

Far Worse than Watergate

Widening Scandal regarding Colombia's Intelligence Agency

A still-unfolding scandal in Colombia is revealing that the government's intelligence agency not only spied upon major players in Colombia's democracy—from Supreme Court and Constitutional Court judges to presidential candidates, from journalists and publishers to human rights defenders, from international organizations to U.S. and European human rights groups—but also carried out dirty tricks, and even death threats, to undermine their legitimate, democratic activities. And it may have carried out its illegal surveillance with orders from top presidential advisors. The next Colombian administration must be challenged to fully reform the nation's intelligence services to put an end to these authoritarian practices.

Spying was Only the Start

Files recently released from the Colombian Attorney General's office confirm that operations by the Department of Administrative Security (DAS), the Colombian intelligence agency directly under the presidency, ventured much farther into criminal territory than illegal surveillance and wiretapping. The documents, dating especially from 2004-05 but also covering actions before and since, detail DAS operations targeting national and international human rights defenders, journalists, judges, and members of the political opposition. A series of cover pages, which can be seen here, describing campaigns with names like "Operation Halloween" and "Operation Transmilenio," outline objectives such as: "generating controversy regarding NGOs," "generating division within opposition movements," "promoting actions to benefit the government in the 2006 elections," "neutralizing influence in the Inter-

American Commission on Human Rights," establishing links between individuals and illegal armed groups, and "neutralizing the destabilizing actions of NGOs in Colombia and the world."

The tactics outlined in these operations included: framing a journalist by placing him in a fabricated guerrilla video and requesting the suspension of his visa (possibly to the U.S.); conducting sabotage against Constitutional Court judges; making it appear that opposition politicians and nongovernmental leaders had links to illegal armed groups or were engaged in corruption or adultery; stealing passports and ID cards; making threats; using blackmail.¹

According to the United Nations High Commissioner for Human Rights office in Colombia, the DAS was behind threats against human rights defenders, including the sending of a bloody doll addressed, "for my beloved daughter" to the home of a human rights defender, and a threat against a journalist who was investigating the 1999 murder of journalist Jaime Garzón.²

The DAS files include a memo with instructions that appear to be intended for a DAS agent to carry out a death threat against a journalist, threatening her daughter. The memo actually provides a script for the agent to read. "Recommendation: make a call near the installations of police intelligence. Don't stutter, nor take longer than 49 seconds... Text: Good afternoon. Please is Dr. X there? Message: Are you the mother of X? [wait for her to answer]. Well I have to tell you that you don't leave us any alternative, we told you in every possible way and you did not want to heed us, now even armored cars can't save you...."



Latin America
Working Group
Education Fund

U.S. Office on Colombia

connecting civil society to policymakers



Center for International Policy



JUNE 2010

Why Did They Do It?

The paper trail reveals the pervasive mindset, among all levels of DAS operatives from the heads of the agency to detectives and secretaries, that government agents had the right and the duty to spy on and undermine groups who were in opposition to government policies. The G-3 unit which carried out much of this surveillance supposedly did so in order to verify links between subversive groups and NGOs. However, in the hundreds of pages of documents reviewed by the authors of this memo, the DAS appears to have virtually never uncovered such links, nor does this even seem to be its focus.

Instead, the surveillance focuses on the daily, legitimate activities of human rights

groups, journalists and others, with a particularly obsessive focus on actions taken to present human rights concerns to the international community. DAS officials were concerned about information disseminated by nongovernmental groups abroad, "with facts not in agreement with the reality of human rights in Colombia, which damaged the image of the Colombian government in different international scenarios."

For example, DAS agents were routinely ordered to attend and document who was participating in and what was said at public seminars on human rights and international humanitarian law, peace initiatives, and internal displacement, including, for example,

CURSOS DE ACCIÓN

➤ INICIAR CAMPAÑA DESPRESTIGIO A NIVEL INTERNACIONAL, A TRAVÉS DE LAS SIGUIENTES ACTIVIDADES:

- COMUNICADOS
- INCLUSIÓN VIDEO FARC

➤ GESTIONAR LA SUSPENSIÓN DE LA VISA

HOLLMAN FELIPE MORRIS RINCÓN



PERIODISTA COLOMBIANO

CURSOS DE ACCIÓN

➤ INICIAR CAMPAÑA DE DESPRESTIGIO A TRAVÉS DE LAS SIGUIENTES:

- COMUNICADOS
- INCLUIR EN VIDEO DE FARC-

➤ ACCIONES DE SABOTAJE (ROBO PASAPORTE, CÉDULA, ETC).

COURSES OF ACTION

Launch a smear campaign at the international level, through the following activities

- Communiqués
- Inclusion in FARC video

Request the suspension of visa

*Hollman Felipe Morris Rincón,
Colombian Journalist*

a human rights conference convened by the main labor federation, a seminar on arbitrary detention practices, and a university conference on nonviolence.

DAS agents obsessively tracked the launch of a book by Colombian human rights groups called *The Authoritarian Spell*, which critiqued authoritarian tendencies of the Uribe Administration. Without any shame or even irony, they detailed how these book launches were organized, who spoke and attended, noted the presence of international human rights activists, and launched an investigation of the publisher who printed the book. A DAS memo suggests figuring out the security systems of the publisher, daily routines and itineraries of all those who work there with the intention of

zones, was exhaustively followed. Mennonite peace leader Ricardo Esquivia, known by some as the Gandhi of Colombia, was relentlessly spied on, apparently with the aim of finding ways to bring baseless charges against him. Jesuit Refugee Service's financial records were requested. The international participants in an ecumenical and nongovernmental "International Seminar for Peace" were monitored. The organizing of "Semana por la Paz," a yearly week of peace education conducted by the Catholic Church, Protestant churches and peace groups and supported by faith-based groups in the United States, was a subject of surveillance.

The DAS tracked with excruciating detail the international travel by human rights lawyers and advocates to present cases at the Inter-American

DAS agents obsessively tracked the book launch of *The Authoritarian Spell*, which critiqued the Uribe Administration's authoritarian tendencies. Without shame or irony, they detailed how these book launches were organized, who spoke and who attended.

"physically accessing the equipment so as to be able to take out, sabotage or alter the content of the publication."

DAS surveillance covered the Colombian Commission of Jurists and the Jesuit research center CINEP because, according to several DAS officials, their statistics on human rights "could misinform the public and cause damage to the government." The DAS files document that CCAJAR was about to release a video nationally and internationally to defend themselves against the government's accusations that NGOs had terrorist links. The DAS even investigated which members of the Bogotá city council supported an initiative to create a human rights curriculum for local schools.

Faith-based groups that supported peace initiatives also found themselves caught in the DAS's web. The Mennonite group Justapaz, which promotes peacebuilding efforts in conflict

Commission and advocate with the European Parliament and United Nations, as well as trips by Hollman Morris in which the journalist raised issues of press freedom and human rights. Activities by Colombian groups traveling to the United States to advocate for changes in U.S. assistance, ask for alternatives to the aerial spraying program, and raise human rights concerns were monitored. The files document what subjects' activities were abroad, in some cases where they stayed and their itineraries.

Perhaps most disturbing was that the routine, massive spying on human rights groups included sensitive discussion of preparation of court cases that involved as defendants government agents, information from victims of human rights violations, and confidential information between lawyers, their clients and judicial authorities. Among the many cases that appear in the files are the Mapiripán and San José de Apartadó massacres.

The obsessive surveillance did not stop at the office, but followed activists home. Scores of human rights activists had their personal finances investigated, along with the finances of their organizations. The files document where a human rights lawyer went out to dinner and where his children went to school.

The DAS provided bodyguards to human rights defenders and union leaders as part of the government's U.S.-funded protection program. But it now appears that the DAS bodyguards, at least in some cases, were also charged with spying on the very people they were pledged to protect.³

Recover the Rule of Law!

According to ongoing investigations and official, public documents, actions of “offensive” or “passive” intelligence were conducted without a warrant and designed to monitor, neutralize, or impede the work of judges of the Supreme and Constitutional Courts, international organizations like the Inter-American Court and Commission on Human Rights and the European Parliament, embassies, political opponents, journalists, peace activists, unionists and human rights defenders. On some occasions, state security agents, in a rush to ensure results, followed, intimidated, and threatened the sons and daughters of the so-called “targets” of the intelligence and counterintelligence operations that were carried out.

Who ordered the use of national resources, state institutions, and public servants to perform these operations? Who collected this information, how was it used, for what purposes was it collected, and who benefited from it? Since when have these operations been taking place and how can we be certain that they are now suspended? Since when has having a different opinion or thinking differently about a particular matter been a threat to national security?

The victims of these criminal activities call upon the authorities to take all the legal, administrative, disciplinary, and political actions necessary to investigate, prosecute, and punish those responsible and to unite all of society so as to restore rule of law in Colombia. The continuous and systemic nature of the investigations, as well as the large number of people affected, indicates that what occurred were not isolated cases, but rather the result of a high order from the current government.

The international community, Colombian society, and the media must spread awareness as a conscious critic about what has occurred and must play an active role in demanding the truth.

The next president must make a commitment to society that, never again, will the state allow and sponsor such terrorist acts, reminiscent of the worst dictatorships.

We are confident that if the Colombian judiciary does not operate with expediency or produce results, the international community will recognize these crimes and condemn the guilty before the world, bringing shame to a society whose tradition of liberty we hope to reclaim during the bicentennial celebration of independence.

—selections from “Recover the Rule of Law,” (http://www.lawg.org/index.php?option=com_content&task=view&id=732&Itemid=77) a June 10, 2010 statement signed by dozens of well-known Colombian and international individuals and organizations representing the courts, nongovernmental organizations, media, academic community, political parties and unions that have been subjected to illegal surveillance and other forms of persecution by the DAS.

Who Were the Targets?

The José Alvear Restrepo Lawyers' Collective (CCAJAR), a group of human rights lawyers who handle, among other cases, some of the key cases implicating members of Colombia's security forces, was a major focus of the spying. However, it was only one of many. The DAS targets read like a Who's Who of Colombia's foremost human rights groups, including the Colombian Commission of Jurists, the Jesuit research center CINEP, MINGA, Committee in Solidarity with Political Prisoners, the Interchurch Justice and Peace Commission, CODHES, Institute for Alternative Legal Services (ILSA), Fundación Arco Iris, INDEPAZ, Coordinación Colombia Europa Estados Unidos, the National Movement of Victims of State Crimes, the association of relatives of the disappeared Asfaddes, the union federation CUT, individual unions, and many others. Peace organizations were also a focus, such as REDEPAZ and the Mennonite peacebuilding organization Justapaz. Journalist targets included Hollman Morris, Daniel Coronell and Claudia Julieta Duque.

The DAS surveillance included opposition political parties as well as NGOs. Among the targets were presidential candidate Carlos Gaviria and Bogotá mayor Luis Eduardo Garzón. Surveillance included basic public information on the politicians' political positions. The DAS had paid human informants who were infiltrated into NGOs and political parties.

The peace community of San José de Apartadó, which in February 2005 was the scene of a massacre in which two families were killed by Colombian soldiers, was the subject of extensive surveillance prior to the massacre. Indeed, massacre victim Luis Eduardo Guerra Guerra is one of the people on whom the DAS requested financial information in 2004.

International organizations were among those targeted. United Nations and UNHCR staff in Colombia were followed. The stated objective of one operation was to "neutralize the influence of the Inter-American Court for Human Rights in Costa Rica," which was to be achieved via a "judicial war," online communications and through alliances with

(unnamed) foreign intelligence agencies. A separate operation was established to neutralize the influence of the European judicial system, the European Parliament's human rights commission and the UN Office of the High Commissioner for Human Rights. Indeed, Belgian newspaper *Le Soir* reports that Colombian operatives spied on the European parliament, Belgian, Colombian and international groups such as Oxfam and Oidhaco on Belgian territory.⁴ Another operation was designed to neutralize the actions of foreigners who "threaten national security." The DAS followed international missions by UN rapporteurs, violating not only international protocol but the security and privacy of victims who shared confidential information with them. Visits by international human rights groups and labor lawyers and union leaders were regularly tracked.

Among the U.S. and European human rights groups that appear in the documents as targets (whether followed when they were in Colombia or had their emails with human rights groups and journalists included in the files) were Human Rights Watch, the Washington Office on Latin America, Latin America Working Group, Peace Brigades International and the International Federation on Human Rights. The Washington-based CEJIL was also included.

The U.S. contractor Management Sciences in Development (MSD), which carries out USAID's human rights program in Colombia, also had its phone tapped. An invitation by CCAJAR to the U.S. Embassy regarding a human rights event was one of thousands of routine human rights documents found in the files.

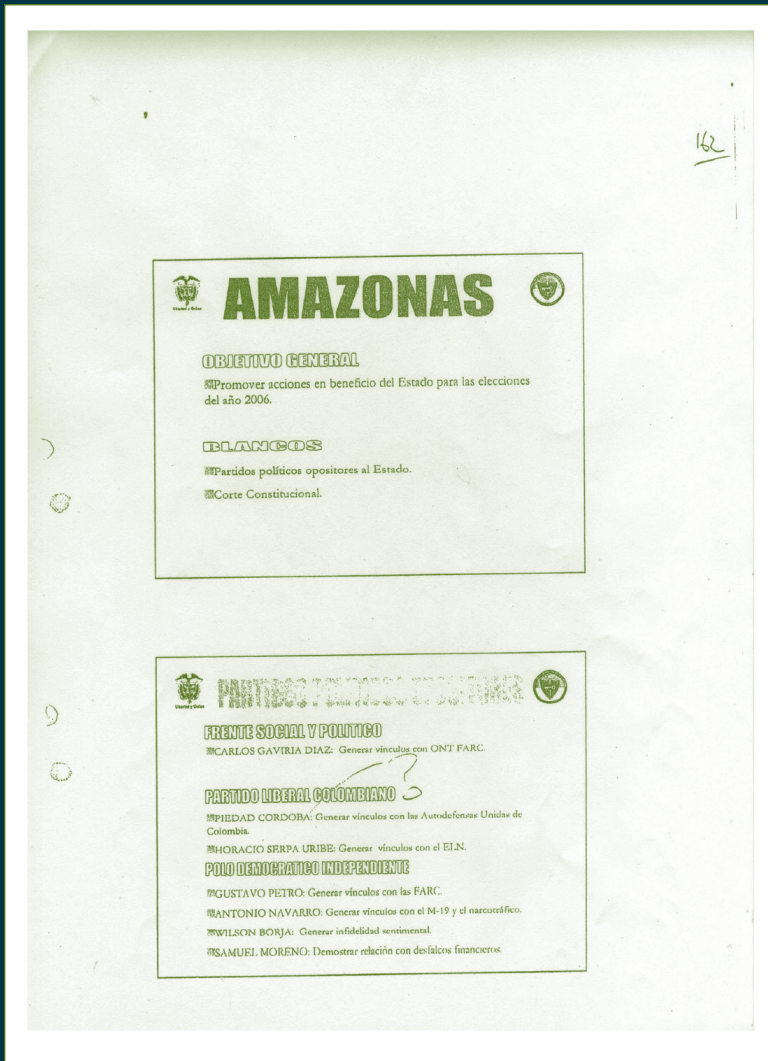
Not a Rogue Unit, and Not Over

The continuing investigation is revealing that the unit that focused on nongovernmental organizations and journalists—known as the G-3—was far from a rogue unit within the DAS. Officials of all levels were aware of its location on the eighth floor and of its general mandate, DAS top leadership attended its meetings and were cc'd on its memos, and DAS units throughout the building and country were instructed to

respond to its requests. While the G-3 appears to have existed from late 2004 through 2005, the investigation is tracking several other units, known as GONI and GIES, which appeared subsequently and may have carried out similar investigations. Monitoring of NGOs also took place prior to 2004, but it seems to have expanded exponentially in 2004-05.

Moreover, the illegal surveillance of the Supreme Court as well as continued surveillance of NGOs took place in 2007-2008, and there are no assurances it does not continue today. One official revealed to *Semana* magazine that beginning in 2007, "I received orders to work on topics that were of concern to the government. During that year there were

many efforts and resources devoted to control NGOs, opposition and some journalists that were focusing on parapolitics...." The source, unnamed for protection, asserted that the only way to get the requested information about the status of parapolitics cases "was to 'work' the court. Ways to monitor communications and conduct surveillance were created.... With our people and others who were paid as human informants, we tried to tape or find out what was discussed in the judges' meetings.... Some of these tapes of meetings were destroyed after hearing them, others I have kept as a form of life insurance. In the majority of these occasions this information, already processed, was used by intelligence or the director of the department. There they decided which information should



AMAZONAS

General Objective

- Promote actions beneficial to the government for the 2006 elections.

Targets

- Political parties opposing the State.
- Constitutional Court.

[Illegible] Political Parties

Social And Political Front

- Carlos Gaviria Díaz: Generate ties to the FARC ONT (Narco-Terrorist Organization).

Liberal Party

- Piedad Córdoba: Generate ties with the United Self-Defense Forces of Colombia.
- Horacio Serpa Uribe: Generate ties to the ELN.

Independent Democratic Pole

- Gustavo Petro: Generate ties to the FARC.
- Antonio Navarro: Generate ties to the M-19 and narcotrafficking.
- Wilson Borja: Generate sentimental infidelity [i.e., adultery rumors].
- Samuel Moreno: Demonstrate relationship to financial embezzlement.

go to the presidential palace. I personally, following instructions, gave information about these topics, for example, the case of [President Uribe's cousin, legislator] Mario Uribe, to the secretary general [presidential advisor Bernardo] Moreno, and to legal affairs, Edmundo del Castillo.”⁵

Other intelligence agencies besides the DAS have been involved in illegal surveillance, including military intelligence and some police units. For example, in 2008 it was revealed that 150 email accounts of human rights defenders, including trade union leaders, international human rights organizations, academics and journalists were unlawfully intercepted by the police intelligence agency SIJIN. Any efforts aimed at cleaning up Colombia's intelligence services must focus on other agencies as well.

Orders from the Top?

Senior presidential advisors were aware of, and indeed may have directed, the Department of Administrative Security (DAS) at least some aspects of the illegal wiretapping operation against Supreme Court magistrates, members of the political opposition, journalists and human rights defenders, according to information recently revealed by the Colombian Attorney General's office. DAS documents⁶ released by the Attorney General's office show that these operations went further than just wiretapping, but rather were a campaign of “political warfare” against those deemed to be in opposition to the government.

During a public hearing before the Supreme Court, prosecutor Misael Rodriguez said that the illegal wiretapping of the magistrates “was directed from the Casa de Nariño [the presidential palace]”.⁷ The Attorney General's report details several meetings in April 2008 between senior officials of the presidential office and the DAS to discuss the illegal wiretapping operations. Among those present in these meetings were senior presidential advisor José Obdulio Gaviria, presidential general secretary Bernardo Moreno, and DAS director Maria del Pilar Hurtado. The report also cites DAS officials

who asserted that the information obtained from the illegal operation was for the President.⁸ Bernardo Moreno was appointed to be ambassador to Spain in March 2010, after the Inspector General had filed disciplinary charges against him related to the DAS scandal.⁹

According to witness testimony, the DAS illegally recorded private sessions of the Supreme Court in which issues such as reelection, extraditions and information related to the President were discussed. Furthermore, the witness said, “This work was needed urgently for Monday as it was for the director of the DAS, who would give it to the President.”¹⁰

Supreme Court President Jaime Arrubla said the Attorney General's report clearly shows that the DAS officials who carried out the illegal wiretapping did not act alone, but rather followed instructions from DAS director María del Pilar Hurtado, who reported directly to the Casa de Nariño.¹¹

Dealing with the DAS: Not Yet Truth, or Consequences

On February 21, 2009, after Colombia's most-circulated newsweekly, *Semana*, revealed that the DAS had been carrying out widespread illegal surveillance, the Attorney General's office immediately opened an investigation based on *Semana's* revelations. Someone tipped off the DAS and agents were caught on a security video carting boxes off right before the raid.

Prosecutors within the Attorney General's office appear to be conducting a serious investigation. But as in many sensitive cases in Colombia, it still remains to be seen if there is a successful investigation and prosecution that leads not only to appropriate convictions of those who carried out the illegal activities, but of those, within and beyond the DAS, who ordered and approved them.

Several witnesses in the Supreme Court case against former DAS director Jorge Noguera have received threats, and the court has asked the Attorney General's office to put them in witness protection. Former director of the DAS's analysis

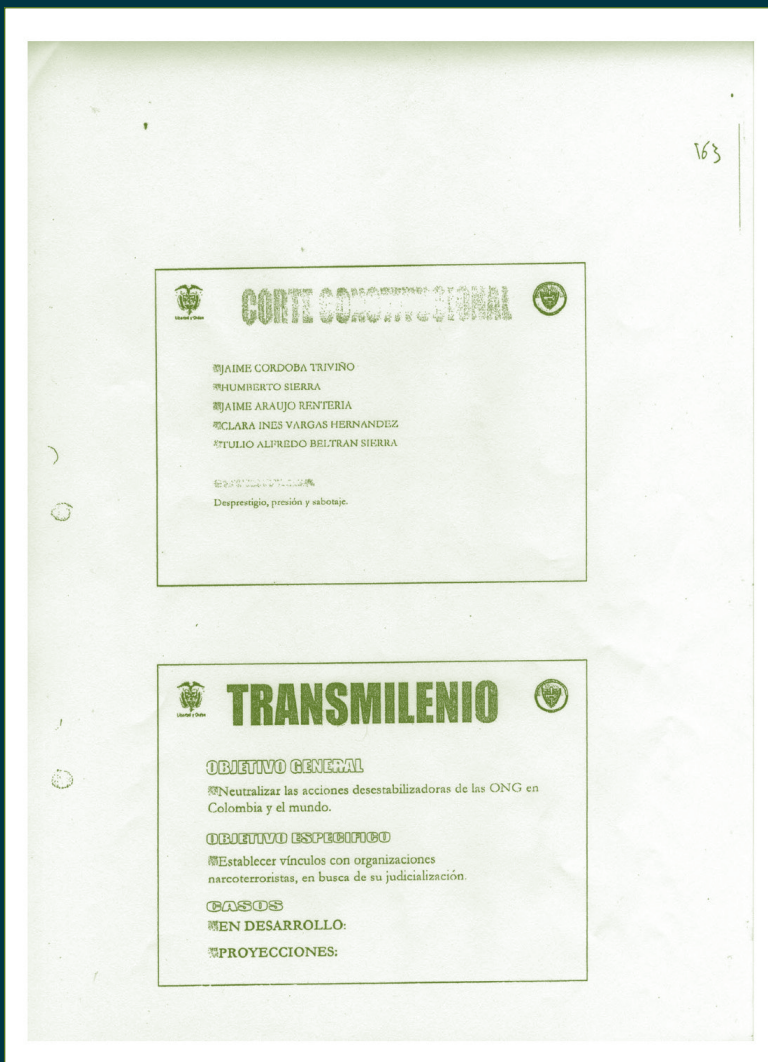
unit Martha Leal reports that she and her family have been followed and have received numerous threats since she began to give testimony in May 2009 about Jorge Noguera's ties to paramilitary groups. She alleges that the DAS is responsible for these threats. William Mayorga Suarez, a former member of the paramilitary group "Bloque Centauros," has also received threats after testifying in this case. Similarly, DAS detective Juan Carlos Sánchez, who is currently working in the foreign affairs unit and is giving testimony in the trial, has received death threats.¹²

Rather than fully backing the investigation, President Uribe recently made statements supporting officials accused of involvement in the

DAS scandal, coming out swinging against the judicial branch. Most recently he criticized the Supreme Court for investigating the head of the Special Administrative Unit for Information and Financial Analysis (UIAF) for his alleged role in DAS abuses, calling him an "innocent, good man who has only served the country."¹³ In a similar vein, a day later Uribe blasted the judicial branch for calling General Freddy Padilla to testify regarding extrajudicial executions by the army.

Intelligence Reform Still Stalled

While at first the Colombian government sought to play down the DAS scandal, in September 2009, as new revelations kept flowing and



CONSTITUTIONAL COURT

- Jaime Córdoba Triviño
- Humberto Sierra
- Jaime Araújo Rentería
- Clara Inés Vargas Hernández
- Tulio Alfredo Beltrán Sierra

Strategies

- Smear campaigns, pressure and sabotage.

TRANSMILENIO

General Objective

- Neutralize the destabilizing actions of NGOs in Colombia and the world.

Specific Objective

- Establish their ties with narcoterrorist organizations, in order to put them on trial.

Cases

- Under Development:
- Projections:

international condemnation mounted, President Uribe announced that he was in favor of eliminating the DAS, shifting immigration and intelligence services to the National Police. DAS director Felipe Muñoz echoed this sentiment, recently stating, “all of the scandals in which this agency has starred allows me to suggest dismantling DAS.”¹⁴

The Uribe Administration introduced legislation in late 2009 into the Colombian legislature to eliminate the DAS and restructure intelligence responsibilities, providing a more limited mandate for a Colombian Central Intelligence Agency with other responsibilities shifting to the National Police or the Attorney General's Technical Investigations Corps (CTI), including security for threatened individuals, liaison with Interpol and judicial police powers.

However, the legislation (Law 189 of 2009 in the House, and Law 185 of 2009 in the Senate) has not yet been approved. While there is a general consensus that the DAS must be eliminated and intelligence restructured, the administration does not appear to be pushing the bill strongly, and both pro-Uribe and opposition members of Congress have voiced concern about the legislation. In an interesting twist, pro-Uribe members of Congress have objected to the name of the new agency, since its acronym, CIA, could generate confusion. Opposition members of Congress and human rights groups fear that the legislation to dismantle the DAS is merely a smokescreen intended to deflect responsibility from those who ordered and carried out the illegal interceptions and other scandals linked to DAS over the last few years. They also believe that the law does not firmly enough limit the new agency's powers and provide adequate oversight.¹⁵

A broader restructuring of the law governing intelligence (Law 1288) was passed in 2009, but human rights groups have challenged it in the Constitutional Court. According to the Colombian Commission of Jurists, the law does not “establish adequate, effective and independent oversight of intelligence activities; it creates obstacles to investigate, prosecute and punish human rights violations, and it harms rights to freedom of the press and access to information.”¹⁶

DAS director Felipe Muñoz attempted to explain the lack of progress in closing the DAS by asserting, “It has been difficult to focus on reforms with so many scandals emerging.”¹⁷ He promised that the legislation will be approved by Congress shortly, stating that “By June 20, we hope, the DAS will not exist.”¹⁸ However, the deadline is passing without progress. Intelligence reform will be left for the new president to accomplish—or fail to do so.

Did the United States Fund the Wiretaps?

According to U.S. Ambassador William Brownfield, the United States supplied surveillance equipment to the DAS. The ambassador asserted in June 2009 that while the United States did supply such equipment to the DAS, it was not used in illegal surveillance.¹⁹ However, the Attorney General's investigation reveals that the G-3 did not have its own wiretapping equipment but rather relied upon the common interception rooms, IT teams and mobile wiretapping units that were shared by the DAS office.

During the Supreme Court trial of DAS director Jorge Noguera, a DAS detective testified that he had been part of a special unit with U.S. financing which apparently carried out tracking of union activities. The covert unit, known as GAME, Analysis Group of Terrorist Organizations (Grupo de Análisis de Medios de Organizaciones Terroristas), was formed in March 2005. According to the DAS detective, the unit depended on U.S. resources and U.S. experts trained its agents and worked closely with the DAS to identify the targets of the operations. While U.S. support for intelligence operations against illegal armed groups and drug traffickers is to be expected, the possibility that there was U.S. support for intelligence operations against legitimate civil society organizations raises real concerns and should be examined.²⁰

The U.S. Congress appropriately responded to the DAS scandal by including a prohibition on funding for the DAS in the FY2010 foreign operations appropriations bill. While this is a

significant step, no such prohibition as far as we are aware is included on defense or intelligence appropriations bills, and thus funding via those sources could continue.

On a positive note, the U.S. government has expressed its concerns about the DAS's illegal surveillance at all levels, from President Obama to the State Department's human rights report. Ambassador Brownfield's numerous visits to human rights groups' offices, including some of the targets of the surveillance, have been helpful and appreciated.

Nonetheless, it is important to investigate whether U.S. training and equipment were used in these illegal operations and to establish guarantees that no U.S. training and equipment

can be used for illicit purposes in the future—in Colombia, but also in other countries where the United States has extensive intelligence collaboration, including Mexico.

Recommendations for the U.S. Congress

- Encourage the State Department and U.S. Embassy to carefully monitor and encourage the Attorney General's and Inspector General's investigation of illegal surveillance, urging this investigation to encompass activities up to the present and to include those outside the DAS who ordered and were consumers of illegal intelligence.

OPERATION PUBLISHER

OBJECTIVE: Impede the edition of books

- EA [This refers to *Embrujo Autoritario* (in English, *The Authoritarian Spell*), a critique by human rights groups of the government's authoritarian practices]
- Others

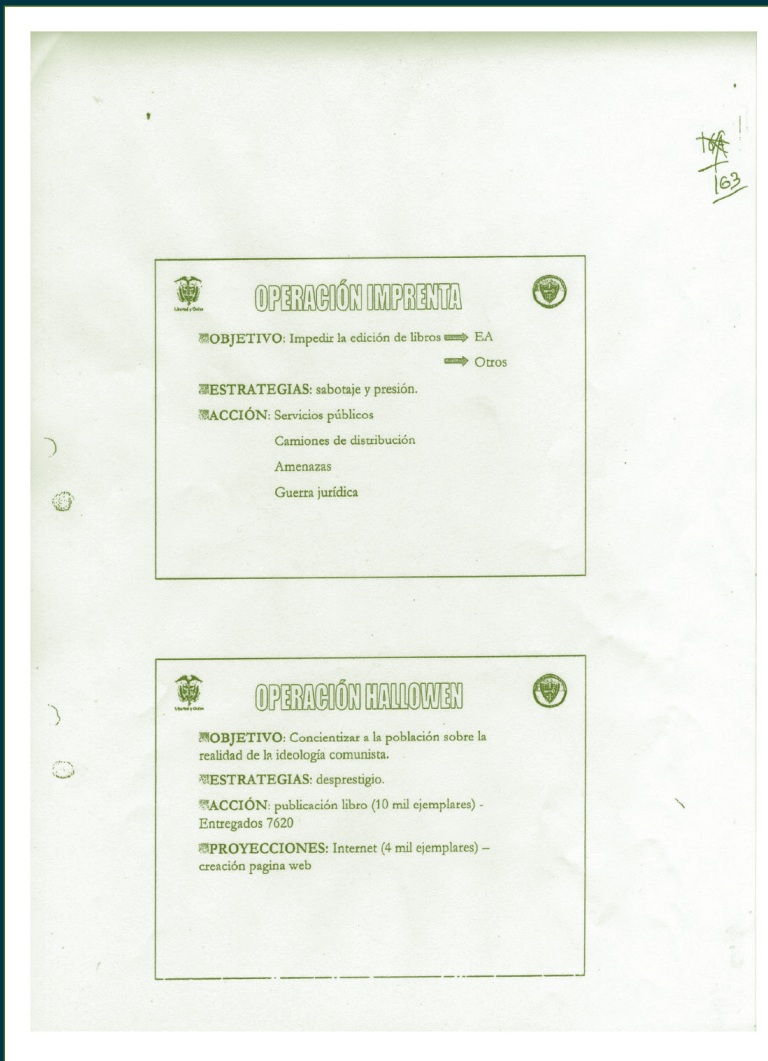
STRATEGIES: sabotage and pressure.

ACTION: Public services

- Distribution trucks
- Threats
- Judicial warfare

OPERATION HALLOWEN [SIC.]

- Objective: make the population conscious of the reality of communist ideology.
- Strategies: smear campaign.
- Action: publish book (10,000 copies) – 7,620 delivered
- Projections: Internet (4,000 copies) – creation of web page



- ▶ Ensure that witnesses in the DAS investigations are guaranteed access to the Attorney General's witness protection program if they are deemed at risk. Assist the relevant Colombian authorities with funds for witness protection related to these cases.
- ▶ Prohibit assistance to the DAS via the defense and intelligence bills. Clarify that the prohibition within the foreign operations bill does not restrict U.S. technical assistance to strengthen oversight of intelligence (for example, strengthening the Colombian Congress's oversight mechanisms).
- ▶ Investigate whether any U.S. funding, equipment or training was provided to the DAS's illegal activities, by any unit within the agency.
- ▶ Insist upon the establishment of safeguards to ensure no U.S. funding, equipment, training or intelligence sharing with any Colombian intelligence agencies (not only the DAS, but its successor agency, and military and police intelligence units) is used for illegal surveillance.
- ▶ Urge the Colombian government to guarantee that human rights defenders have access to information about themselves contained in intelligence files, as specified by the Habeas Data Law of 2008, and to permit the Inspector General, with supervision by the UN High Commissioner for Human Rights office, to regularly review the intelligence files and remove unfounded, damaging material, particularly regarding human rights defenders.
- ▶ Encourage changes in Colombia's intelligence operations to remove the capacity of the President and his advisors to order intelligence operations without safeguards or oversight, in a way that encourages politicization of intelligence. Encourage the strengthening of the Colombian Congress's oversight of intelligence operations.
- ▶ Encourage the U.S. Embassy to continue to make public expressions of concern regarding illegal surveillance, and to continue to publicly demonstrate support for targets such as human rights groups, journalists, and judges through public appearances and events.

Endnotes

- ¹ Fiscalía Once Delegada ante la Corte Suprema de Justicia. *Evidencia caja No.5 copia AZ63 – 2005*, January, 2010.
- ² United Nations High Commissioner for Human Rights, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia*, 4 March 2010, p. 33.
- ³ “Presidente de la CUT denunció que sus escoltas reportaban sus actividades al DAS,” *El Tiempo*, 15 marzo 2010, <http://www.eltiempo.com/archivo/documento/CMS-7412992>.
- ⁴ Alain Lallemand, “Bogota ha espiado en territorio belga,” *Le Soir*, 19 May 2010, www.lesoir.be/actualite/monde/2010-05-19/bogota-a-espionne-sur-le-territoire-belge-770904.php.
- ⁵ “Se cierra el círculo,” *Semana*, 15 May 2010.
- ⁶ Fiscalía Once Delegada ante la Corte Suprema de Justicia. *Evidencia caja No.5 copia AZ63 – 2005*, January, 2010.
- ⁷ “Esto era una conspiración de Estado contra la Corte Suprema,” *Semana*, April 11, 2010. <http://www.semana.com/noticias-nacion/esto-conspiracion-estado-contra-corte-suprema/137498.aspx> and “En investigación por chuzadas aparece lista con mas de 140 números telefónico,” *Semana*, 23 April 2010, <http://www.semana.com/noticias-justicia/investigacion-chuzadas-aparece-lista-140-numeros-telefonicos/137816.aspx>
- ⁸ “Pierna Arriba,” *Semana*, April 17, 2010. <http://semana.com/noticias-nacion/pierna-arriba/137723.aspx>
- ⁹ “Bernardo Moreno será el nuevo embajador de Colombia en España,” *Semana*, March 23, 2010, <http://www.semana.com/noticias-nacion/bernardo-moreno-sera-nuevo-embajador-colombia-espana/136720.aspx>
- ¹⁰ “Pierna Arriba,” *Semana*, April 17, 2010. <http://semana.com/noticias-nacion/pierna-arriba/137723.aspx>
- ¹¹ “Esto era una conspiración de Estado contra la Corte Suprema,” *Semana*, April 11, 2010. <http://www.semana.com/noticias-nacion/esto-conspiracion-estado-contra-corte-suprema/137498.aspx>
- ¹² “Presidente de la CUT denunció que sus escoltas reportaban sus actividades al DAS,” *El Tiempo*, 15 March 2010, <http://www.eltiempo.com/archivo/documento/CMS-7412992>
- ¹³ “Aumenta tensión entre el Presidente y el poder Judicial,” *Semana*, 2 June 2010, <http://www.semana.com/noticias-nacion/aumenta-tension-entre-presidente-poder-judicial/139742.aspx>
- ¹⁴ “El director del DAS señala que esta organización debe ser liquidada,” *Semana*, May 4, 2010. <http://www.semana.com/noticias-nacion/director-del-das-senala-esta-organizacion-debe-liquidada/138437.aspx>
- ¹⁵ “Un sofisma de destrucción llamado Agencia Central de Inteligencia,” Colombian Commission of Jurists, memo, May 4, 2010.
- ¹⁶ Letter from Colombian Commission of Jurists, June 2, 2010
- ¹⁷ “Colombia spy chief works to clean up agency,” Chris Kraul, *The Los Angeles Times*, April 23, 2010. <http://www.latimes.com/news/nationworld/world/la-fg-colombia-das-qa-20100423,0,308191.story>
- ¹⁸ “Colombia’s disgraced spy agency to be dismantled,” *Alertnet*, April 29, 2010 <http://www.alertnet.org/thenews/newsdesk/N29218155.htm>
- ¹⁹ “No hubo equipo americano involucrado,” Noticias Uno, June 2009 <http://www.noticiasuno.com/noticias/embajador-eeuu.html>
- ²⁰ Audiencias en el Juicio contra Jorge Noguera ante la Corte Suprema de Justicia, May 26, 2010. http://www.justin.tv/ddhh_colombia/b/264292303

Written by Lisa Haugaard, LAWGEF; Kelly Nicholls, USOC; Abigail Poe, CIP; and Gimena Sánchez-Garzoli, WOLA

A joint publication of the Latin America Working Group Education Fund, US Office on Colombia, Center for International Policy and Washington Office on Latin America. The publication was supported by grants from the Foundation to Promote Open Society/Foundation Open Society Institute.

© 2010 by LAWGEF, USOC, CIP and WOLA. Any material herein may be quoted without permission with credit provided to the four organizations.