



INVESTIGATION REPORT INTO THE ACTIVITIES OF THE ADMINISTRATIVE
DEPARTMENT OF SECURITY - COLOMBIA

“CHUZADAS”

COLOMBIAN MEDIA TARGETED BY INTELLIGENCE SERVICES

//////////////////////////////// INQUIRY LED BY **BENOÎT HERVIEU** AND **FABIOLA LEÓN POSADA**,
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**REPORTERS
SANS FRONTIERES**
POUR LA LIBERTE DE LA PRESSE



AFP

« *Watergate was child's play in comparison. They spied on all of us, journalists, but also human rights defenders, non-governmental organisations, opposition politicians, top judges and they even spied on themselves...A real little KGB!* » Small, but obviously efficient. Journalist Daniel Coronell does not mean to flatter those he describes. His choice of a symbol from the cold war demonstrates above all the sheer magnitude of this scandal. It is a scandal interweaving telephone tapping, stalking, intimidation, exile and smearing of individuals of a kind unknown to the press until President Alvaro Uribe's two terms in office.

Bad times for an outgoing president, who was elected and then re-elected, who claimed to have turned the page on half a century of armed conflict and prided himself on a good security report. The constitutional court denied him the chance to run for a third term. The collusion with paramilitaries ("parapolitics") continues to taint those around him and his allies, including some 80 members of parliament who are facing charges, one quarter of whom are in jail. His former defence minister

and self-proclaimed successor, Juan Manuel Santos, is neck and neck in the polls with the Green Party's unusual former mayor of Bogotá, Antanas Mockus, who has had a meteoric rise. Finally and above all, he has been exposed, despite his denials, for covering up, or even ordering, the corruption of his intelligence services, starting with the most important: the Administrative Department of Security (DAS).

After the first round of the presidential elections this Sunday 30 May, a very likely second round will be played out against the Uribe heritage



Hollman Morris, aged 40, is a specialist in the Colombian conflict and has become one of his country's leading experts on human rights and the peace process. He and his brother founded the production company that bears his name. In 2003 he took over the reporting programme "Contravía" (Counter-flow)

and his share in its dark side. Because the phone-tapping scandal ("chuzadas"), and its effect on public freedoms, speaks volumes about the real cost of the "resolution" of the armed conflict. It also highlights the communication methods of a government. It also puts at risk the difficult institutional balance in a country mired in war and drug-trafficking, to the extent of raising the issue of the future of the DAS.

DYNAMITE AND SABOTAGE

At first sight it is a small office giving all the appearance of the switchboard of a delivery company if it wasn't for the armoured door. It is called the *Sala Plata* (money room) and is fitted with a few computers and phones, occupied by young people working under the close scrutiny of an armed security officer in civilian garb. How many conversations are listened in on, sources of information intercepted and tailing of individuals are organised from here and two similar rooms? Hard to tell but the words *Sala plata* have become a way of summing up the institution that houses it and the scandal associated with it.

Morris, who was targeted by the DAS and the Uribe administration well before the "chuzadas" scandal broke, is today waiting for a public apology from the institution. The head of the programme *Contravía* (Counter-flow) on the public station *Ca-*



nal Uno and a leading expert on the armed conflict, told us on 13 May that his programme, first aired in 2003, was facing a fresh interruption. "Sweden, which is among our funders, let us know through its embassy that funds are tight. But we are bound to wonder what pressure may have come from above, since financial negotiations are going on between Latin America and the European Union, and we only resumed broadcasting again on 17 September 2009 after an eight-month break." The journalist has been regularly threatened by the paramilitaries, described as a "spokesman for the FARC (Revolutionary Armed Forces of Colombia)",

briefly detained by the army in February 2009 while covering the release of hostages held by guerrilla forces. He has fled into exile on several occasions. He considers the latest disruption to *Contravía* is not just

« Ten years of harassment, threats and propaganda against me started at that point »

censorship, but the result of black propaganda peddled by the DAS."

Before the "chuzadas" scandal broke revealing a list of 16 journalists working for a dozen media – maybe more in reality – among a peak of 300 phone-tapping targets, the DAS began to take a close interest in Hollman Morris and Claudia Julieta Duque, an indefatigable journalist on *Radio Nizkor*. The two colleagues were working on the story of the murder on 13 August 1999 of the charismatic editorialist and satirist Jaime Garzón. His killing was blamed on paramilitaries but it quickly rebounded on the DAS which the two journalists suspected of covering up the case.

"We wanted to mobilise the profession and public opinion on the judicial process, a little like in Argentina after the murder in 1997 of the reporter José Luis Cabezas. Ten years of harassment, threats and propaganda against me started at that point", said the recent laureate of the prize awarded by Reporters Without Borders' Swedish section. "They

Administrative Department of Security

Set up after the "Bogotazo" riots of April 1948 that officially marked the start of violent conflict in Colombia, the Colombian intelligence service (SIC) officially took the name Administrative Department of Security (DAS) in 1960. With 6,000 agents, 27 departmental sections and 20 operational posts throughout the country, it occupied a tall building bearing its three letters in the Paloquemao district in the east of Bogota. For a long time, this building through which all information crucial to the country's security theoretically passed, served as a reminder of 6 December 1989, when it was almost destroyed in a bomb attack, blamed on the Medellín cartel of Pablo Escobar with the complicity of the paramilitaries, leaving more than 50 dead and 600 more injured. The demonic reputation of the DAS stems from the years 1989-90 for its role - never fully elucidated - in the murder of three presidential candidates, Luis Carlos Galán, Bernardo Jaramillo and Carlos Pizarro. This dark period in the past reverberates in the memory as an echo of the current period. "Since Uribe, they have been more likely to eavesdrop on (television journalist) Hollman Morris than (druglord) Pablo Escobar!", mocked one journalist. From 2002 to 2009, the intelligence body had no fewer than five directors, but without making any difference to continued wiretapping and black propaganda.

got into car parks where I left my vehicle, they sabotaged my steering and I was the victim of an accident in 2008”, Morris said. Claudia Julieta Duque, who was also driven into exile several times, said the terror began for her on September 2001 when she was kidnapped. *“I immediately recognised the type of vehicle used by the DAS to follow me. It was later confirmed that the notebook of one of my assailants a DAS informer, contained the phone number of the head of the human rights department of the interior ministry.”*

« Uribe wanted the people’s support 100% he didn’t want any sign of weakness »

ABUSES BY THE G3, NEW SNOOPING ENTITY

The open conflict between these two journalists and the intelligence services both anticipated and summed up what turned into a regular practice in the second half of the year 2003. Alvaro Uribe had been in power for more than a year and the process of “demobilising” the paramilitaries was officially under way. The fight against the FARC was continuing and would later weaken the guerrilla group. But first it had to be got into people’s heads that the end of the conflict was imminent and a return to order was on the cards. A speech made by Alvaro Uribe to the top military college on 8 September 2003 providing a clue to the strategy to be followed, the discourse he was planning to unveil and its implications, can be found in a document obtained from one of the people we interviewed. In it, the head of state slammed the “political schemers in the service of terrorism, who act in a cowardly manner under the banner of human rights to give terrorism in Colombia the space that the security forces and its citizens have

deprived it of”.

This accusation was not the only one of its kind and Uribe had no hesitation, at the end of 2007, in vilifying, sometimes live, journalists such as Daniel Coronell, now director of news programme *Noticias Uno* on *Canal Uno* television and columnist

for the weekly *Semana*, Hollman Morris, Carlos Lozano, editor of the communist weekly *Voz* and former conflict mediator, and the correspondent for *Nuevo Herald* (the Spanish-language edition of the *Miami Herald*) Gonzalo Guillén. These statements were followed by death threats against those involved, driving some of them into exile. From 2003 onwards the objective was clear. These journalists, opposition politicians and human rights lawyers were a nuisance who through their criticisms could damage an ambitious security project. “Uribe wanted the people’s support 100% he didn’t want any sign of weakness”, said one newspaper editor. It was at exactly this moment that the DAS acquired a new listening station, the G3.

“*The G3 is part of a system known as Esperanza that includes wiretapping by the police and military intelligence (CTI)*” said Felipe Muñoz. The director general of the DAS, who has held the post since January 2009, conscious of the current reputation of the institution, is determined to provide reassurance about how it is kept in check. “*A system like this is under the control of the general prosecutor (Fiscalía), ie one of the country’s highest judicial authorities. It is technically impossible to tap phones without any control. But it is on the other hand possible to include or compromise someone using someone else’s data or by afterwards connecting to the person to whom they were speaking. But according to one journalist who was spied on, the system can hide any trace of the eavesdropper. The technical origin of the “chuzadas” apparently fits this description.*” But their interceptions and the results would not have been on the same scale if the G3 had not quickly overstepped its authority with some dubious collusion.

The G3, an institution within an institution, was set up by the trio of Jorge Noguera, director general of the DAS from 2002 to 2006, his deputy director José Miguel Narváez, former ranking official in the defence ministry and teacher at the senior military college and a former pupil of the latter, Fernando Ovalle Olaz, specialist in political warfare. The name of José Miguel Narváez came up in the Jaime Garzón case and this shadowy figure



Photo: El Tiempo

apparently gave lectures to some units of the paramilitary United Self-defense Forces of Colombia (AUC) on the admission of one of their own leaders, the notorious Salvatore Mancuso.

“The Narváez case is one part of the scandal”, explained a former press freedom defender, now back in journalism and working for his media on the “chuzadas” story. *“What is certain, in the eyes of the Fiscalía, is that the DAS operated at one time like a criminal enterprise linked to or at the service of paramilitarism.”* Editor of the weekly *Semana* who broke the story of the intercepts in February 2009 and himself a victim, Alejandro Santos, confirmed this. *“During the period of Jorge Noguera, who had terrible relations with the army and the police, the DAS devoted itself, together with the AUC’s northern block, to the struggle against people they called ‘insurgents’. The result of this was murders of trade unions, and human rights defenders considered to have links with the guerrillas”.* Noguera, who was very close to Uribe and tipped from his first election as a possible head of the DAS, has been in prison since 2007 accused of homicide. *“I do not know him and I will not defend him publicly or privately”*, said his successor Felipe Muñoz.

FALSE POSITIVES

Added to the wiretap scandal and black propaganda came to what were termed “false positives” (falsos positivos), a series of extra-judicial executions to bolster the thesis of imminent victory over the guerrillas. It was revealed that the army had murdered civilians who were then dressed in rebel uniforms or given guns and presented as guerrillas killed in combat. And what did it matter

« The press can no longer avoid talking about the legal net falling on the dominant political class »

PARAPOLITICS : parliamentarians, governors and elected representatives used the services of the paramilitaries: protection, financial support, sometimes the elimination of opponents. This since the emergence of paramilitarism in the 1980s. The phenomenon developed further during the Alvaro Uribe presidency.

that for a long time, the FARC had left behind any political war or real ideology and taken on the profile of a criminal enterprise in common with the paramilitaries and drug-traffickers. The process was out of control. It was testament to the basic contradiction between the official discourse that the conflict was over and that of black propaganda that needs enemies.

The DAS got out of control as a result of the permeability between its regular officials and infiltrated paramilitaries and private security outfits, some of them responsible for protecting those being spied on, or former DAS officials who were easily redeployed. *“In fact, spying and repression ceased to be a state monopoly as is normally the case”*, said Norbey Quevedo, of the daily *El Espectador*.

UP TO THE HIGHEST LEVEL

The years 2005-2006 marked a new step as “parapolitics” cases built up. Governors, local and national parliamentarians, politicians close to the president were all brought before the courts. *“The parapolitics phenomenon came into the full glare of daylight with an incredible visit by paramilitary Salvatore Mancuso to Congress in 2005, greeted by dishonourable applause from a certain number of parliamentarians”*, recalls Alejandra Barrios, national director of the Electoral Observation Mission. This time, the awkward ones are within one of the country’s highest jurisdictions. Often reluctant to tackle such sensitive issues, the press can no longer avoid talking about the legal net falling on the dominant political class. *“It was when we focused our attention on parapolitics that we incurred the wrath of the presidency and the smear campaign against *Semana* began. The counter-offensive was quite sophisticated. While the Casa de Nariño castigated our ‘paranoia’ and ‘irresponsibility’, we were wiretapped but also experienced bizarre online connections, hacking into our website and a lot of comings and goings around our offices”*, said Alejandro Santos. *“It was also at that time that we received serious, albeit anonymous, accounts from around 20 people from the DAS or with links to it, informing us that it had been infiltrated by the paramilitaries.”*

Another journalist who was wiretapped, Norbey Quevedo, of the daily *El Espectador*, saw this reaction as a twofold panic within the intelligence service. *“Internally, dysfunctions began to make themselves felt. Jorge Noguera was in open conflict with his head of technology and information, Rafael García. It was him who brought Noguera down by his later confession about the DAS recruitment of paramilitaries. Externally, the press became more dangerous because it started using the word*

Daniel Coronell betrayed by his source



Daniel Coronell, who spent two years living in exile in the United States after getting threats and surviving a murder attempt, realised the reach of the witch-hunt almost immediately after he returned to Colombia, in June 2007. *“Just before I left in 2005 I did an interview with a member of parliament who is now in prison, suspected of buying votes for Uribe. But this woman publicly referred to the conversation recorded with me, in an interview on RCN. That is how the smear campaign against me started at the highest level of the state. Alvaro Uribe himself got*

involved, publicly calling for me to be investigated on the grounds that I had supposedly concealed evidence of an offence for three years. Everything was set up for me to be killed. In 2009, my colleague Ignacio Gómez and I came under further attack after reporting on a financial case implicating the head of state’s children. We had so little confidence in the safety of telecommunications that we only talked about the issue face to face.”



The journalists we met were not in favour of the simple dissolution of the DAS any more than they would be satisfied with just the conviction of the controversial Jorge Noguera “paying for everyone”.

“parapolitics”, and the DAS practices began to leak out. But it was this same Rafael García who vilified a ‘criminal press’ that had to be monitored by wiretapping. During 2006, the Foundation for Freedom of the Press (FLIP) became aware that in addition to telephone tapping there was physical surveillance of the daily *Vanguardia Liberal*. It was a further three years before *Semana* revealed the DAS practices to the public, but this did nothing to reassure the profession.

“The results of these revelations were intimidating for the practice of journalism in itself and relations between journalists and their sources, while the press already suffered from marked self-censorship” said the new director of FLIP, (Press Freedom Organisation) Andrés Morales. As Norbey Quevedo recounts, “The psychological effects are serious”. “The harm has anyway been done. A climate has taken hold. You fear being anywhere ill-lit, start when you notice a motorbike and the need to keep changing your itinerary follows you right into your own newspaper office. I never go to editorial conferences. I only speak to one or two colleagues at the most.”

also helps them to survive”.

Would the *Semana* revelations have fundamentally changed the situation had they been made earlier? For Felipe Muñoz, “it is unsurprising that this story should blow up on the eve of elections”. Coronell has another explanation: “Government propaganda against us was so effective for so many years that many citizens ended up getting used to these practices. For them, the right to inform the public is a privilege afforded to a few journalists looking for personal popularity. Without this propaganda from the top, the rest does not exist. What did it matter that the directors of DAS fell one after the other since the real culprit remained in power.”

The DAS would therefore never have been able to operate without the support, if not the direct backing of the presidential palace. The evidence: The justice system has reached into the heart of state power, backed up by testimony from DAS agents, on 19 May accusing two key presidential aides of spying on judges: general secretary to the president, Bernardo Moreno and his legal adviser, Edmundo del Castillo. Two others are targeted: Mauricio Velásquez, his communications advisor, and Jorge Mario Eastman, former legal assessor and now deputy defence minister.

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THE MEN CHANGE, THE PRACTICES REMAIN

In the turmoil of this “Dasgate” which is now shaking up the election campaign, did the press react too late? Through fear or cynicism? A little of each says former journalist and academic Javier Darío Restrepo for whom “most of the media remained passive for too long in the face of this incredible lurch on the part of the intelligence service. Even if it is true that journalists still do not get enough support from their own media and the profession in general”. Claudia Julieta Duque points out, like her senior colleague, the “denial” of the leading privately owned broadcast media – Caracol and RCN - “who dared to vaunt ‘extraordinary press freedom’ on the Day of the Journalist on 9 February”. Restrepo accepts at the same time that “this scandal of the interceptions piled more pressure on journalists in a country where - already exposed according to their region and media - they work in a permanent state of anxiety and calculation”. Daniel Coronell, takes the more optimistic view that “the paranoia of Colombian journalists

BURDENSOME BODYGUARDS

Colombian journalists caught in this stranglehold suffer on every side. Because it is the state which is both vilifying them and providing with daily protection. How can you go up against a government while accepting the bodyguards they put at your disposal? The anxiety is obvious in the face of such a dilemma. And the question is even tougher when the protection itself becomes suspect. “Security systems” were introduced in 2002 including body guards and armoured vehicles, based on a prior risk assessment.

During the evaluation stage, the interior ministry is in charge. “Today, the ministry itself is being targeted by the *Fiscalía*”, points out Andrés Morales, of the FLIP. “Whether it was directly complicit or not, it bears political responsibility by default.” “Information from the journalists’ escorts – and the 16 journalists spied on by ‘chuzadas’ had them at one time or another – necessarily benefited the DAS. The intimidation of these journalists meant that their habits and movements had to be closely followed”, the FLIP was assured.

Claudia Julieta Duque had no trouble identifying the hand of her “protectors” behind acts of sabotage to her car or visits to the parking guards. “It wasn’t a question of protection but of surveillance and informing. After a meeting with the FLIP at which I raised this problem, the DAS had me down

The Foundation for the Freedom of the Press (FLIP), a partner organisation of Reporters Without Borders, founded in 1996, has since 1998 established a warning and protection network (RAP) which has 29 correspondents throughout the country.

as a mad activist who was trying to destroy the institution.” Her account corresponds to suggested methods in a spying manual for DAS officials responsible for monitoring and smearing people seen as a nuisance to the government. Its existence was revealed in December 2009 and Felipe Muñoz therein identified the “real scandal which is not first and foremost that of wiretapping”. The director general of DAS knows the problem having previously supervised private security set-ups.

During our visit, on 11 May, Patricia Morris, Hollman’s wife and herself a journalist experienced an incident with the family bodyguard. The agents belong to the company Vise, a hotbed of former DAS agents, founded by a retired member of the military. “They told me that they didn’t have any petrol so could no longer take the children to school. After this altercation, their superior gave me a hard time over the phone. It is a form of pressure. The guards become a prison for the person they should serve. However, in 2008, the Supreme Court reaffirmed that the guards should fit in with the person under protection and not the opposite, on a petition from Claudia Julieta Duque”. “Even an apparent mark of confidence on the part of the bodyguards can be double-edged”, notes Hollman Morris. “How can you feel safe if your own bodyguards, formerly with the DAS, confide in you that their former employer is trying to get information about you through them?”

At *Noticias Uno*, Daniel Coronell and Ignacio



In the redaction room of *Semana*, the picture of FARC hostages

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Gómez are also under protection. Coronell has a mixed escort of DAS and police. “I am happy to have guards but aware that I am under surveillance. Pull out of it? If you reject the security system it amounts to giving tacit permission for someone to kill you.

THE RISKS OF A BIG CLEAROUT

Twelve reforms since it was created, 6,000 pieces of evidence, 100 visits by judicial police, 70 requests for interviews with NGOs, ten proceedings and four directors ousted, including one now behind bars since the scandal. Current DAS director Felipe Muñoz is doing the accounts while waiting for them to be settled and admits with a sigh that “the house culture will be difficult to change”. Muñoz says he has given every guarantee of

Semana.com

Semana, a weekly newspaper of reference, founded in 1982, is Colombia’s most read weekly. This reference for political analysis has more than one million readers a month. Its editor, Alejandro Santos, comes from the same family as the former defence minister Juan Manuel Santos, who is a candidate to succeed Alvaro Uribe. “But this family link has never prevented us from being very critical of the Uribe Administration”, the editor insists.

transparency even if he complains that he has not been conferred with enough by journalists. Is the fate of the DAS already sealed, all the more so in an election that could put someone in power from outside the Uribe camp? Muñoz confesses to being in limbo until the result of the poll and the date of the presidential inauguration, on 7 August. “A plan to replace the DAS with a new intelligence service is already on file in Congress. The legal framework for these kinds of activities will be completely revised, after the establishment of a centre to protect data. The spirit of the future intelligence law proposed in 2009 will be discussed during the next term”.

Meanwhile, the campaign is hotting up. The green of Antanas Mockus vies with the orange of Juan Manuel Santos on the front of buildings and the t-shirts of activists. The former mayor of Bogota is tipped to have the inside track in the second round. Newspapers and television are full of polls. Rumours have spread of possible fraud. Some people are talking about “black polls” downplaying the importance of a young electorate, favourable to the former mayor of Bogota. “Juan Manuel Santos’s campaign has firmed up since the opinion polls gave the advantage to Antanas Mockus”, said the founder of online media *La Silla Vacía* (The empty chair), Juanita León, formerly of *Semana* and the daily *El Tiempo*. “Since *El Espectador* revealed plans for black propaganda in the campaign this time, we have found it much more difficult to get access to the entourage of Uribe’s former defence minister.” Of the six candidates to succeed Alvaro Uribe, two of them were spied on, but are “travelling under DAS protection”,

comments Felipe Muñoz. The liberal Rafael Pardo and the leader of the left-wing Democratic Pole, Gustavo Petro. Only the latter has publicly raised the issue. What will happen to the big house on Paloquemao after 7 August?

The journalists we met were not in favour of the simple dissolution of the DAS any more than they would be satisfied with just the conviction of the controversial Jorge Noguera “paying for everyone”. “The liquidation of the DAS would be an excellent way of seeing that justice is not done”, insisted Daniel Coronell. “*By liquidating the institution, one also liquidates its dirty linen*”. Andrés Morales, of FLIP, is more nuanced: “*The argument about an institution infiltrated from outside can also be used to clear its name.*” Would the cleanup have begun before the debate? Two days after the revelations in Semana, a significant amount of the documentation linked to the scandal supposedly disappeared for ever in the shredders of Paloquemao. “*Not true!*”, replies Felipe Muñoz. “*All the evidence is in the hands of the Fiscalía. And as for wiretaps, it*

is impossible to wipe them. The Esperanza system was designed so that there is always a record of all the data”. The

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director general of the DAS provoked indignation when he spoke during a debate in Congress, saying he would apologise if 1% of the accusations made by Claudia Julieta Duque against the DAS were proved. “*I simply wanted to say that 1% would be very serious in itself*”, he said.

As laid down by the 1991 Colombian Constitution and the Contentious Administrative Code, the press was given access by the Fiscalía to this infamous document of 17 March 2009 that carried the names of journalists being spied on along with judges and politicians. Unfortunately this document has only confirmed what many people already knew, according to Andrés Morales, “It is very difficult to figure what might still be unknown”. The young director of FLIP moreover fears that the argument about damage to press freedom will not go very far. Alvaro Uribe and his supporters or heirs “*can always point out that the number of journalists murdered or physically assaulted went down during his two terms in office.*”

Far from Bogota, in Popayán, representatives of the 10 media affiliated to the Cauca indigenous regional council have another story to tell. Indigenous community journalists Nasa, Missak, Yanacóna and Totoró condemned both the “death plan” that means persecution from the paramilitaries, the FARC and sometimes the army and “*black propaganda that presents them as enemies*

or purely as victims”. Another place? A different reality? These journalists are still suffering the reality of war. The DAS scandal has perhaps reminded the Bogota press in a different way that the war was not over.

RECOMMENDATIONS

Although the consequences of this case depend largely on the results of the presidential election, and while also taking into account significant progress in the current investigation, Reporters without Borders makes the following recommendations;

- that an investigation, at least administrative, be held as quickly as possible into all agents responsible for protecting journalists, belonging or having belonged or collaborated with the DAS.
- that an independent commission, with the agreement of the Fiscalía, take a full inventory of documents, archives or reports on wiretapping that are still available within the DAS or the administrations accused of having spied on journalists and hounding their sources. That a similar inventory should also be authorised within the presidency.
- that all documents, recordings or other evidence of state propaganda targeting the journalists in question be collected in a database under Fiscalía control and be made available to the press and public.

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