Armed Forces and National Police, where intelligence capabilities have been designed as almost perfect substitutes, where complementarities are scarce.

There have also been other lessons. It is quite common to adhere to some policy because everyone does. As Johnson reminds us, "according to an expert on organizational behaviour, this tendency to get along with others and go along with the system is preferred [in all government bureaucracies]"<sup>192</sup>. Such is the case with jointness. Unfortunately, and even though there seems to be a clear objective, there is no clear end result on sight. JIC has shed some light into how a real community should work, and how it should look<sup>193</sup>. As with Cancerbero, JIC has shown the importance of the time factor in the creation of an effective community and the possibilities that interagency task forces have when designed with a spe-

cific purpose. Unfortunately, JIC suffers from a lack of direction from the intelligence consumer level, creating a disconnect with the intelligence producer level.

#### **4.6. Financial Information and Analysis Unit - UIAF**

Even though UIAF has been claimed as “one of the best institutions of its kind in the region”<sup>194</sup> and an example to be followed by the other Colombian agencies<sup>195</sup>, the financial intelligence service’s role within the intelligence community is not as definitive as it seems. By law<sup>196</sup>, UIAF cannot share its information, information that in turn it receives from financial institutions and other enterprises which can be used for money laundering purposes. As was mentioned earlier, UIAF has no supervisory role, a condition which has been explicitly sought by its former Director General<sup>197</sup>. In this sense, the role of UIAF, however fundamental, is limited to the collection of a report which is delivered by a financial institution or required enterprise in the event of suspected anomalies in financial transactions. In case UIAF analysts believe the transaction involves illicit operations, UIAF can request further information from the entity that issued the report, which can then be stored or passed on to the Attorney General’s Office, the DAS or DIJIN so that they can initiate a judicial investigation. The proofs collected by UIAF do not constitute valid evidence in a Colombian court.<sup>198</sup>

Accordingly, UIAF cannot share information from the cases it handles unless there is an open investigation or a known criminal is involved. It cannot start an investigation on a prospective terrorist, because of the lack of a supervisory role, and it cannot share its findings in the JIC, where it holds a seat, not least because the JIC has no legal framework. Even if it had one, UIAF’s interaction with other intelligence agencies would be limited by the fact that it can only share information after an investigation has been opened, a decision that is taken by DAS, DIJIN or the Attorney’s Office. Bearing in mind that DAS and DIJIN participate in JIC, there is no information UIAF can share that is not already in the hands of other members of JIC.<sup>199</sup>

#### **4.7. Security Administrative Department - DAS**

Since the scandals over AUC infiltration in DAS were exposed to the public by the press in September 2005 and April 2006, much has been debated over the future of the agency. According to Decree No. 634, 2004, DAS is responsible firstly, for the “production of the State intelligence required by the National Government and of formulating policies in intelligence matters to guarantee the internal and external national security of the Colombian State”<sup>200</sup> and of “guiding the strategic intelligence activity of the State in the internal and external fronts”<sup>201</sup>. Unfortunately, many factors have eroded this capacity. These include the lack of interest in the intelligence product, a diluting of its main task due to other more pressing but less important assignments<sup>202</sup> and the lack of trust generated by the infiltration scandals in which it has been enmeshed.

Today, DAS can be found to provide protection to threatened individuals in Colombia, acting as judicial police, serving as the INTERPOL liaison office, and even carrying operations against terrorist organizations. Indeed, in an unfortunate operation against a FARC leader, on April 20, 2006, ten DAS agents were ambushed along with six other Army members by FARC in what resulted in the biggest setback for the institution since its inception. This incident occurred one and a half months after a Commission that had been created by the President to evaluate the critical situation in DAS, had proposed that the institution should “redefine its action plan and focus its intervention efforts in the production of strategic intelligence and the development of counterintelligence activities, in such a way that its other tasks have a direct and complementary relation with its principal mission”<sup>203</sup>.

Fortunately for DAS, its current Director, Andres Peñate, has the backing of the President, the knowledge of how things work within the intelligence community and the desire for change. According to *Jane's Intelligence Review*, “Peñate is introducing 'corporate-style' reforms intended to return the DAS to its 'core business' of intelligence and terrorism prevention”<sup>204</sup>.

However, DAS's troubles lie not only within the institution, but also in the absence of effective intelligence consumers. When asked about the factors that attempted against intelligence integration, Mr. Peñate stated,

We are missing the system, a system that pairs supply with demand. As I said before, now we have good instruments but we need to write a piece that suits the taste of the audience, and the audience must know that the music can help them.<sup>205</sup>

The system Peñate talks about, and the one he refers to as the musical piece, is what he has termed the National Intelligence Plan (*Plan Nacional de Inteligencia*), a scheme designed by the intelligence community based on the needs of the consumers that determines the assignments each intelligence agency will be responsible for<sup>206</sup>. For the moment there is no such plan. Therefore, intelligence consumers do not know what to expect from intelligence agencies. In this sense, one interviewee related how Ministers and high government officials only address the Director of an institution which is responsible for the country's strategic intelligence to request armoured cars, help with the expedition of the judicial background certificate, or the DAS VIP room in the airport departure lounge<sup>207</sup>.

On the other hand, DAS mixes investigation and intelligence, two tasks that have been separated in western countries between the Law Enforcement Agencies and the Intelligence Agencies. Such a division, it is argued, stems from different requirements in training, resources and goals. As Shulsky points out, "in general, very little law enforcement activity is devoted to preventing crime (except by deterrence) as opposed to detecting it afterwards and apprehending the perpetrators"<sup>208</sup>.

However, terrorism has begun a slight shift in that trend, because "the secret of winning the battle against terrorism in an open democratic society is winning the intelligence war"<sup>209</sup>. As terrorism becomes local, intelligence agencies are forced to create partnerships with the law enforcement agencies. In a recent report by the Rand Corporation, the law enforcement agencies' support to traditional intel-

ligence was highlighted because “the evidence gathering can support traditional intelligence activities... and the law enforcement agencies’ work may result in prosecutions, which in turn disrupt or prevent planned terrorist activities”<sup>210</sup>. This is a role for DAS in Colombia has played: linking the judicial authorities with intelligence agencies.

Similar experiences are found in the city of Los Angeles<sup>211</sup> and in France<sup>212</sup>, with only one main difference: in both cases, as opposed to Colombia, there is a transparent and clear legal framework for intelligence to work in. Not only is there a legal framework, but also, judicial guidelines to support counterterrorism operations. In the case of the Los Angeles Police Department, those guidelines allow counterterrorism investigations to open not on a “probable cause”, but on a “reasonable suspicion”<sup>213</sup>. For France, and because of the terrorist threat it faced during the 1990s,

This refinement in the law [codify conspiracy to commit or participate with the view to the preparation of any act of terrorism itself as terrorism] allowed the investigating magistrates to open investigations and to deploy their expertise and judicial tools before terrorist attacks took place, thereby enhancing their competence not just for punishing terrorist attacks, but also for preventing them in the first place.<sup>214</sup>

This refinement has not yet been implemented in Colombia.

Notwithstanding all the problems the DAS is presently facing, the fact that a Special Presidential Commission was setup to evaluate and propose solutions to the crisis is an important first step. For however accurate the Commission’s recommendations have been, and judging by Sergio Jaramillo’s criticisms they will not be very useful, the Commission’s work has at least initiated an internal debate within DAS over what its role and mission inside the intelligence community should be. In Andres Peñate’s words, “the Special DAS Commission gave some

recommendations but also generated an important discussion process within DAS, which has not yet finished”<sup>215</sup>.





## **CHAPTER 5. CONCLUSIONS AND RECOMMENDATIONS**

Perhaps the most noticeable of the conclusions, an issue that deserves wide recognition, is the effort that has been undertaken in the last ten years by all the intelligence agencies towards a more professional and able community. Although the processes have initiated at different moments and with different intensities among them, the evolution process in which the agencies are involved and the level of professionalism that characterizes them presently has been evident all along.

Part of this professionalism is revealed in their utmost respect for democracy and the democratic values for which the Republic of Colombia stands. Even under the special situation in Colombia, due to the conflict generated by terrorism and drug trafficking, the Colombian intelligence agencies have maintained, albeit individual and isolated cases, a clear focus on what their task should be. For this they deserve the nation's respect.

### **5.1. Strengths**

#### **5.1.1. Tactical and Operational Intelligence Capabilities**

Although the intelligence community possesses great strengths, none other matches its human resource. Men and women who over the years, and by confronting an adverse internal situation where terror and crime have converged, have acquired important tactical and operational capabilities that have translated into a significant skill to disrupt drug trafficking cartels as well as terrorist organizations.

This development of intelligence know-how has been extremely important in confronting the internal security problems posed by terrorism and illicit drugs, for the consequences of operational and tactical actions often result in strategic outcomes. The tactical and operational intelligence capabilities of the Colombian intelligence agencies have grown into one of their main strengths, something that has been greatly influenced by the demands of the internal situation.

#### **5.1.2. Increased Organizational Importance**

Years of developing HUMINT, TECHINT and OPINT methods and sources and improving the overall capacity have increased the intelligence agencies' relative importance within

their organizations. Such has been the case of the intelligence units in the Armed Forces and National Police, which started out as small departments back in the 1970s and since have transformed, with the exception of the Army, into operational commands, overcoming a traditional support role, and assuming responsibility for the creation of doctrine, training and operations.

### **5.1.3. Integration of Intelligence and Investigation**

It is the Colombian internal situation, which questions the traditional strict separation of intelligence and law enforcement activities, that has largely influenced the evolution of its intelligence community and its present day structure, and has resulted in tailor-made solutions for overcoming the difficulties posed by an internal enemy. This can be especially seen in the work carried out by DAS, which enjoys a privileged position both as the link connecting the judicial and intelligence areas, and as the entity responsible for creating a smooth conduit between the bodies involved in producing intelligence and those acting upon it, both in terms of operations and prosecution.

### **5.1.4. Internal Recognition of Integration Gains**

The Colombian intelligence community has recognized the need for better integration among themselves in order to accomplish improved results. This recognition is borne out of the initial experiments that have been carried out within the Colombian intelligence agencies such as the JIC, the CIC and *Plan Cancerbero*. The outcomes that have resulted from these schemes have strengthened the confidence of the Armed Forces, National Police, DAS and UIAF, in the gains achieved by increased integration.

### **5.1.5. International Cooperation**

In this effort, international cooperation from countries with a well-deserved tradition in intelligence, such as the United States of America and the United Kingdom, have been crucial. Although as has been described in Chapter 2, no system is perfect and both of these intelligence communities are constantly under criticism from various standpoints, cooperation projects such as the Colombian adaptation of the JIC experience and the strengthening of the Navy's Intelligence Command provided by the United States, among others, guarantees not only a level of competence but also a high degree of respect for democratic values and human rights.

## **5.2. Weaknesses**

However, all is not good. Serious weaknesses undermine the transformation from a group of separate intelligence agencies to an effective integral intelligence community

### **5.2.1. Disrupted Communications at the Strategic Level**

To begin with, at the strategic level there is a wide gap separating the intelligence consumers and the producers. The lack of a national intelligence plan is a visible consequence. As Andres Peñate, Director of DAS, stated,

There is no system to couple demand and supply at the strategic level. The inexistence of such a link has meant that the intelligence community's role in the government apparatus has been limited to the tactical and operational levels against the criminal enterprises, actionable intelligence as some may call it, but very little or no work at all has addressed long term, strategic issues affecting the State.<sup>216</sup>

This situation has worsened over the years because of both a deficiency in the intelligence agencies to let their real significance be known to the intelligence consumers, and at the same time, a deficiency on the part of the intelligence consumers who have not expressed an interest in developing links with intelligence, a fundamental tool for their decision making process. This has clearly been the case with the Colombian Ministry of Foreign Affairs, an institution that is entirely detached from the intelligence community.

### **5.2.2. Distorted Roles and Missions**

Another element affecting the intelligence agencies is the way in which the State's security apparatus has confronted the internal enemy over the last 20 years. In doing so, the Armed Forces, the National Police and DAS have lost their original identities and their roles and missions have been confused. Today, the police engage in military activity just as the military do with police work. A case in point was described in Chapter 4, when in an unfortunate event, ten DAS members and six Army soldiers were ambushed by FARC when they attempted to conduct an operation against some members of that terrorist organization.

In this confusion, incentives have arisen for single services to acquire all source intelligence sufficiency, which is reflected in today's duplication of resources and intelligence structures. The Armed Forces, the National Police and DAS have almost replicated their intelligence structures, which means that in practice they all have comparable capabilities

in HUMINT and TECHINT, as well as collation, analysis and dissemination capacities. Because there is no specialization, every agency can produce a single, self-sufficient intelligence product, which reaches the intelligence consumer without being tested for common mistakes such as mirror imaging or circular intelligence.

### **5.2.3. Duplication**

Specialization is also sought for decreasing the waste of efforts and resources through duplication, the unhealthy competition that arises between the agencies, and the compartmentation of the information. Furthermore, the duplication has eliminated any incentive to integrate the intelligence capabilities. If every agency can run the whole spectrum of methods and sources, collation, analysis and dissemination, little is going to be gained out of stronger links and cooperation.

### **5.2.4. Cooperation-led Distortion**

This situation has been worsened by the lack of clear international cooperation channels and procedures, especially with regards to *Plan Colombia*. As was mentioned in Chapter 3, *Plan Colombia* has boosted the Colombian military and police capabilities. Unfortunately, the down side of this has been the way this cooperation has at some points been used by different people to “jump over” legal, planning or resource restrictions. As a result, incentives have since appeared for further isolation between the agencies.

### **5.2.5. Demand for Immediate Results**

The demand for immediate results has also weakened the intelligence integration process. Immediate results, fed from short term, actionable intelligence are privileged at the detriment of longer term, strategic intelligence aimed at influencing decisions, not actions or operations. This way the specialization of the intelligence agencies in short-term operational and tactical intelligence is reinforced, fuelling a logic of tactical results, which create a demand for more tactical results, that can only emphasize the need for actionable intelligence. Here the vicious cycle starts again.

### **5.2.6. Lack of Unified Vision and Understanding**

A very important issue that has yet to be resolved is the unification of intelligence’s conceptual base. It is clear from the Literature Review in Chapter 2 that there exists no consensus over the meaning of intelligence, or of other concepts involving intelligence in strategic, tactical, operational or internal dimensions. Even though this is a good sign and re-

flects an ongoing debate within academia, the same lack of consensus cannot extend to the Colombian intelligence agencies. This is not just a question of semantics.

If there is to be clarity about the roles and missions of the intelligence agencies then there needs to be clarity about the concepts that underlie those tasks. The lack of a single language within the Colombian intelligence community may become an obstacle down the line in the integration process particularly if there is going to be any successful attempt to clarify the missions and roles the agencies are expected to fulfil.

In this sense, there seems to be a lack of clarity about what intelligence can provide for the consumers, how to integrate the intelligence community's efforts for a better product, and how an integrated and effective intelligence community will look in future. Those seem to be the kind of questions that have not yet been answered by the community and that need to be addressed if a coherent policy on this issue is expected. Failing to do so will merely continue the way in which the intelligence agencies have evolved over the years, a process described in Chapter 4 as haphazard and disorderly.

#### **5.2.7. Lack of Legal Framework**

As a result of the lack of clarity on both the intelligence producers and consumers, the intelligence activities in Colombia do not have a legal framework. This necessary process of legalizing the intelligence activity in Colombia, includes the framework for the intelligence activity, the formalizing of JIC and the issuing of judicial guidelines that allow intelligence to integrate further, by including the active prevention of crimes. Such an exercise will require prospective thinking, especially when variables such as the intelligence legal framework depend upon its outcome.

### **5.3. Threats and Opportunities**

The path towards the integration of the intelligence agencies, has already been marked, not only by the Democratic Defence and Security Policy, but also by the resolution of the members of the intelligence community. Since 1995, when the SINAI was first launched as an answer to the lack of coordination within the intelligence community, a long way has already been conquered. Although the process demands time to consolidate, other threats stand in the way.

Infiltration by terrorist groups of any origin or drug trafficking organizations remains one of the most dangerous menaces to the integration of the intelligence agencies. It not only un-

dermines trust within the community, but also erodes whatever confidence the intelligence consumers may have gained, as the recent DAS scandals demonstrate. Secrecy will not be acceptable to any free society if it is used against the values and principles that that society upholds.

Intelligence integration will not happen if the intelligence producers feel whatever solutions are offered have been imposed on them or feel that they have been left out of any transformation process. The experience brought about by the SINAI experiment in 1995 is a clear point in case. Integration will neither work if the transformations do not reflect the culture and power struggles which are present in the community. Reforms based on outside ideas or academic models will not work, because in the end, structures are there for the people. No matter how good a framework has been constructed, in the end much will depend on how the people that make up the intelligence community relate to each other.

This is one major opportunity in Colombia's present circumstances. The people that make up the community know their jobs and are pushing for better results. Better integration of the intelligence agencies is known to be a right tool in this direction. The complete vision of the intelligence activity gathered by the then Viceminister of Defence, now Director of DAS, as the representative of the Defence Minister to JIC, means that his is an integral perspective of the whole spectrum. Changes setup at DAS and other intelligence agencies will be executed with the whole community in perspective, as opposed to one single entity.

This opportunity comes as part of the success of the jointness concept in the operational and administrative realms. In this sense, the jointness required among the intelligence agencies will receive a strong support from the benefits that have been acquired throughout the State Security Force's developments. With the right plan, the opportunity to boost intelligence integration will be close at hand.

## **5.4. Recommendations**

### **5.4.1. Broadening the Intelligence Debate in Colombia**

Perhaps no other single recommendation is as important as broadening the internal debate, involving academia, the private sector and government, around the intelligence community, its role, its evolution and its future. Presently, the lack of research on any subject regarding intelligence management, organization and oversight is a definite limitation to further and more educated debate about how much and what type of intelligence is required at present and in future by Colombia.

Educational institutions such as the *Universidad de los Andes* and the *Universidad Militar Nueva Granada*, have recently given steps in the right direction through the creation of postgraduate studies in matters relating to security and national defence, of which intelligence is a module. But intelligence training institutions such as the Army's *Escuela de Inteligencia y Contrainteligencia Brigadier General Charry Solano* (Brigadier General Charry Solano Intelligence and Counter-Intelligence School) and the DAS's *Escuela de Detectives Aquimindia* (Aquimindia Detective School), have yet to launch similar initiatives to allow civilians and military personnel, other than those pertaining to the intelligence community, to acquire the necessary knowledge. Only in this way will the debate be enriched to become a useful source of improvement to the intelligence community's advantage.

#### **5.4.2. Redefinition of the Secrecy Culture**

For this to happen, the secrecy culture surrounding the intelligence activities will have to be redefined. The intelligence product is to be shared not only among the intelligence consumers for actions and decisions to be taken, but also among the intelligence community to get as broad and in depth product as possible. Secrecy in intelligence is all about denying sensitive information from the enemy, not about hiding every activity from the outside. Such an attitude only generates mistrust and is the perfect setting for abuses and corruption, results that are of no interest to the intelligence agencies. Shared information has to be controlled within the intelligence community so as to separate restricted from general information, the raw material necessary for an outside understanding of the intelligence community.

#### **5.4.3. National Intelligence Plan and Requirements based approach**

One central issue in the improvement of the integration among the intelligence community is the elaboration of an intelligence action plan that defines which agency does what and with what resources. It is a first but necessary step towards a more coherent approach on the use of whatever capabilities are available on the intelligence 'market'. This plan has to be designed within the intelligence community but with the priorities being determined by the intelligence consumers. Only in this way can there be a guarantee of the necessary coupling between the supply and demand of intelligence.



To be more precise, the National Security Council, made up of the President, the Defence, Interior and Foreign Affairs Ministers, the Armed Forces Commander, and the heads of the Army, Air Force, Navy and National Police, should all define the priorities to be worked out by the intelligence agencies in their national intelligence plan. None of the intelligence heads would have a say in the definition of the prioritized information requirements because working at both, the supply and demand side, can eventually produce a negative influence in the intelligence product outcome. Policy has to be clearly separated from intelligence.

The resources for the execution of the national intelligence plan would be linked with the budget approved for every agency. In this sense, it is necessary to conform a committee made up of the intelligence agencies, the Ministry of Economy and the National Planning Department - DNP (*Departamento Nacional de Planeacion*) to ensure that no duplicity in the distribution of resources is occurring and that the national intelligence plan, defined by the intelligence community but based and approved by the intelligence consumer's priorities, matches the resources handed out to the agencies. In the end, the National Security Council's approval of the national intelligence plan would tie-up the distribution of resources for the prioritized tasks.

#### **5.4.4. Monitoring and Evaluation**

The monitoring and evaluation role over the national intelligence plan needs to be decided. At this stage there are many examples of intelligence reforms having gone wrong. An intelligence 'czar' attached to the Presidency, an overall Director of National Intelligence, and a collegiate committee, are just some of the choices that have been available. However, the Colombian solution must attend two main issues: the fact that all intelligence agencies, for the moment, are independent from one another and no one exerts control over the other, and the recognition that all resources, for the near future, will have to be directed to solve the internal conflict.

On the one hand, the Ministry of Defence, with four of the six intelligence agencies under its roof, appears as an obvious choice for centralized control. After all, the Defence Ministry has the military and police intelligence agencies, which account for a large proportion of the intelligence produced today. Incorporating DAS and UIAF would be a much easier task than any other solution. Within this intelligence community, the Minister of Defence would exert no control, only a monitoring and evaluating role which should be the responsibility of a small bureaucracy responding to the Minister.

This arrangement poses another problem. The Director of DAS holds a political position considered almost as a Ministerial post. This makes him the highest-level officer within the intelligence community. Therefore, he should play a special role, accordingly. Remember this is not about how things should be, but how they are. In this sense, the director of DAS should act as the intelligence community's voice, working very closely with the monitoring and evaluation group established under the Minister of Defence. Thus, he should be responsible for the dissemination of intelligence at the highest level, the National Security Council.

#### **5.4.5. Unified vision**

If the national intelligence plan is going to work, then there needs to be a unification of the basic concepts within the intelligence community. For this task, the service training schools of the Army, Air Force, Navy, National Police and DAS should be instructed to create a committee, which would be responsible for elaborating such a document. This would not only mean that a single language would be spoken around the intelligence community, but would also open a space where best practices could be exchanged, teachers could be rotated and ideas over the intelligence community's future could be put to the test.

In this sense, these educational facilities have the responsibility of contributing to the moulding of what and how to achieve an integrated and effective intelligence community. Indicators to measure the degree of integration and the effectiveness of the integration process over the intelligence product are just two elements of a broader spectrum of issues that could be targeted in order to improve the transformation process from single agencies to interagency integration. Although integration is now on the agenda, a concrete desired result must be defined as a community goal.

#### **5.4.6. Legislative Framework for the Intelligence Community**

Finally, the legal issues regarding intelligence must be addressed. Those are the legislation framework for the intelligence activities, the institutionalization by law of the JIC, and the promotion of judicial guidelines that take into account the terrorist threats faced by the country allowing formal judicial procedures to begin on a preventive basis. Only by doing so will the intelligence agencies be able to cooperate and integrate effectively, without fear of trespassing on the lines they have sworn to protect.

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<sup>15</sup> Wilson, J., President - Elect Calls for International Goodwill to "Restore Civility and Order" in the War - Torn Country. *Financial Times - USA Edition* [Online], May 28, 2002, p. 4. Available via: ABI inform, (Accessed: June 10, 2006).

<sup>16</sup> O'Grady, M.A., Op. Cit. The United States Ambassador to Colombia Myles Frechette is quoted as saying "In the two and a half years that I've been here I have yet to see a strategic document that shows clearly what the guerrillas want, what the military strategy should be for dealing with the guerrillas and what the

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strategy for winning the hearts and minds of the people who live in the areas where the guerrilla operates. Once this is done, I believe that Colombia would be able to resolve the guerrilla problem". In the same direction, the United States military attache in Colombia in 1999, Colonel W. Spracher, noted during a seminar held by the National Defence University, how "The most serious deficiency Colombia confronts is the lack of a national strategy outlined by the civilian government to initiate the tasks with the compromise of the whole of society to resolve the conflict" (unofficial translation). In, Spracher, W., *Las Fuerzas Armadas Colombianas y la Seguridad Nacional. Crisis? What Crisis? Security Issues in Colombia* [Online], National Defence University, December 1999. Available at: <http://www.ndu.edu/inss/books/books%20-%201999/Crisis%20What%20Crisis%20Spa%20Oct%2099/spcris14.html#top>.

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<sup>28</sup> McDermott, J., Op. Cit.

<sup>29</sup> For a recent case of AUC and narco penetration, see Jaramillo, S., *Que Hacer con el DAS?* [Online], [What to do with DAS?], Fundacion Ideas para la Paz. Available at: [www.ideaspaz.org/publicaciones](http://www.ideaspaz.org/publicaciones). (Accessed: June 10, 2006).

<sup>30</sup> A description of the current debate over U.S. intelligence structure after 9/11 is presented briefly by Peter Chalk and William Rosenau: "In the aftermath of the September 11, 2001 terrorist attacks, the U.S. Federal Bureau of Investigation (FBI) was widely criticized for failing to prevent the strikes on the World Trade Center and the Pentagon. Critics charged that the bureau, while superbly qualified to investigate terrorist incidents after the fact, was grossly ill equipped to prevent attacks, given its strong law enforcement and prosecutorial culture. Deliberation has subsequently centered on the advisability of creating a new domestic intelligence service outside the existing structure of the FBI. Proponents argue that establishing an agency that is solely concerned with information gathering, analysis, assessment, and dissemination would decisively ameliorate the type of hybrid reactive-proactive mission that so often confounds police-based intelligence units. Opponents counter that an institution of this sort would merely undermine civil liberties, unduly hinder interagency communication and coordination, and create additional barriers between intelligence and law enforcement.", Chalk, P., Rosenau, W., *Confronting the Enemy Within: Security Intelligence, the Police and Counterterrorism in Four Democracies* [Online], (Rand Corporation, Virginia, 2004), p. xi.

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<sup>32</sup> The most evident reflection of his denial is professor Chris Bellamy's copy of information from Merkulov to Stalin and Molotov telling about the imminence of a German invasion. Stalin's reply in his hand writing cannot be included in this document because of the high caliber insults it includes. Letter No. 2279 from Merlukov to Stalin and Molotov, June 17 1941. *Agent information received by USSR NKGB from Berlin*. Presidential Archive of the Russian Federation. Copy of document in possession of Professor Chris Bellamy.

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- <sup>44</sup> Ramirez, M., Las Relaciones Civico – Militares y la Seguridad Democratica, [Civil-Military Relations and Democratic Security], In: Cepeda, F., Ed, *Las Relaciones Civico-Militares en Tiempos de Conflicto Armado*, [Civil-Military Relations in Times of Armed Conflict], (United States of America Embassy, Bogota, 2003), pp. 14-16.
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- <sup>46</sup> Herman, M., *Intelligence Services in the Information Age*, (Frank Cass, London, 2001). p. 5.
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- <sup>49</sup> United States General Staff School, *Jena Campaign Source Book*, (The General Service Schools Press, Fort Leavenworth, 1922), In: Handel, M., Ed., *Leaders and Intelligence*, (Frank Cass, London, 1989), p. 41.
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- <sup>57</sup> Jones, R., *Intelligence and Command*, In: Handel, M., Op. Cit. p. 288.
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- <sup>59</sup> Hughes-Wilson, J., Op. Cit. Chapter 1. For the intelligence cycle, see also, Johnson, L., Bricks and Mortar for a Theory of Intelligence, *Comparative Strategy* [Online], 2003, 22: 1-28. Available via: Taylor and Francis, (Accessed: june 13, 2006).
- <sup>60</sup> Johnson, L., Ibid. p. 2.
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- <sup>62</sup> Ibid. p. 8.
- <sup>63</sup> Hughes-Wilson, J., 'Intelligence Module' Lectures at Cranfield University, DCMT, Shrivenham, February 2006.
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- <sup>69</sup> Vargas, K., Major, 'Whatever Happened to Tactical Intelligence?', *Military Review*, October 1982, pp.15-20.
- <sup>70</sup> Kenney, M., Op. Cit., p. 213.
- <sup>71</sup> Johnson, L., *Secret Agencies: U.S. Intelligence in a Hostile World*, (Yale University Press, New Haven and London, 1996), p. 2.

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<sup>72</sup> Covert action can be defined as “any operation or activity (including use of violence) designed to influence foreign governments, persons, or events in support of the sponsoring government’s foreign policy objectives while keeping the sponsoring government’s support of the operation a secret”. In: Geneva Centre for Democratic Control of Armed Forces, *Intelligence Services and Democracy* [Online], (Geneve Centre for Democratic Control of Armed Forces, Geneva, 2002). Available via: Columbia International Affairs Online, (Accessed: July 1, 2006).

<sup>73</sup> Herman, M., Op. Cit., pp. 4-6. For a more detailed review of the collection disciplines, including HUMINT, see also, Shulsky, A., Op. Cit., Chapter 2.

<sup>74</sup> Shulsky, A., Op. Cit., p. 22.

<sup>75</sup> Ibid., pp. 22-33.

<sup>76</sup> Ibid., p. 40.

<sup>77</sup> According to Harold Shukman, “In a world that is flooded with information, intelligence services are in danger of being overwhelmed by too much information, and therefore incapable of assessing it usefully”. In Shukman, H., Ed., *Intelligence Services in the 21<sup>st</sup> Century: Agents for Change*, (St. Ermin’s Press, London, 2000), p. xx.

<sup>78</sup> Johnson, L., Preface to a Theory of Strategic Intelligence, *International Journal of Intelligence and Counterintelligence* [Online], 16: 2003. Available via: Taylor and Francis, (Accessed: July 13, 2006), pp. 638-639.

<sup>79</sup> Johnson, L., Bricks and Mortar for a Theory of Intelligence, *Comparative Strategy* [Online], 22: 2003. Available via: Taylor and Francis, (Accessed: June 13, 2006), p. 6.

<sup>80</sup> Herman, M., Op. Cit., p. 5.

<sup>81</sup> Herman, M., Op. Cit., pp. 4-5.

<sup>82</sup> Shulsky, A., Op. Cit., p. 3.

<sup>83</sup> Herman, M., Op. Cit., pp. 3-4.

<sup>84</sup> United Kingdom. Cabinet Office. *National Intelligence Machinery*, (The Stationary Office, London, 2000), p. 6.

<sup>85</sup> Ibid., pp. 7-9.

<sup>86</sup> Chalk, P., Rosenau, W., Op. Cit.

<sup>87</sup> Sims, J., Gerber, B., Ed., *Transforming U.S. Intelligence*, (Georgetown University Press, Washington, 2005), p. xi.

<sup>88</sup> Shulsky, A., Op. Cit., pp. 69-78.

<sup>89</sup> Hughes-Wilson, J., Op. Cit pp. 238-251.

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<sup>90</sup> Herman, M., Op. Cit., pp. 95-104.

<sup>91</sup> Taylor, S., Goldman, D., Intelligence Reform: Will More Agencies, Money and People Help?, *Intelligence and National Security* [Online], Vol. 19, No.3, Autumn 2004, pp. 416-435. Available via: Taylor and Francis, (Accessed: July 12, 2006), p. 418. For a deeper account into the failure of intelligence agencies in Pearl Harbor, see also, Hughes-Wilson, J., *Military Intelligence Blunders and Cover ups*, (Robinson, London, 2004), Chapter 4, and Kahn, D., *The Codebreakers: The Story of Secret Writing*, (Scribner, New York, 1996), Chapter 1.

<sup>92</sup> United States of America. United States Senate. *Select Committee to Study Governmental Operations with respect to Intelligence Activities April 26, 1976* [Online], Available at: <http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIa.htm>, (Accessed: June 10, 2006).

<sup>93</sup> United States of America. Congress of the United States of America. *Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001 – by the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence* [Online]. Available at: <http://www.9-11commission.gov/>. (Accessed: July 1, 2006).

<sup>94</sup> Herman, M., Op. Cit., p. 103.

<sup>95</sup> Bedi, R., Turf Wars Muddy the Waters of Indian Intel, *Jane's Intelligence Review*, March, 1999, 38-4, p. 38.

<sup>96</sup> Taylor, S., Goldman, D., Op. Cit., p. 421.

<sup>97</sup> Hulnick, A., *Keeping Us Safe: Secret Intelligence and Homeland Security*, (Praeger, Westport, 2004), pp. 73-83.

<sup>98</sup> Sims, J., Gerber, B., Op. Cit. p. viii.

<sup>99</sup> Geneva Centre for Democratic Control of Armed Forces, *Intelligence Services and Democracy* [Online], April, 2002. Available via: Columbia International Affairs Online, (Accessed: June 20, 2006), pp. 2-3.

<sup>100</sup> Nagy, D., A Military Intelligence Knowledge Base and Knowledge Management, *Defense Intelligence Journal*, 9-1, 2000, 39-56, p. 41.

<sup>101</sup> Ibid. p. 43.

<sup>102</sup> Tuttle, J., Decision Superiority and Intelligence, *Defense Intelligence Journal*, 9-1, 2000, 67-71. p. 70.

<sup>103</sup> Harris, J., Building Leverage in the Long War: Ensuring Intelligence Community Creativity in the Fight Against Terrorism, *Policy Analysis* [Online], No. 439, May 16, 2002. Available via: Columbia International Affairs Online, (Accessed: June 3, 2006), p. 13.

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- <sup>104</sup> Davies, P., Intelligence Culture and Intelligence Failure in Britain and the United States, *Cambridge Review of International Affairs* [Online], Vol. 17, No. 3, October, 2004. Available via: Taylor and Francis, (Accessed: June 12, 2006), p. 498.
- <sup>105</sup> Hulnick, A., Op. Cit., pp. 13-14.
- <sup>106</sup> Cogan, C., Hunters not Gatherers: Intelligence in the Twenty-first Century, *Intelligence and National Security* [Online], Vol. 19, No. 2, Summer, 2004, pp. 304-321. Available via: Taylor and Francis, (Accessed: July 9, 2006). p. 309.
- <sup>107</sup> Herman, M., Op. Cit., p.105.
- <sup>108</sup> Davies, P., Op. Cit., p 499.
- <sup>109</sup> Cradock, P., *Know Your Enemy*, (John Murray, London, 2002), pp. 264-265.
- <sup>110</sup> Harris, J., Op. Cit. p.
- <sup>111</sup> Zegart, Amy, September 11 and the Adaptation Failures of U.S. Intelligence Agencies, *International Security*, Vol. 29, No. 4, Spring 2005, pp. 78-111. p. 103.
- <sup>112</sup> Turner, M., Intelligence Reform and the Politics of Entrenchment, *International Journal of Intelligence and Counterintelligence* [Online], 18: 383-397, 2005. Available via: Taylor and Francis, (Accessed: July 4, 2006), p. 392.
- <sup>113</sup> Gill, P., *Policing Politics: Security Intelligence and the Liberal Democratic State*, (Frank Cass, London, 1994), p. 9.
- <sup>114</sup> Swenson, R., Intelligence Education in the Americas, *International Journal of Intelligence and Counterintelligence* [Online], 16: 108-130, 2003. Available via: Taylor and Francis, (Accessed: July 10, 2006).
- <sup>115</sup> Villamizar Andres, *La Reforma de la Inteligencia: un Imperativo Democrático*, [Intelligence Reform: a Democratic Necessity], (Fundacion Seguridad y Democracia, Bogota, 2005), pp. 74-75. Unofficial translation.
- <sup>116</sup> Villamizar, A., Ibid. pp. 100-106.
- <sup>117</sup> Fernandez, L., Administracion y Coordinacion de Inteligencia al Servicio de la Política de Seguridad y Defensa Nacional [Coordination and Administration of Intelligence to Service the Democratic Defence and Security Policy], In: Cepeda, F., *Las Relaciones Civico-Militares en Tiempos de Conflicto Armado, Cartagena, 20-22 de Septiembre, 2002*, (United States of America Embassy, Bogota, 2003), p. 86. Unofficial Translation.
- <sup>118</sup> Fernandez, L., Ibid. pp. 90-91.
- <sup>119</sup> Ibid. p. 92.

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<sup>120</sup> According to Fernandez, "It must be said that due to its nature, the intelligence agencies have the capability to thwart any initiative they may deem as detrimental, such as a new coordination policy they judge has been designed with excluding criteria or which they feel is imposed upon them without prior discussion". Ibid, p. 89. Unofficial Translation

<sup>121</sup> Herbert Simon argues that the larger the number of organizations in a given system and the greater the level of interconnectedness, the harder it is for that entire system to adjust. Improvements must occur throughout the system at the same time to produce results. Amy Zegart, on her part, notes how "These efforts [for reform] and their limited success, underscore three implications of the preceding analysis... it appears that the nature of organizations, rational self interest and the fragmented federal government hinder adaptation even after catastrophic failure". Simon, H., Public Administration in Today's World of Organizations and Markets, *Political Science and Politics* [Online], Vol. 33, No.4, December 2000. Available at: [www.apsanet.org/imgtest/2000Public%20Administration-Simon.pdf](http://www.apsanet.org/imgtest/2000Public%20Administration-Simon.pdf). (Accessed: July 15, 2006). See also, Zegart, A., Op. Cit., p. 107.

<sup>122</sup> Saenz, A., Idrobo, I., Asking the Right Questions: the Evolution of Strategic Intelligence Discourse in Colombia. In: Swenson, R., Lemozy, S., Eds. *Intelligence Professionalism in the Americas*, (Center for Strategic Intelligence Research, Washington, 2003).

<sup>123</sup> Villamizar, A., *La Reforma de la Inteligencia: un Imperativo Democrático*, (Fundacion Democracia y Seguridad, Bogota, 2004), p. 61. Unofficial translation.

<sup>124</sup> Castellanos, Y., De Washington a Tolemaida, 50 años [From Washington to Tolemaida, 50 years], *UN Periodico* [Online], No. 62, Agosto 22, 2004. Available at: <http://unperiodico.unal.edu.co/ediciones/62/05.htm>. (Accessed: July 7, 2006).

<sup>125</sup> Boraz, S., Establishing Democratic Control of Intelligence in Colombia, *International Journal of Intelligence and Counterintelligence* [Online], Vol 19, No.1: 84-109, 2006, Available via: Taylor and Francis. (Accessed: July 9, 2006). p. 90.

<sup>126</sup> Colombia. Ejército Nacional [National Army]. *Nuestras Armas: Inteligencia* [Online], [Our Arms: intelligence], Available at: <http://www.ejercito.mil.co/index.php?idcategoria=112>., (Accessed: July 7, 2006).

<sup>127</sup> Villamizar, A., Op. Cit., p. 62.

<sup>128</sup> Ibid., p. 62.

<sup>129</sup> Interview with Colonel Barcia, Deputy Director Air Intelligence Command, Colombian Air Force, July 14, 2006.

<sup>130</sup> Colombia. Ministerio de Defensa. *Resolucion Numero 0068 de 31 de enero de 2002, "Por la cual se aprueba una Disposicion expedida por el Comandante General de las Fuerzas Militares y se determina la Organizacion de la Fuerza Aerea y las Tablas de Organizacion y Equipo correspondientes"*, (Ministerio de Defensa, Bogota, 2002). [Resolution Number 0068, January 31, 2002, "By which a disposition approved by

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the General Commander of the Armed Forces and the Air Force structure and organizational tables are agreed].

<sup>131</sup> The account of the naval intelligence recent history was the result of the interview with Chief Sergeant Alberto Nicolls, Head of Planning, Naval Intelligence Command, Colombian Navy, July 26, 2006.

<sup>132</sup> Colombia. Ministerio de Defensa. *Resolucion 0305, 17 de marzo de 2005, Por la cual se aprueba una Disposicion expedida por el Comandante General de las Fuerzas Militares*, (Defence Ministry, Bogota, 2005). [Resolution 0305, March 17, 2005, by which a disposition by the General Commander of the Armed Forces is approved].

<sup>133</sup> Ibid., p. 66.

<sup>134</sup> Colombia. Presidencia de la Republica. *Decreto 2158 de 1997, Por el cual se desarrolla la estructura organica, se determina la vision, mision, funciones y principios de la gestion en la Policia Nacional* [Online]. Available at: [www.presidencia.gov.co/decretoslinea/1997/septiembre/01/dec2158011997.pdf](http://www.presidencia.gov.co/decretoslinea/1997/septiembre/01/dec2158011997.pdf). (Accessed: July 9, 2006). Unofficial translation. [Decree 2158, 1997, by which the organic structure of the National Police is developed and the vision, mission, tasks and principles of National Police activities are determined].

<sup>135</sup> Ibid.

<sup>136</sup> Colombia. Ministerio de Defensa. *Decreto 864 de 1998, Por el cual se crea la Direccion Antisecuestro y Extorsion en la Policia Nacional* [Online]. Available at: [www.presidencia.gov.co/decretoslinea/1998/mayo/11/dec864111998.pdf](http://www.presidencia.gov.co/decretoslinea/1998/mayo/11/dec864111998.pdf). (Accessed: July 9, 2006). [Decree 864, 1998, by which the Anti-Kidnapping and Etorsion Directorate is created].

<sup>137</sup> ibid.

<sup>138</sup> Colombia. Policia Nacional. *Direcciones* [Online], Available at: <http://www.policia.gov.co/inicio/portal/unidades/diase.nsf/paginas/Organigrama>. (Accessed: July 10, 2006).

<sup>139</sup> Villamizar, A., Op. Cit., p. 67.

<sup>140</sup> Jaramillo, S., Que Hacer con el DAS?[What to do with DAS?], *Fundacion Ideas para la Paz* [Online], Hechos y Analisis de la Semana, Numero 42, April 7, 2006., Available at: [http://www.ideaspaz.org/new\\_site/secciones/publicaciones/download\\_boletines/boletin\\_conflicto42.pdf](http://www.ideaspaz.org/new_site/secciones/publicaciones/download_boletines/boletin_conflicto42.pdf). (Accessed: July 10, 2006). p. 5. Unofficial translation.

<sup>141</sup> Boraz, S., Op. Cit. p. 90.

<sup>142</sup> Villamizar, A., Op. Cit., p. 69.

<sup>143</sup> Colombia. Comision Especial para el DAS [Special Commission for DAS]. *Informe Final, Marzo 2006*. [Final Report, March 2006], (DAS, Bogota, 2006), p. 5. Unofficial translation.

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- <sup>144</sup> El DAS y los Paras[DAS and Paramilitaries], *Revista Semana* [Online], Edición 1226, Available at: [http://portal2.semana.com/wf\\_InfoArticuloComprado.aspx?IdArt=91397&CodigoUnico=72x5{oNC53312717](http://portal2.semana.com/wf_InfoArticuloComprado.aspx?IdArt=91397&CodigoUnico=72x5{oNC53312717). (Accessed: July 24, 2006). Unofficial translation.
- <sup>145</sup> Entrevista Exclusiva con Rafael Garcia [Exclusive interview with Rafael Garcia], *Revista Semana* [Online], edición . Available at: [http://semana.com/wf\\_InfoArticuloNormal.aspx?IdArt=93812](http://semana.com/wf_InfoArticuloNormal.aspx?IdArt=93812). (Accessed: July 25, 2006).
- <sup>146</sup> Interview: Andres Peñate, Director of Colombia's Department of Security Administration, *Jane's Intelligence Review* [Online], June 1, 2006. Available via: Jane's Online, (Accessed: June 24, 2006).
- <sup>147</sup> Ibid.
- <sup>148</sup> Conversation with Dominic Streatfeild, London, August 4, 2006.
- <sup>149</sup> International Financial Action Task Force [Online], *Recommendation 26*. Available at: [http://www.fatf-gafi.org/document/28/0,2340,en\\_32250379\\_32236930\\_33658140\\_1\\_1\\_1\\_1,00.html#40recs](http://www.fatf-gafi.org/document/28/0,2340,en_32250379_32236930_33658140_1_1_1_1,00.html#40recs). (Accessed: July 10, 2006).
- <sup>150</sup> Colombia. Ministry of Economy. *Law number 526 August 12, 1999, By which the Financial Information and Analysis Unit is Created*, Available at: [http://www.secretariassenado.gov.co/leyes/L0526\\_99.HTM](http://www.secretariassenado.gov.co/leyes/L0526_99.HTM). (Accessed: July 10, 2006). Unofficial translation.
- <sup>151</sup> Interview with Jimena Nieto, Adviser to Director General of UIAF 2003 – 2006. July 13, 2006.
- <sup>152</sup> Villamizar, A., Op. Cit., p. 73. Unofficial translation.
- <sup>153</sup> Colombia. Unidad de Inteligencia y Analisis Financiero. *Relatoria Segunda Jornada de Puertas Abiertas UIAF Colombia 2005*, (UIAF, Bogota, 2005). p. 2.
- <sup>154</sup> The information for this section comes from an interview with Colonel Alarcon, Director of External Intelligence in charge of the Joint Intelligence Command J-2, July 25, 2006.
- <sup>155</sup> Ramirez, L., Una Mirada Retrospectiva [A retrospective view], In: Cepeda, F., Ed. *Las Relaciones Civico-Militares en Tiempos de Conflicto Armado*, (United States of America Embassy, Bogota, 2003), p. 144.
- <sup>156</sup> *Democratic Defence and Security Policy*, Op. Cit. p. 10.
- <sup>157</sup> Colombia. Presidencia de la Republica. *Decreto 2233, 21 de diciembre de 1995, Por medio de cual se crean el Sistema Nacional de Inteligencia, el Consejo Tecnico Nacional de Inteligencia, Los Consejos Tecnicos Seccionales de Inteligencia, y se dictan otras disposiciones.*, (Diario Oficial, Bogota, 1995). [Decree 2233, December 21, 1995, by which the National Intelligence System, the National Intelligence Technical Council, and the Technical Intelligence Section Councils are created.
- <sup>158</sup> Ibid.
- <sup>159</sup> Ibid.



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<sup>160</sup> Fernandez, L., Op. Cit., p. 88.

<sup>161</sup> Ibid. p. 88-89.

<sup>162</sup> The 1994 Colombian presidential election was marked by the accusations of the candidate of the Conservative Party, Andres Pastrana Arango, over the alleged financing by the Cali drug cartel of Ernesto Samper's campaign, the candidate of the Liberal Party and in the end, winner of the elections. These accusations gave way to what in Colombia was known as "proceso 8.000", a judicial process in which senior members of the Government and other politicians were investigated for their involvement with drug trafficking organizations. As a result, the Minister of Defence as well as other high ranking political appointees were jailed. The President had to undergo an impeachment process in Congress and the country's relations with the United States were in an all time low. Therefore, during his four year term, President Samper spent more time worrying about how to stay in power rather than on governing the country.

<sup>163</sup> Interview with Julie Bracht, Advisor to the Viceminister of Defence in intelligence matters, Ministry of Defence, July 18, 2006.

<sup>164</sup> Jaramillo, S., Elaboracion de la Politica de Defensa y Seguridad Democratica,[Making the Democratic Defence and Security Policy], In: Cepeda, F., *Instituciones Civiles y Militares and la Politica de Seguridad Democratica*, (United States of America Embassy, Bogota, 2004).

<sup>165</sup> Kenney, M., Intelligence Games: Comparing the Intelligence Capabilities of Law Enforcement Agencies and Drug Trafficking Enterprises, *International Journal of Intelligence and Counterintelligence* [Online], 16, 212- 243, 2003. Available via: Taylor and Francis, (Accessed: June 29, 2006), p. 219.

<sup>166</sup> Colombia. Departamento Nacional de Planeacion [National Planning Department]. *Balance Plan Colombia (1.999-2.005)* [Plan Colombia's Balance 1999-2005], (DNP, Bogota, 2006).

<sup>167</sup> Interview with Andres Peñate Giraldo, current Director of Departamento Administrativo de Seguridad – DAS and former Viceminister of Defence. July 6, 2006. According to Peñate, The Police Director established a direct channel with the United States Government during a period in which President Ernesto Samper was being questioned by that Government for his alleged links with the Cali Cartel.

<sup>168</sup> Ball, N., The Reconstruction and Transformation of War - Torn Societies and State Institutions: How can External Actors Contribute?, In: Cepeda, F., Ed. *Instituciones Civiles y Militares en la Politica de Seguridad Democratica*, (Embassy of the United States of America, Bogota, 2004), p. 59.

<sup>169</sup> Joyce, M., What Next for Plan Colombia?, *Royal United Services Institute for Defence and Security Studies* [Online], July, 2006. Available at: <http://www.rusi.org/publications/newsbrief/ref:P44B4F28945002/>. (Accessed: July 24, 2006).

<sup>170</sup> Taylor, S., Goldman, D., Intelligence Reform: Will More Agencies, Money, and Personnel Help?, *Intelligence and National Security* [Online], Vol. 19, No.3, Autumn 2004, pp. 416 – 435. Available via: Taylor and Francis, (Accessed: July 14, 2006), p. 420.

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<sup>171</sup> Ibid. p. 420.

<sup>172</sup> *Política de Defensa y Seguridad Democrática*, Op. Cit., pp.40-41.

<sup>173</sup> Interview with Andres Peñate, Director of DAS, July 6, 2006.

<sup>174</sup> *Política de Defensa y Seguridad Democrática*, Op. Cit., p. 35. The Democratic Defence and Security Policy states that “the Joint Intelligence Committee will be the body where state intelligence will be coordinated and will be made up of the Directors of the State Intelligence Agencies”. Unofficial translation.

<sup>175</sup> Interview with Julie Bracht, advisor the Viceminister of Defence in matters related to JIC, July 18, 2006. During the interview, Mrs. Bracht commented on the lack of a legal framework for the JIC activities, despite various attempts to do so. Unfortunately, time, bureaucratic processes and the change of Ministers have worked against it.

<sup>176</sup> Colombia. Ministerio de Relaciones Exteriores, *Política Exterior de Colombia 2002 – 2006: Gobernabilidad Democrática, Responsabilidad Compartida y Solidaridad* [Online], [Colombia’s Foreign Policy 2002-2006: Democratic Governance, Shared Responsibility and Solidarity], (Ministerio de Relaciones Exteriores, Bogota, 2003).

<sup>177</sup> Geneva Centre for the Democratic Control of Armed Forces, *Intelligence Services and Democracy* [Online], Working paper series No. 13, April, 2002. Available via: Columbia International Affairs Online, (Accessed: July 10, 2006), p. 3.

<sup>178</sup> Andres Peñate, Op. Cit.

<sup>179</sup> Jaramillo, S., Op. Cit., p. 4.

<sup>180</sup> Andres Peñate, Op. Cit.

<sup>181</sup> Interview with Colonel Alarcon, Director of the External Intelligence Directorate, in charge of the Intelligence and Counterintelligence Command, J-2, July 26, 2006.

<sup>182</sup> Presently there is only one Joint Command in the north and one Joint Task Force in the south of the country.

<sup>183</sup> Taylor, S., Goldman, D., Op. Cit., p. 421.

<sup>184</sup> Gobierno de Colombia Destituye a Cuatro Generales del Ejército [Colombian Government sacks Four Army Generals], Available at: [http://www2.terra.com/actualidad/articulo/imprime\\_articulo.cfm?id=act194429](http://www2.terra.com/actualidad/articulo/imprime_articulo.cfm?id=act194429). (Accessed: July 28, 2006).

<sup>185</sup> Interview with General Guillermo Chavez, Director of Police Intelligence – DIPOL, Colombian National Police, July 2, 2006.

<sup>186</sup> Kenney, Op. Cit.

<sup>187</sup> Chavez, Op. Cit.

<sup>188</sup> Interview with Jorge Alberto Uribe Echavarría, former Minister of Defence, July 7, 2006.

<sup>189</sup> Interview with Brigadier General Guillermo Chavez, Director of DIPOL, National Police, July 13, 2006.

<sup>190</sup> Andres Peñate, Op. Cit.

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- <sup>191</sup> Jaramillo, S., Elaboracion de la Politica de Defensa y Seguridad Demoratica, [Shaping the Democratic Defence and Security Policy], In: Cepeda, F., Ed., *Instituciones Civiles y Militares en la Politica de Seguridad Democratica*, (United States of America Embassy, Bogota, 2004), p. 291.
- <sup>192</sup> Johnson, L., *Secret Agencies: U.S. Intelligence in a Hostile World*, (Yale University Press, New Haven, 1996), p. 27.
- <sup>193</sup> Andres Peñate, Op. Cit.
- <sup>194</sup> Andres Peñate, Op. Cit.
- <sup>195</sup> Villamizar, A., Op. Cit.
- <sup>196</sup> Colombia. Congreso de la Republica.
- <sup>197</sup> Interview with Jimena Nieto, Advisor to the Director General, UIAF, July 13, 2006.
- <sup>198</sup> Ibid.
- <sup>199</sup> Ibid.
- <sup>200</sup> Colombia. Presidencia de la Republica. Decreto No, 643 de 2004,
- <sup>201</sup> *ibid.*
- <sup>202</sup> Sergio Jaramillo, a former advisor to the Colombian Minister of Defence states in a recent article what he calls “the pot-pourri of tasks and responsibilities that as is well known have been accumulated by DAS” and then goes on to list them.
- <sup>203</sup> Arrieta, C., et. al. *Comision Especial para el DAS, Informe Final* [Special Commission for DAS], (SNE, Bogota, 2006), p. 5.
- <sup>204</sup> *Jane's Intelligence Review*, Interview with Andres Peñate, Op. Cit.
- <sup>205</sup> Peñate Op. Cit.
- <sup>206</sup> *Ibid.*
- <sup>207</sup> Due to the nature of the statement the author reserves the right to compromise the source.
- <sup>208</sup> Shulsky, A., *Silent Warfare: Understanding the World of Intelligence*, 2<sup>nd</sup> Ed., (Brassey's, Virginia, 1993).p. 172.
- <sup>209</sup> Wilkinson, P., *Terrorism versus Democracy: the Liberal State Response*, (Frank Cass, London, 2000), p. 95.
- <sup>210</sup> Riley, J., Et. Al., *State and Local Intelligence in the War on Terrorism*, (Rand Corporation, Virginia, 2005).
- <sup>211</sup> *Ibid.*
- <sup>212</sup> Shapiro, J., Suzan, B., The French Experience of Counter-terrorism, *Survival*, Vol. 45, No. 1, Spring 2003, pp. 67-98. Available via: Taylor and Francis, (Accessed: July 8, 2006).
- <sup>213</sup> Riley, J., Op. Cit. p.35.
- <sup>214</sup> Shapiro, J., Suzan, B., Op. Cit., p. 82.
- <sup>215</sup> Andres Peñate, Op. Cit.
- <sup>216</sup> Peñate, Op. Cit.