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SUBJECT: AMBASSADOR EXPLORES LAW ENFORCEMENT AGENDA WITH GOC

Classified By: Ambassador Craig Kelly for reason 1.4(b) and (d).

1. (C) Summary: The Ambassador explored post's law enforcement agenda with Chile's Head of Intelligence and Chiefs of the uniformed police force and investigative police force on January 6. GOC authorities maintained that terrorist activity, including terrorism financing, is hard to confirm in Chile, and investigations continue. The Director of the new Chilean National Intelligence Agency (ANI) emphasized that the agency would function only as an analytical center. The GOC reps left the door open for an on-call international peacekeeping force. Regional police cooperation remains limited. The Chief of National Police, whose forces are on the ground in Haiti, does not see the situation there improving. The police offered to provide protection for further post inquiries into the Weisfeiler case. End Summary.

2. (C) Ambassador Kelly hosted a lunch for Gustavo Villalobos, Director of the National Intelligence Agency (ANI), General Alberto Cienfuegos of Carabineros (uniformed police) and Chief Arturo Herrera of PICH, the investigative police force. Accompanying the Ambassador were the Legal Attache, DEA, RAO, RSO and EPOL. Although the event was ostensibly a ""thank-you"" for assistance provided to the U.S. during the recent APEC summit in Santiago, the Ambassador used the gathering to explore a range of issues on post's law enforcement agenda.

New Intel Organization Focused on Analysis, not Ops

3. (C) Villalobos described ANI as an intelligence coordinating agency providing analytical support to the President of Chile, somewhat similar to the NSC. He was careful to note the organization does not conduct intelligence operations. Representatives from the Carabineros (uniformed police) and PICH (investigative police) staff ANI on special detail assignments. Responding to Cienfuegos' question regarding ANI's role in military intelligence, Villalobos remarked that a clear separation exists between the two. (Comment: Villalobos seemed careful not to create expectations for ANI, particularly on the operations side. At the same time, ANI and the USG are collaborating on some investigation activities. Significantly, ANI is the first GOC agency to incorporate elements of both PICH and Carabineros, whose relationship tends to be more competitive than cooperative. End Comment

OAS Convention is for Prosecutors

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4. (C) Villalobos noted that the OAS Convention on Legal Cooperation is a law enforcement tool, and not relevant to the work of ANI. In regard to intelligence work, the Convention is not repeat not a mechanism to exchange judicial information, nor as a framework for bilateral legal cooperation. He added that the GOC would likely support the use of the Convention, but that his organization was not part of the process. (Comment: Post will explore the appropriate applicability and usefulness of the Convention further with the MFA Legal Advisor. End Comment.)

----- Carabineros Downbeat on Haiti -----

5. (C) 30 Carabineros and 2 PICH officers make up the Chilean peacekeeping force in Haiti. Carabineros Chief Cienfuegos talked at length of his recent visit to Haiti, noting pessimistically that the situation seemed grave and unlikely to improve. Haiti seemed chronically poor, and internal friction among Haitians and with aid organizations contributed to the country's dismal prospects. Post officers floated the idea of establishing a permanent, on-call peacekeeping force, noting that Brazil had recently been asked by the EU to do the same. Cienfuegos appeared open to the possibility, commenting that joining Brazil would be interesting.

----- Regional Police Cooperation Continues -----

6. (C) Cienfuegos said that carabineros cooperate with counterparts in neighboring countries, and that good police-to-police relations existed. At times, however, the politics of individual countries created friction, and he cited Bolivia as one example. Villalobos added that the GOC works with Peru on specific cases, but that the relationship is not very close. DEA head discussed the USG-funded officer exchange programs, noting that no matter what the political situation, the police forces worked better together as a result. He cited Bolivia and Peru as examples. Cienfuegos agreed that this type of "go-between" programs works well.

7. (C) Post officers suggested the idea of establishing a multi-agency task force to conduct joint operations and investigations, citing the El Paso Intelligence Center (EPIC) and the USG newly created counter-terrorism center as models of how to make better use of intelligence. Villalobos warned of the difficulty of integrating different types of information and security services. (Comment: DEA had previously suggested the idea of a multi-agency task force separately to Villalobos and Herrera. Suggesting this idea during lunch was an effort to test the waters with Cienfuegos, who did not specifically respond, as well as openly bring up the task force concept to all three law enforcement chiefs. End Comment.)

----- GOC Sees No Terrorist Activity in Chile -----

8. (C) Cienfuegos said that international terrorism does not exist in Chile, and that only local terrorists acted up occasionally. Villalobos pointed out that no armed groups operate in Chile. While the GOC continues to participate in 3 1 meetings on the Tri-Border area, Villalobos noted that he had no hard confirmation of terrorist financing or other activity occurring in Iquique (a city in northern Chile with a significant population of Pakistanis and Lebanese). At the same time,

Villalobos acknowledged that money from car sales or contraband in Iquique is being sent to unknown recipients, but noted that the prosecution of these individuals is difficult. Cienfuegos opined that criminal cases of terrorism and particularly terrorist financing are not as easy to prove as drug cases. (Comment: The current judicial architecture in Chile is not conducive to conducting long-term intelligence investigations without clear evidence or indications of a crime. The judicial architecture is strong with respect to counter-narcotics investigations, enjoying relatively robust omnibus counter-narcotics laws that facilitate investigations. End Comment.)

Judges Reluctant to Pursue Terrorism Cases

9. (C) Villalobos pointed out that judges have not traditionally prosecuted counter-terrorism cases. However, in the new judicial reform system, prosecutors, particularly those who are younger and have a global perspective, may be more willing to do so. Cienfuegos noted it will take time for judges to understand the reform.

Suggestions on the Weisfeiler Case

10. (C) The Ambassador noted that the USG maintains on-going interest in resolving the Weisfeiler case. Cienfuegos agreed to provide protection from the Carabineros for a consular officer to visit La Colonia Dignidad, a colony of German expatriates in southern Chile. He added that the Carabineros have access to the colony, but requested post to speak with the German Ambassador prior to a visit. Cienfuegos asked if post had interviewed Manuel Contreras, former head of intel and founder of the now dissolved DINA organization (secret police), and suggested now may be a good time to speak with him. Cienfuegos also encouraged continued embassy discussions with Judge Solis of the appellate court.

KELLY