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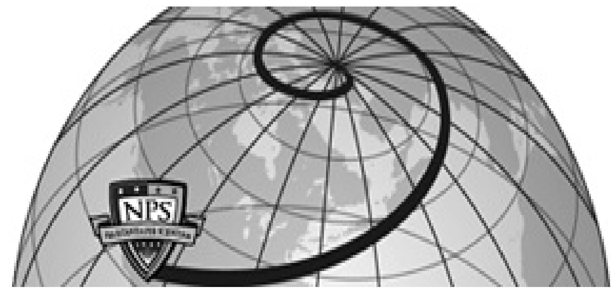

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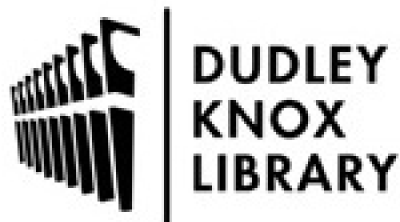

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Chilean Intelligence after Pinochet: Painstaking Reform of an Inauspicious Legacy

Chile's intelligence community has been transformed since the military dictatorship of General Augusto Pinochet ended and the country's transition to democracy began in 1988/1989. Democratic reform of intelligence is a tedious and demanding process, given democracy's call for

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transparency and accountability, which competes with an intelligence community's vital need for secrecy.[1] An emerging democracy, Chile has not been insulated from these challenges. As in many other developing democracies, the Chilean intelligence agencies continue to be stigmatized through association with their earlier abuses during a non-democratic past, including the ubiquitous surveillance of real and imagined enemies of the Pinochet regime, or, worse, the disappearances and killings of citizens, generally for political reasons or financial gain. Under these circumstances, Chile has been facing a paradox of how to best balance the effectiveness of its post-Pinochet intelligence agencies, long mistrusted by the Chilean people, with the transparency and accountability demanded by its citizens and politicians required the development of an intelligence culture, namely a "set of explicit and implicit attitudes and behaviors related to intelligence which influence/determine social perceptions/public opinion on intelligence in general, and the intelligence agencies in particular."[2] Other efforts aimed at strengthening intelligence openness and accountability, such as formal and informal oversight bodies, can help change the public's perception of intelligence agencies.

Chile has been a slow yet rather successful civil–military relations case; after more than two decades of democratization, its democratically elected officials have brought the armed forces under democratic civilian control while maintaining their military effectiveness.[3] Questions remain: Has Chile also been a successful case of intelligence democratization?[4] Have Chile's intelligence agencies successfully wiped out the stigma associated with the former military dictatorship's ruthless past? Has Chile established both transparent and effective intelligence agencies, and fostered the development of an intelligence culture in the country? Answering these questions starts with a discussion of the historical background of the military dictatorship and the role of intelligence in Chile, followed by a description of the successive post-Pinochet governments' efforts toward intelligence democratization,[5] and finally a discussion on whether or not Chile has achieved progress in institutionalizing its intelligence culture.[6]

BACKGROUND ON THE NON-DEMOCRATIC REGIME

Dating from 1925, Chile had been one of the few democracies in Latin and South America. But, on 11 September 1973, Chile's path to democratic consolidation was abruptly interrupted by a military coup. President Salvador Allende, a Marxist elected by the national congress after a virtual three-way standoff in the free and fair election of 1970, died, ostensibly by his own hand, in the presidential residence known as La Moneda Palace during the insurrection. The following day, the four commanding generals of the Armed Forces and *Carabineros* (the Military Police) established a

military junta, which appointed General Pinochet as President.[7] This marked the beginning of a harsh military rule which lasted until 1990, when a new set of free and fair elections occurred, as a result of a prior referendum initiated by Pinochet. Chileans were asked if they wanted to retain the military rule and Pinochet as President; 55.99 percent voted for the restoration of democracy.

Pinochet's rule was characterized by grave human rights violations against real and imagined regime opponents, including serious limitations of the right of association and organization (e.g., banning political parties on grounds of ideology); lack of freedom of information and opinion, and severe censorship; and repression, such as illegal detention, torture, killings, disappearances, expelling citizens from Chile, and/or prohibiting their departure from or entry into Chile.[8] As one research report observed, "to last as long as Pinochet intended, the military regime had not only to neutralize the opposition, but to completely destroy it," which "was a formidable task considering that more than 40 percent of the voting population had supported Allende's Popular Unity and 30 percent had supported the Christian Democratic party."[9] To achieve this goal, Pinochet needed an effective secret police, so he immediately created the Department of National Intelligence (DINA), staffed with officers from the three branches of Chile's armed forces, and appointed Colonel Juan Manuel Contreras Sepúlveda as director.[10] Pinochet trusted Contreras entirely and gave him free hand to carry out a bloody repression of real and imagined "enemies" of the regime. Under Contreras, DINA became the ultimate prop of the Pinochet dictatorship, whose power and influence seemed limitless. Indeed, as historian Kevin Ginter notes:

> DINA carried out surveillance, searches and arrests, and operated detention centers in which torture and death were commonplace.… Contreras's close personal relationship with Pinochet insured the DINA a privileged place in the regime (Contreras met with Pinochet every morning at 7:30 to brief him on upcoming DINA activities).[11]

Ginter cites a Chilean who commented that three sources of power existed in Chile at that time: "God, Pinochet and the DINA."[12] Contreras sought total devotion and loyalty from his subordinates; in return, he granted them promotions.

DINA harbored several army officers who conducted the deadly "Caravan of Death" in September and October of 1973, whereby a military unit traveled through Chile from south to north, gathering and executing suspected enemies of the regime.[13] DINA also incorporated officers who were in charge of the infamous clandestine detention centers, including the notorious Villa Grimaldi, where Chile's current President Michelle Bachelet and her mother were tortured. DINA conducted numerous covert

operations, under the command of General Pedro Espinosa, Contreras's deputy. The covert operations department consisted of five sections, Government Service, Internal, Economics, Psychological Warfare (focused on opposition forces within the government and population), and External (Foreign Operations).[14] As did many other political police forces[15] in Latin America and Central/Eastern Europe, DINA relied heavily on informants, called *soplones* (whisperers), to spy on the population. As one researcher noted,

> Each informant had his or her case officer; each case officer filed reports to the section chief of DINA's estimated 20,000 to 30,000 informants, over half of whom held strategic positions in government offices throughout Chile. Contreras counted on a multiplier effect to increase the network's effectiveness. The mere suspicion that the person at the next desk might be working for DINA was sufficient to extinguish griping and political discussion in government offices.[16]

By the late 1970s, DINA had become the symbol of the Chilean "inquisition"—a state within a state, which effectively conducted state terrorism. Carlos Huneeus termed DINA a "resource of sultanistic power" for Pinochet that helped create "a state terrorism dynamic as a consequence of the radicalization of authoritarianism and of the strengthening of [his] power."[17]

By 1977, considerable external and internal pressure had developed, given the horrendous human rights abuses, both in country and abroad, in particular the assassination in the United States in 1976 of the former minister and ambassador under Allende, Orlando Letelier. Pinochet then replaced DINA with the National Information Center (CNI), but kept Contreras as CNI director for a short time. He promoted him to the rank of general and appointed him to a senior position at the Army Engineering School, where he stayed until his retirement from the Armed Forces in 1979. Notwithstanding the name change, the new CNI continued the same violent *modus operandi* that DINA had carried out under Contreras.[18] Moreover, the CNI acquired significant judicial powers, in that it did not differentiate between civilians and military officers, and directed military tribunals that prosecuted civilians.[19]

TRANSITION TO DEMOCRACY

Chile initiated its transition to democracy in 1988 when a coalition of the main parties opposing Pinochet's rule—the Christian Democrats, Socialists, Radicals, and the Party for Democracy (PPD), known as the *Concertación de Partidos Por la Democracia*, or simply *Concertación*—won a constitutionally authorized plebiscite on whether or not Pinochet should

continue to be President for another eight years.[20] The vote ended his rule and paved the way toward the resumption of democracy, with the first elections taking place in December 1989. The *Concertación*-backed civilian candidate Patricio Aylwin, leader of the Christian Democrats, won a majority of votes against the candidate supporting the military regime and took office in March 1990.

Yet, after 1989, Chile's hierarchical military continued to enjoy high prerogatives for many years. While Pinochet accepted defeat and had begun negotiations with the *Concertación* regarding the incoming democratic government even prior to the scheduled December 1989 elections, the military regime enacted last-minute legislation to ensure that the military would continue to have a say in the incoming government regarding such matters as budgetary guarantees, involvement in politics, and professional autonomy.[21] Pinochet himself remained as Commander-in-Chief of the Armed Forces until 1998. Upon retirement, he was entitled by law to a life-long Senate seat in the Congress.[22] Notwithstanding such challenges, Aylwin's interim government and its successor Presidents endeavored to ensure that Chile remain on the path to democracy. An important step for the transformation of intelligence was the dismantling of CNI in February 1990.

POST-TRANSITION DEMOCRATIC REFORM OF INTELLIGENCE

In the nearly three decades since the 1989 elections and Pinochet's departure from the presidency, Chile has strived to consolidate its democracy, including the strengthening of democratic civil–military relations and the reforming of intelligence. The process has been extremely long and difficult; for many years Chile's military and military intelligence institutions not only retained the stigma associated with their Pinochet-era human rights violations, but they emerged from the dictatorship with the highest prerogatives among all Latin American nations, raising doubts about the country's ability to successfully democratize.

Thus, from 1990 to 1993, Chile had no civilian intelligence agency, but the three branches of the armed forces and the two police forces had retained intelligence roles. On 30 April 1993, more than three years after the CNI was dismantled, Law 19212 created the Public Security and Information Directorate (DISPI) as an intelligence service, subordinated to the Ministry of Internal Affairs. DISPI had analytical but not operational capacities. Its main duties were to dismantle left-wing armed groups that had become active during the dictatorship and were still operating in the country.[23] Toward this end, DISPI employed dozens of analysts from the left-wing parties of the *Concertación* coalitions, including many formerly exiled dissidents who returned to Chile from Eastern Europe and North and Latin America upon the dictatorship's fall from power. The creation of the

DISPI has been seen as a success by many observers,[24] who have highlighted the analysts' educational levels and the fact that they had not been involved in the earlier regime's criminal activities or human rights violations. Admittedly, DISPI's creation was a success in that it departed from the DINA/CNI model, which had carried out abusive practices and employed many illiterate agents.

But DISPI functioned for only eight years; it was then disbanded and replaced by another agency. International security developments prompted the country's decisionmakers to further transform the intelligence sector. The successful Islamist terrorist attacks on the United States of 11 September 2001 (9/11) were an inflection point for the transformation of the Chilean intelligence system. The authorities in Santiago began to think more seriously about creating an agency focused on combating terrorism. Thus, at the end of 2001, President Ricardo Lagos presented a draft law to the Congress in which he defined intelligence as "a legitimate and necessary governmental mechanism," asking for a more robust legal basis for intelligence that could allow the Chilean services to produce more useful intelligence.[25] In October 2004, under Law 19974, the National Intelligence Agency (ANI) was created as DISPI's legal successor. This reactive rather than proactive pattern of decisionmaking is very common in Santiago. In addition, Chilean policymakers tend to believe that enacting legislation is a panacea for all challenges; they tend to ignore the reality that creating security institutions also involves, among other actions, devising a strategic plan, then developing political capital, and authorizing human and financial resources.

The same situation applies to the Ministry of Defense. Chilean officials took two decades to undertake a major review and reform of the central institutions involved in national security and defense, including the enactment in 2010 of the country's first-ever Law on the Organization and Functioning of the Ministry of Defense (MOD) and a meaningful reorganization of the armed forces, including structure, personnel, and organization. For many years, the Chilean military had been the main obstacle in democratic progress, even regarding intelligence, and particularly in the investigation of human rights abuses during the dictatorship. For example, the May 1995 decision of the Supreme Court to convict both Contreras (seven years), and Espinoza (six years) for directing the 1976 assassination of Orlando Letelier in Washington, D.C., was not implemented because Contreras did not want to serve the sentence. Backed by unruly Army and Navy units, he was able to avoid imprisonment for months. He eventually agreed to go to jail (as did Espinoza), but not before heated negotiations were conducted between the military and the Eduardo Frei administration. These resulted in a compromise on the part of the presidency and the use of luxury prison facilities reserved for a group of military officers who received a completely different treatment from other inmates.[26] Ultimately, several years passed and two Truth and Reconciliation committees rendered reports before the

Armed Forces would allow civilians to investigate the Pinochet regime's human rights abuses. Experience shows that such investigations may not only accelerate democratic institution building and democratic consolidation, but also boost a defense/security and intelligence culture by restoring a population's trust in a country's institutions. As Michael Deloach observed:

> By holding accountable those who perpetrated past abuses, truth commissions enable societies to distinguish reformed security forces from the institutions that carried out past abuses, helping restore society's trust. Moreover, by bringing to light the structures that allowed past abuses to be carried out, the findings of truth commissions can provide the impetus for institutional reforms.[27]

According to other researchers:

> Constitutional and governmental reforms enacted since the early 1980s have radically altered Chilean intelligence and security agencies. As past abuses and atrocities are investigated and brought to light by the international community, especially following the 1999 arrest and detainment of Pinochet on charges of human rights crimes, current Chilean intelligence agencies seek to distinguish themselves from the reputation of their predecessors, despite continuing to hold similarly broad powers with limited legal and administrative restraints.[28]

REFORMS OF INTELLIGENCE INSTITUTIONS AND THEIR LEGAL FRAMEWORK

According to Article 5 of Law 19974, the Chilean Intelligence System (*Sistema de Inteligencia del Estado*) consists of seven main intelligence bodies: the National Intelligence Agency (ANI); the Defense Intelligence Directorate of the National Defense Staff (DID); three separate Intelligence Directorates of the Armed Forces—DINE, DIRINTA, and DIFA; and the two Directorates or Headquarters of Intelligence of the Forces of Public Security and Order, with one belonging to the *Carabineros* (Military Police) and the other as part of the *Policía de Investigaciones* (PDI, Civilian Police).[29] Their legal framework resides in the Constitution, Law 19974 of 2004, and the Law on the Organization and Functioning of the Ministry of Defense. As noted earlier, the MOD law allows the Ministry to formulate public policy over all spectrums of defense policy as well as strategic planning, force structure, military policy, and professional military education. It also pertains to intelligence, as many intelligence agencies are under the umbrella of the Ministry of Defense. The legal framework provision also includes legislation on transparency. As such, in April 2009, Chile enacted a Law on Public Access to Information (Law 20285), akin to

freedom of information act (FOIA) laws everywhere. In line with the FOIA law, Chile's citizens can request information, and government institutions are obliged to respond, although Article 38 of Law 19974 states that not all the demanded information need be provided due to secrecy considerations.[30]

The National Intelligence Agency (ANI)

Currently, each branch of the Chilean military has its own intelligence service, which is subordinated only to the appropriate service commander-in-chief (Army, Navy, Air Force). But, in the aftermath of the dictatorship, the country's political leadership sought an efficient civilian intelligence agency which would centralize all intelligence and be subordinated directly to the President. In response, the ANI was finally created in 2004.[31] Congress had begun debate on establishing an ANI in October 2001, separate from any discussion regarding reformation of the military intelligence agencies or diminishing their autonomy.[32] On paper, the ANI is supposed to coordinate the activities of all the country's intelligence agencies, but in line with the law, the military intelligence services remain subordinated solely to their leaders.[33] Thus, the Army, Navy, and Air Force have continued to "determine to a large degree what their intelligence services should do, and the ANI simply serves as a vehicle for sharing information."[34] Often, the ANI cannot fulfill its mission, due to both the lack of trust among the different services and competition among the agencies for attention, budget, or human resources. As a result, many have proposed the creation of a National Intelligence Director who could exercise authority over the ANI, armed forces intelligence, and police intelligence.[35]

The ANI was created in 2004 under a veneer of military support. While the Army's intelligence service initially called the ANI "a sign of 'national growth,'" its support eventually faded. Yet, as Gregory Weeks has noted, "As long as [ANI] did not encroach on existing military prerogatives no effort was made to impede its development."[36]

The ANI has a staff of approximately 100, including the Director, who is directly nominated by the President and, according to Article 9 of Law 19974, can be appointed for a maximum of six years and cannot be reappointed until three years after leaving office. The current director, Gustavo Villalobos, was Director of the Intelligence Service from 2001 to 2010, and again since 2014. From a legal perspective, the Chilean law does not attribute to ANI any operational capabilities and does not sanction espionage; rather, its personnel include handpicked analysts, with the majority being journalists, historians, lawyers, sociologists, and academicians.[37] Nevertheless, the ANI can engage in several kinds of intrusive activities, but only if certain information cannot be obtained using

open sources of intelligence (OSINT). As such, the ANI can perform four different types of procedures, as stipulated in Article 24 of Law 19974: (1) the interception of telephone, computer, radio communications, and correspondence; (2) the operation of surveillance systems and networks; (3) wiretapping and video recording; and (4) the utilizing of any other technological systems for the transmission, storage, communication, or processing of information.[38] Ultimately, however, ANI's main focus remains analysis. Yet it obtains information from such open sources as national and international media, data obtained from paid and unpaid informants, and all the intelligence received from other security agencies, both domestic and foreign. In that sense, Article 8 of Law 19974 stipulates ANI's main roles and mission. These include the dissemination of intelligence to the President and other governmental institutions, as determined by the President; the protection of critical information; requesting and receiving intelligence from the Armed Forces intelligence services, as well as from the police, and other state institutions; producing intelligence related to terrorist groups and transnational crime; and, counterintelligence.[39] ANI's budget is regulated by Article 19 of Law 19974; for the year 2016 it was a total of 8.5 million dollars of which 75 percent was to be used for salaries. Its budget also included $70,000 as "other sources of income."[40]

The Military Intelligence Agencies

The Chilean military intelligence has always had a very realistic view vis-à-vis threats and given priority to the development of intelligence linked to deterrence and interstate conflicts. Law 19974 created four military intelligence services. Its Article 20 stipulated that their functions include those necessary to detect, neutralize, and counter activities that affect national defense, whether from inside or outside the country.

Article 20 also stipulated that the military intelligence agencies can perform "police" intelligence roles, understood as the gathering and processing of intelligence by both the Air Force and Navy as part of their air and sea policing missions.[41] The Ministry of Defense sets the guidelines and directives for the military intelligence agencies, while the Chief of Staff appoints the head of each of the four services.[42]

The Defense Intelligence Directorate of the National Defense Staff (DID—Dirección de Inteligencia de la Defensa), created by the Joint Staff[43] in 2014, was legalized by Ministerial Order 3380 of 24 December 2014. The DID comprises four departments: Planning; Intelligence Production; Counterintelligence and Security; and, Cyber Defense.[44] The DID's creation has not been entirely welcomed by the rest of the Armed Services. For instance, the Navy and Air Force expressed their concern regarding EMCO's Army-centered focus, and its little understanding of the in

services' particularities.[45] They view the DID as essentially an Army institution, with few or no benefits for the Air Force and Navy. Yet, of the four military intelligence agencies, the DID actually receives the least amount of funding, mainly because it is analysis-centered with its information that is often not as complete as it should be coming primarily from the intelligence services of the three Armed Forces.

Police Intelligence

The Directorates or Headquarters of Intelligence of the Forces of Public Security and Order. The military police intelligence, DIPOLCAR (Dirección de Inteligencia Policial de Carabineros) and JIPOL (Jefatura de Inteligencia Policial) de la PDI (Civilian Police) channel their activities toward the identification of local political violence. The PDI devotes nearly 300 personnel to countering political violence, while the Carabineros assign 200.[46] In the fall of 2014, as a result of terrorist activities, the *Carabineros* set up a new National Directorate of Intelligence, Drugs, and Criminal Investigation (Dirección Nacional de Inteligencia, Drogas e Investigación Criminal), aimed at strengthening the investigative activity of the Carabineros.[47] Both the PDI and the Carabineros have links with ANI, and interchange officers who serve as liaisons.[48]

Both services are legally regulated by the Organic Law of Carabineros and PDI, as well as Article 22 of Law 19974. A principal concern about their activities is the absence of a legal regulation to divide their jurisdictions and or mechanism to actually define their duties and responsibilities.[49] They thus have overlapping roles that only the Prosecutor can help prevent. In the wake of recent events, especially after the 2014 Metro bombings, both forces have asked for an increasingly important role in countering terrorism, a move mistrusted by the Military Intelligence services since they don't wish to lose their responsibilities.[50]

ESTABLISHING DEMOCRATIC CONTROL AND OVERSIGHT OF THE CHILEAN INTELLIGENCE COMMUNITY

The control and oversight of the Chilean intelligence agencies, based on the Law 19774 of 2004, is undertaken by the Executive, Legislative, Internal, and Judicial branches of government, but only over the ANI, and not over the military agencies.[51] With regard to military intelligence, the Chief of Staff is the only accountable public official, and thus must respond to any wrongdoing among the military services. Control and oversight also involves informal external oversight by the media and civil society (general public), at both the domestic and international levels.

Executive Control

In line with Article 7 of the 19974 Law, executive control is exercised jointly by the President and the ANI Director; the ANI directly responds to the President; guidance and direction of its activities are the responsibility of the Director, who is appointed by the President.

In addition, executive control is exercised by the Contraloría General de la República, akin to the Government Accountability Office (GAO) in the United States and the Courts of Audits in Europe, a top supervisory body of the Chilean administration, regulated by the country's Constitution. Autonomous from the Executive Branch and other public bodies, it controls the legality of the activities of state agencies. Contraloría is the institution that verifies the legality of the personnel hired by ANI, as well as the agency‘s expenditures.[52] But Contraloría has no control over the *fondos reservados*, the special funds about which ANI does not have to give any explanation and are used to pay informants and other non-public operations. Only the ANI Director, who knows the funding allocation, can assure the Contraloría of the lack of budgetary illegalities.

Executive control is also ensured by the director of each military intelligence agency. This is a legacy of the military dictatorship whereby the military considered itself the only institution capable of defending Chile's interests.

Internal Control

Internal control of the intelligence community is ensured by the highest ranking official in each agency, known in Chilean parlance as "autocontrol."[53] For ANI, the Director controls and assures the legality of both the agency and its personnel's activities, and can hold the staff responsible and accountable for any wrongdoing. In the three intelligence services of the Armed Forces, the Chief of Staff has this authority.

Legislative Control and Oversight

Legislative control and oversight is ensured by an Intelligence Committee functioning in the Chamber of Deputies of the Chilean Congress. But the Committee is not permanent. In accordance with Article 37 of Law 19974, which stipulates the creation of the congressional committee, the ANI director must at least annually present a secret report to be reviewed by the Committee, also in secret. The members of the Intelligence Oversight Committee are sworn to secrecy for life; if they break this oath, the Chilean Criminal Code can be invoked against them. The Committee can also require information pertaining to their agencies' performance from the Ministers of Internal Affairs and National Defense and from the ANI's

Director. But most of the time the work of the Committee is reactive; the panel tends to convene mainly when crises or scandals occur. That is why Carolina Sancho has called for the creation of a Permanent Commission of Intelligence instead of the Special (non-permanent) Committee that exists today.[54]

Legislative oversight can be enhanced if Chile creates the position of *Ombudsman*, a step which is currently underway. Originating in Scandinavia, and widely used internationally, the *Ombudsman* is a public official chosen by either the executive or the legislative branch who defends the interests and rights of the public. When this institution will be established and what its roles and responsibilities will be, is as yet undetermined.

Judicial Review

Several different laws articulate Chile's legal framework for special collection procedures. First, in accordance with Law 19974 of 2004, intelligence agencies must obtain authorization from judges for special collection activities.[55] While the ANI can engage in the interception of communications and the carrying out of video surveillance only under authorization from a minister within the Court of Appeal,[56] the military and police intelligence leadership can legally authorize surveillance, such as operating undercover agents and informants, without judicial authorization.[57] Law 19974 requires the authorization of a "Ministro de Corte," a judge who approves specific intrusive activities and rules on an individual basis in order to guarantee fundamental rights. In contrast, Law 20000 of 2005, an antidrug law, stipulates that judicial approval for a special collection procedure requires only a "Juez de Garantía," which makes approval for intrusive activities easier. Additional special collection legal provisions include those in Article 222 and others in the Criminal Procedure Law, as well the Counter Terrorist Law 18314 of 1984.

Informal External Oversight

In addition to formal control/oversight mechanisms, informal mechanisms help expose irregularities or wrongdoing within the intelligence community. Informal oversight by the media in particular has often exposed such transgressions.

Several relatively recent "scandals" that were attributed to branches of the Military Intelligence, such as the one in 2003, when some Chilean agents allegedly stole information from the Argentinian consulate in Punta Arenas, Chile. A more recent case involved two Peruvian military personnel receiving money from the Chileans in return for information.[58] Specific details of these operations are known only by the intelligence branches of the three institutions and their respective Chiefs of Staff. None of the civilian leadership, including the President and the Minister of Defense,

were said to be aware of the operations and were only given reports in which the information had already been processed into intelligence.[59] That case initiated a strong debate over not only accountability but also the potential politicization of the Armed Forces' intelligence, referring to the idea that the Armed Forces might be acting as a law unto themselves and working under the premise that only they know what is good for Chile.[60] But public concern over such events as spying on the Argentinian consulate in Punta Arenas or the 2015 case in which Chile allegedly paid Peruvian military informants was either downplayed by the media and the public or considered to be a natural outcome of difficult bilateral relations between Chile and its neighbors.

Informal external oversight of the government of Chile has been conducted through the authority of the Inter-American Court of Human Rights. One particular case stands out, that of retired Navy officer Humberto Palamara, in 1993. When Palamara tried to publish a book, the Navy seized all the copies and put him on trial. He then sought the protection of the Inter-American Court of Human Rights, and the court acted in his favor. In 2006, the Court ruled that Chile had violated the rights of the officer, as Russell Swenson and Carolina Sancho Hirane explained, "by having applied prior restraint, having violated the guarantee of due process upon illegitimately subjecting Palamara to military jurisdiction, and having violated the right to private property by denying him the use and enjoyment of his intellectual creation. Beyond paying compensation and allowing the publication of the confiscated book, Chile had to bring its military justice up to international standards."[61] Chile thus accepted the resolution of a multilateral international legal body.

ANALYSIS OF THE REFORM

General Inferences

Chile's democratic reform of intelligence features an uneasy relationship between civilian policymakers and the military. While the civilians have, over time, developed successful civil–military relations and a democratic defense reform,[62] they have not been entirely successful with one particular component of civil–military relations: democratic reform of intelligence. While the policymakers have reported progress in creating a civilian intelligence agency, they are still struggling to achieve an acceptable tradeoff between transparency and the effectiveness of the post-dictatorial intelligence agencies due to a host of interconnected challenges, many of them emerging from the legacy of the past.

The most pernicious challenge has been overcoming the legacy of the past, the "stigma" associated with intelligence agencies' non-democratic past and misconduct, and with a continuation of non-democratic personnel and

abusive practices even after the regime change.[63] These legacies have resulted in the politicization of intelligence. For example, when the DINA was abolished in 1990, many of its personnel and informants were absorbed by the CNI. Despite its efforts to distinguish itself from the notorious Pinochet-era agency, by first and foremost changing its focus from internal surveillance to national defense, its harboring of ex-DINA personnel was controversial.[64] Pinochet-era practices plagued the intelligence sector during the first years after the transition to democracy. In 1992, the military intelligence spied on various center–right party members. After a civilian judge who was supposed to investigate the case remanded it instead to the military, the Armed Forces immediately closed the case; moreover, when one of the aggrieved politicians continued to exert pressure to open the case of abuse by the military, one of his children was kidnapped.[65] Palamara, for one, in his 2006 book, listed many of the Armed Forces' violations of human rights, including the "use of military intelligence services in anti-subversive warfare, and asserted the need for certain ethical boundaries."[66]

The various human rights committees formed after Chile's transition to democracy have attempted to counter this legacy of the past though, and their endeavors led to the arrest of many DINA/CNI members after the demise of the Pinochet regime. Nevertheless, Chile's military intelligence still bears the stigma derived from the long period of dictatorship in which it was used as a state mechanism of torture, mass murder, and political repression. Delinking the actual need for intelligence from that dismal period of Chile's history has been difficult. That factor has also affected and delayed the creation and development of an intelligence culture that allows training professionals in several areas of interest.

The Military's Objections

The legacy of the past has had additional negative consequences. The military's continued prerogatives, as well as its resistance to and even intimidation of attempts at reforming intelligence, have delayed the development of both transparency and effectiveness of the post-Pinochet Chilean intelligence community. During the early years of transition, the Armed Forces attempted to torpedo any civilian effort to create a civilian intelligence agency. Resistance also occurred during the debate on creation of the ANI. Most of the military's pushback was against too much presidential control over ANI. The Armed Forces feared that the ANI, which was intended to be the "coordinating" intelligence body, would not only be too close to the President, but would bring the military under the scrutiny of the President, a status the Armed Forces did not want. The military instead sought a multilateral control system,

paradoxically invoking concern over potential abuse of presidential power.[67] They also opposed the idea of granting operative powers to the ANI.[68] Moreover, the military intelligence invoked Law 19974 and cited the lack of training in their academy by ANI personnel. In the military's view, ANI's civilians, who were not trained in the services' institutions, were not real intelligence professionals. Although civilians are currently included in the military intelligence bodies, they are still not considered equals by the military officers. As Gregory Weeks has noted, "For years, the military had been effectively governing itself, and was viewed as competent in terms of organising and running intelligence. The military, however, was not amenable to adding civilian oversight."[69] Kevin Ginter pointed out that the "power of Chile's intelligence services to resist reform and greater civilian oversight" continued at least until the debate on the creation of and legal framework for the ANI in the early 2000s.[70]

Under these circumstances, achieving *de facto* and *de jure* civilian supremacy over intelligence has been cumbersome and sluggish. Despite their initial interest in the democratization of intelligence, civilians in and out of government had limited authority to impose their will and overstep either the prerogatives or the boundaries of the military. But more than a decade after the end of the military rule, the members of the Chilean Congress still did not have the courage and/or interest to confront the autonomy of existing military intelligence bodies, or to enforce any congressional oversight on the ANI. They allowed only for presidential accountability.[71] In the fall of 2014, for instance, Chile experienced a terrorist attack in the Escuela Militar metro station. Congressman Gustavo Hasbún (UDI-Conservative), a member of the Intelligence Committee in Congress, said that "the only way to fight terrorism is to give [ANI] capacities to infiltrate in criminal groups, thus guaranteeing operative competences."[72] That suggestion, which turned into a floor debate, has not yet implemented.

All of this has resulted in a frail democratic civilian control over intelligence. For example, by law, the military and police intelligence leadership can still authorize surveillance, such as operating undercover agents and informants without judicial authorization, a prerogative secured by the military during the ANI law debate.[73] This ability questions the transparency and accountability of the uniformed services' intelligence agencies. The same doubt can be raised regarding the effectiveness of the Congressional oversight of intelligence. In the past, researchers noted that the Congress was "shut out of the intelligence process."[74] That situation has not changed much either. Since the "terrorist" attack on Escuela Militar, no agreement has been reached on whether the ANI should have enhanced prerogatives. In addition, other than several media scandals, which drew the public's attention, intelligence has been a low priority for any administration. As a result, the Chilean Congress still has little authority

over intelligence overall, and does not exercise direct control over the military intelligence. This situation reveals a lack of civilian expertise in intelligence matters. That knowledge gap has prevented policymakers from having an informed opinion on the intelligence and democracy debate or choosing the best approaches to intelligence reform. Moreover, the Chilean intelligence system remains almost completely unknown to a public that still considers the intelligence sector to be a mechanism for repression and the conduct of obscure activities. The limited coverage that Chilean newspapers dedicate to intelligence matters assures that this topic remains widely unknown.[75]

Closing the Gap

As a consequence, the professionalization of the ANI has been rather slow. Chile still does not have an educational institution within the ANI, due in part to the military's initial opposition. Since the Army has its own Intelligence Academy, it has relied on hiring civilians primarily as analysts. As university graduates, their degree allows them to be contracted as intelligence professionals (*profesionales*) or in management positions (*directivos*).[76]

However, the University of Chile's Department of Political Science and Public Affairs Institute, until 2009, offered a *Diplomado* in analytical methods for strategic intelligence, and the Army War College (ACAGUE), offered a master's degree focused on strategic intelligence.[77] Likewise, in 2009, the National Academy of Political and Strategic Studies (ANEPE), an institution which provides graduate level education for both military officers and civilians, functioning under the umbrella of the Ministry of Defense, began a *Diplomado* program named "The Intelligence Function in the Contemporary State" that aimed at fostering an intelligence culture in Chile by educating the population on the need and role of intelligence in the Chilean democracy.[78] As one observer has noted, "intelligence education, whether in official government institutions or in universities, has professionalized the field, and has attracted the interest of Chile's academic community, setting the intellectual stage for expansive intelligence studies."[79] In addition, the DINE has an Intelligence School, operating since the mid-1980s, which educates and trains Army, Navy, and Air Force intelligence officers.

Coordination Difficulties

Under ongoing circumstances, achieving effectiveness in fulfilling intelligence roles and missions has been challenging, in particular for the ANI. In addition, Chile's Law 19974 failed to include the *Gendarmeria* (which is responsible for the administration of prisons) in the intelligence community. The law stipulated that the ANI may require information

from the Gendarmeria, which must comply with the request, thus acknowledging the relevance of the institution to national security.[80] Yet the statute did not grant the organization intelligence capabilities even though many individuals, groups, and organizations threatening Chile's internal security operate from within its prisons.[81] As experts have pointed out, "If the Gendarmeria were to carry out intelligence in an institutionalized fashion, it could make a substantive contribution to the national security system."[82]

Interagency coordination has also been problematic. In the 2000s, Gregory Weeks has explained, "A serious problem facing any reformer is the persistently decentralized nature of Chilean intelligence. Six autonomous organizations work with little formal connections to each other. Each branch of the Armed Forces (Army, Navy and Air Force) operates its own agency, as do the National Police, Investigations (which is the investigative arm of the police) and the Directorate of Public Security and Information."[83] Occasionally, civilians in the Chilean government complain about the lack of interagency work and coordination among the agencies of intelligence, yet the military services deny this.[84] In addition, in the existing competition among the four armed forces intelligence services, a "fight" is being waged for resources, and those succeeding in the competition get the largest amount of resources. What then is the incentive for cooperation? Also, the fact that each military intelligence agency depends exclusively on its own Chief of Staff inhibits cooperation with other state institutions.

Although the current debate on security and democracy may help the policymakers in Santiago strike an appropriate transparency and effectiveness balance for their intelligence system, this is still an uncharted territory. Chilean governments tend to take decisions *ex-post*, namely after either a scandal or a major incident, rather than as part of a regular process of democratic discussion that identifies the role and place for intelligence. Thus, after the successful terrorist attack of 8 September 2014, when some Chilean anarchists placed a fire extinguisher with two kilograms of black gunpowder assembled as a bomb in the metro station Escuela Militar that detonated and killed seven people, public opinion demanded more security measures, including an overhaul of the Chilean intelligence system and the 19974 Law.

Demands were then made to grant the ANI an operational branch whose agents would be able to infiltrate and collect intelligence on criminal and terrorist organizations. The envisioned reform would be fourfold, involving ANI, the DID, police intelligence units, and the role of cyber.[85] Some academics criticized the proposal of granting operative capacities to the ANI, fearing that its lack of appropriate training and unclear ethical guidelines could result in its spying on political parties.[86] Also unclear was what responsibilities the DID would have.

The structure of the Chilean Military Intelligence invites a comparison with Spain's 2005 decision in creating its Armed Forces Intelligence Center (CIFAS—*Centro Inteligencia de las Fuerzas Armadas*). In that regard, Chile's DID should be given responsibility over strategic and operative intelligence, leaving only tactical intelligence to each of the three branches.

The role of Chile's law enforcement agencies also remains unclear. They have traditionally been looked down upon by the Military, with claims that the police lack the appropriate level of training and do not perform a duty equally important duty to the country. Nevertheless, the law enforcement agencies do share a big responsibility in the current national security context, where the line between security and defense cannot be clearly drawn. The debate on roles and responsibilities has unfortunately not brought about necessary reforms, not even in the aftermath of the serious terrorist attacks in Paris in 2015 and Belgium in 2016, among others.[87] Besides fighting terrorism and subversive groups, intelligence is needed to assess economic and trade matters that directly affect Chile's national interests. From this perspective, Chile needs to carefully monitor China's economy in order to protect Chilean copper exports, which are the biggest component of Chilean foreign trade. In addition, the devaluation of the Chilean peso against other currencies requires that Chile focus on economic intelligence.[88]

ASSESSING THE STATUS OF CHILE'S INTELLIGENCE DEMOCRATIZATION AND INTELLIGENCE CULTURE

Chile has become one of the few fully consolidated democracies in Latin America: it scores 2 in Freedom House indices.[89] Moreover, it has successful democratic civil–military relations. Nevertheless, the question can still be raised: Where is Chile today, in terms of democratic civilian control, the effectiveness of its post-dictatorial intelligence agencies, and its overall intelligence culture? Despite some evident progress, Chile has yet to achieve a truly satisfactory balance between transparency and effective intelligence, and an adequate level of intelligence culture. A summary of the findings of our study, in terms of Requirements for Civilian Control, Requirements for Effectiveness, and Requirements for Intelligence Culture in post-dictatorial Chile is presented in Table 1. We assigned values ranging from low to high for each requirement.

Requirements for Control

Chile scores "low-medium" in the Institutional Control Mechanisms category. Control mechanisms have been institutionalized mostly through the development of a legal framework, ranging from authorization laws to

Table 1. Requirements for Intelligence Control, Intelligence Effectiveness, and Intelligence Culture

	Control			Effectiveness			Intelligence Culture	
Requirements	Institutional Control Mechanisms	Oversight	Professional Norms	Plan or Strategy	Institutions	Resources	Academia	Intelligence
	Low–medium	Low–medium	Medium–high	Low–medium	Medium	Medium–high	Low–medium	Low–medium

rules and regulations on intelligence, including agencies such as ANI and the law enforcement agencies. Nevertheless, the limited roles of the civilian agencies and the influence of military intelligence, coupled with limited guidance and direction on the part of the executive, have ultimately failed to develop a robust institutional control mechanism.

In the "Oversight" category, Chile again scores "low-medium," mostly due to the legacy of its non-democratic past. While formal oversight mechanisms, such as the Intelligence Oversight Committee and judicial bodies exist on paper, they have been rather ineffective. They have provided little proactive oversight and rather more reactive, responding largely to media "fire alarms" about various scandals or intelligence failures. And, even when the oversight bodies have convened or begun a debate on intelligence reform, these efforts have essentially led nowhere. Nor have the formal oversight bodies had sufficient authority to monitor the activities of military intelligence. In addition, while the media have exposed wrongdoing in intelligence or the lack of actual reform, and hence deserve accolades for performing their duties as watchdogs of democracy, they have not had the power to bring about responsive government, as was the case in democratizing countries such as Spain and Romania.

Chile scores "medium-high" in the Professional Norms category, given the recent efforts by the civilian agencies to professionalize their operations, based on expertise, responsibility, and corporate structure. Issues that affect improving intelligence professionalism remain, with the most challenging being the legacy of the past, especially the military's influence on the intelligence sector, in which it attempts to undermine the efforts of the ANI and police intelligence agencies to increase the expertise of their personnel.

Requirements for Effectiveness

Chile scores "low-medium" in the "Plan" category. While strategic documents were issued after the transition to democracy, Chile's policymakers have yet to develop a robust plan on the role and place of intelligence under the democracy.

Chile scores "medium" in the "Institutions" category. While the country has an intelligence system, consisting of several agencies, some civilian and some military, the Chilean intelligence system is far from being a sophisticated, contemporary intelligence community, featuring effective coordination mechanisms among the agencies, healthy cooperation and sharing, and interoperability.

Chile scores "medium-high" in the "Resources" category. For at least some of the military intelligence components, the adequacy of budget, personnel, and equipment has been relatively high. This may be explained by the Copper Law, which will soon undergo a reformation process due to recent

scandals wherein money was allegedly used unlawfully, including the financing of houses for former military intelligence personnel who were released from prison after serving time for human rights violations.[90] The ANI, however, does not benefit from Copper Law funding, and its budget may be less than eight million dollars a year.[91]

Requirements for Intelligence Culture

Chile scores "low-medium" in the "Academia" category. Intelligence has yet to become an academic discipline at civilian universities, whose role would be to educate society about intelligence matters and erase the stigma that intelligence still carries. A few universities, such as the Universidad Diego Portales, include civil–military relations topics in their curricula, and thereby on intelligence, but full Intelligence Studies curricula are yet to be developed in the Chilean academia, and despite the burgeoning think tanks, non-governmental organizations (NGOs), and research centers functioning in Chile, they have only moderately addressed the topic of intelligence. Finally, the limited literature on intelligence available in Chile is generated mostly by ANEPE, and less by civilian academia or civil society.

Chile also scores "low-medium" in the "Intelligence" category. While the country's intelligence agencies have developed their own education and training institutions, thereby helping promote security culture within the intelligence system, they have limited the access of civilians thus preventing the development of an intelligence culture among outsiders. Nor have Chile's intelligence agencies developed strong linkages with academia, a relationship which would encourage a debate on the role of intelligence in Chilean democracy. As a result, the negative image of the intelligence agencies continues to linger.

AN INCOMPLETE TRANSFORMATION

Chile's efforts to democratize its intelligence after the demise of the Pinochet regime have been sluggish. The requirements of civilian control of intelligence, intelligence effectiveness, and intelligence culture have not yet been fulfilled.[92] Chile has yet to accomplish robust democratic civilian control and transparency of its intelligence services, in particular the military intelligence. Notably, Chile's elected officials have had limited power and incentives to pursue a more robust democratization of intelligence. What Gregory Weeks noted in 2008 is still true today: "The military's proven ability to operate its own intelligence agencies constitutes a disincentive."[93] Thus, the legacy of the past has not been entirely wiped out. Chile has yet to develop a robust intelligence culture, whereby both insiders and outsiders understand and support the role of the intelligence agencies in the

democracy. Limited efforts on the part of the political elites, academia, and even the intelligence agencies themselves to change this situation make it possible for "intelligence" to remain *terra incognita.* More problematically, the limited efforts on the part of the intelligence services and academia to educate the citizenry on the role of intelligence in a democracy continue to fuel the civilian population's fear and hatred toward the intelligence sectors. In sum, while the noxious DINA has *de facto* and *de jure* incrementally disappeared from the post-Pinochet Chile, its stigma has not faded away from citizens' minds and memories.

Chile is thus an intriguingly paradoxical case of "intelligence and democracy," whereby the country has achieved democratic consolidation, particularly in terms of free and fair elections, political pluralism, a free market economy, and even civil–military relations, yet without much progress in democratizing intelligence. The improvement of transparency, accountability, and civilian political control of intelligence is still a work in progress. Nevertheless, the intelligence agencies are now considerably distanced from the Pinochet-era's ruthlessly abusive services, and this accomplishment is worth noting.

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[2] For a detailed theoretical background on intelligence culture, see: Irena Dumitru, "Building an Intelligence Culture From Within: The SRI and Romanian Society," *International Journal of Intelligence and CounterIntelligence*, Vol. 27, No. 3, Fall 2014, pp. 569–589. Dumitru notes that the concept is circumscribed to the concept of "security culture," which she defines as "a state which incorporates information, values, attitudes, and behaviors of social actors, which are then held and developed in relation to national security, threats, risks, and national interests." Using examples from Spain, Italy, France, among other countries, she further highlights that the main function of intelligence culture "should be to facilitate a correct representation of national security and national interest endeavors, primarily as assets in the citizens' own common benefit, in contrast to the negative or deformed perception often encountered in regard to intelligence agencies."

[3] For detailed assessments of the success of the Chilean post-Pinochet civil–military relations, see Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge*

Handbook of Civil–Military Relations (London: Routledge, 2012); Justin Nankivell, "Best Practices Crossing The Pacific: Security Sector Development from the Andes to Asia," Asia Pacific Center for Security Studies; and Thomas C. Bruneau, "Civilians and the Military in Latin America: The Absence of Incentives," *Latin American Politics and Society*, Vol. 55, 2013, pp. 143–160.

[4] Democratic reform of intelligence is a particular component of civil–military relations. Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge Handbook of Civil–Military Relations*.

[5] For demands on democratization of intelligence we use the Matei and Bruneau framework of democratic civilian control and effectiveness. Democratic Civilian Control is conceptualized in terms of authority over the institutional control mechanisms, oversight, and the inculcation of professional norms (although professional norms can also contribute to effectiveness); Effectiveness in Fulfilling Roles and Missions involves three necessary, yet not necessarily sufficient requirements of plan, structures/processes and resources, in the form of political capital, money, and personnel (although it is rather difficult to assess effectiveness, it is important to have such institutions). See Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge Handbook of Civil–Military Relations*; Florina Cristiana Matei, "The Media's Role in Intelligence Democratization," *International Journal of Intelligence and CounterIntelligence*, Vol. 27, No. 1, Spring 2014, pp. 73–108. For the requirements for intelligence culture we use Irena Dumitru's framework, whereby the intelligence culture is developed at various levels and in three main areas: the intelligence community, academia, and business (due to lack of available data on the business requirement, we will drop this element from our analysis). See Irena Dumitru, "Building an Intelligence Culture from Within: The SRI and Romanian Society."

[6] We understand that assessing intelligence democratization is problematic, mainly due to the cloistered nature of intelligence bureaucracies. Nevertheless, access to the existing intelligence literature, but mainly through involvement in the programs conducted by the Center for Civil-Military Relations (CCMR) for foreign military and civilian partners, and ANEPE, enables us to discuss intelligence reform with intelligence representatives from new democracies, including Chile, and allows us to be confident that we have useful insights on the topic. Both authors speak the language of Chile. One author lives in Chile and worked for the Chilean Government at the time in which the investigation was carried out.

[7] Pinochet became the Commander in Chief of the Armed Forces, and was the only five-star general of the Armed Forces.

[8] Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge Handbook of Civil–Military Relations*.

[9] "Manuel Contreras and the Birth of DINA," available at http://www.latinamericanstudies.org/chile/DINA-birth.htm

[10] Chile's first intelligence gathering activities were carried out by its military organizations. In the early 20th century, German advisers, helping with the professional development of Chile's army, contributed to the creation of the Department of Reconnaissance and Information. In 1964, it was renamed

the Direccion de Inteligencia de Ejercito (DINE). The Navy's intelligence agency originated in 1965, while the Air Force's intelligence service began in 1976, during the Pinochet dictatorship. Chile's national police service, the Carabinero, had also gathered intelligence over a period of many years. See Kevin Ginter, "Latin American Intelligence Services and the Transition to Democracy," *Journal of Intelligence History*, Vol. 8, No. 1, 2008, pp. 69–93, at p. 84.

[11] *Ibid.*

[12] *Ibid.*

[13] For a detailed account of the DINA, as well as of the Caravan of Death, see Carlos Huneeus, *El Regimen de Pinochet* (Santiago, Chile: Editorial Sudamericana, 2000), especially pp. 101–103, 103–108, and 160–165.

[14] "Manuel Contreras and the Birth of DINA."

[15] For a definition of political police, see Florina Cristiana (Cris) Matei, "Romania's Intelligence Community: From an Instrument of Dictatorship to Serving Democracy," *International Journal of Intelligence and CounterIntelligence*, Vol. 20, No. 4, Winter 2007–2008, pp. 629–660. Notably, however, given Contreras's immense power and authority, DINA emerged as a largely independent security state service. See Thomas C. Bruneau and Steven C. Boraz, *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness* (Austin: University of Texas, 2007).

[16] "Manuel Contreras and the Birth of DINA."

[17] Carlos Huneeus, *El Regimen de Pinochet*, pp. 160 and 162.

[18] Kevin Ginter, "Latin American Intelligence Services and the Transition to Democracy," p. 87.

[19] "Chile, Intelligence and Security," *Encyclopedia of Espionage, Intelligence, and Security*, 2004, The Gale Group Inc., available at http://www.encyclopedia.com/doc/1G2–3403300135.html

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[21] *Ibid.*

[22] For a detailed discussion and analysis on what civil-military relations (CMR) lessons the Chilean military learned from Spain's transition to democracy and CMR, see Gregory B. Weeks, "The Lessons of Dictatorship: Political Learning and the Military," *Chile Bulletin of Latin American Research*, Vol. 21, No. 3, 2002, p. 398.

[23] Rodrigo Vera Lama,. *Sistema de Inteligencia del Estado a la luz del Derecho* (Santiago, Chile: Librotecnia, 2008), p. 201.

[24] Carlos Maldonado Prieto, "Servicios de Inteligencia en Suramérica. Estado de situación en una perspectiva comparada," WHINSEC, June 2002.

[25] *Ibid.*

[26] Despite tensions and compromise, the Court decision was tremendously significant vis-à-vis intelligence as the first-ever sentencing, after the regime change, of high-ranking officers for human rights repressions. It also represented substantial progress in CMR by bypassing an existing amnesty law, as the crime had taken place at some time between 1973 and 1978. See Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge Handbook of Civil–Military Relations*.

[27] Michael Deloach, "And the Truth Shall Set You Free. Truth Commissions and Civil-Military Relations," *JoDRM* Vol, 6, No. 1, April 2015, p. 10.

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[30] Article 38 of the Law 19.974, available at http://www.leychile.cl/Navegar?idNorma=230999

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[42] *Ibid.*

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[75] F. Díaz, J. Matus, A. Guerrero, and S. Labrín, "Así opera hoy la inteligencia en Chile. Entre la Agencia Nacional de Inteligencia, PDI y Carabineros son cerca de 600 los funcionarios que se dedican a este análisis y recopilación de información."

[76] ANI's professional and directive scale. Available at http://www.interior.gob.cl/transparencia/ani/2016/per_remuneraciones.html

[77] See Russell G. Swenson and Carolina Sancho Hirane, *Intelligence Management in the Americas*, pp. 328–329. This program is three-fold: first, graduating from a military science program; second, graduating from the University of Chile's *Diplomado* program in strategic intelligence; and, third, writing a thesis in the war college.

[78] Russell G. Swenson and Carolina Sancho Hirane, *Intelligence Management in the Americas*, pp. 328–329.

[79] *Ibid.*, pp. 328–329.

[80] *Ibid.*, p. 288.

[81] *Ibid.*

[82] *Ibid.*

[83] Gregory Weeks, "A Preference for Deference: Reforming the Military's Intelligence Role in Argentina, Chile and Peru."

[84] Discussions during CCMR programs in Santiago, Chile, 2011, 2013, and 2014.
[85] Carolina Sancho, "Ciberseguridad: enfrentando riesgos y amenazas en un mundo globalizado."
[86] A. Avendaño, "¿Debe la ANI tener capacidades operativas?" Columna de opinión, ANEPE, 2014, available at http://www.anepe.cl/2014/09/debe-la-ani-tener-capacidades-operativas/
[87] Chile is much aware of its isolation and tends to believe that its military involvement in the MENA region could result in Islamist attacks in Chile; this, is, however, debatable, given the transnational trait of terrorism and terrorist groups' aim to be global actors.
[88] Chilean Central Bank, available at http://si3.bcentral.cl/Indicadoressiete/secure/Indicadoresdiarios.aspx
[89] www.freedomhouse.org
[90] The scandal was dubbed "milicogate" by the Chilean media. See http://www.elmostrador.cl/noticias/pais/2015/10/06/milicogate-se-gastaron-los-fondos-reservados-del-cobre-en-casinos-propiedades-caballos-y-fiestas/
[91] http://diario.latercera.com/2013/11/09/01/contenido/reportajes/25-150344-9-la-inteligencia-en-chile-en-los-tiempos-de-snowden.shtml. Special funds are defined as those budgetary items that do not need to be publicly declared
[92] See Reference no. 5.
[93] Gregory Weeks, "A Preference for Deference: Reforming the Military's Intelligence Role in Argentina, Chile and Peru."