

WASHINGTON — The [Drug Enforcement Administration](#) has been transformed into a global intelligence organization with a reach that extends far beyond narcotics, and an eavesdropping operation so expansive it has to fend off foreign politicians who want to use it against their political enemies, according to secret diplomatic cables.

In far greater detail than previously seen, the cables, from the cache obtained by [WikiLeaks](#) and made available to some news organizations, offer glimpses of drug agents balancing diplomacy and law enforcement in places where it can be hard to tell the politicians from the traffickers, and where drug rings are themselves mini-states whose wealth and violence permit them to run roughshod over struggling governments.

Diplomats recorded unforgettable vignettes from the largely unseen war on drugs:

¶ In Panama, an urgent BlackBerry message from the president to the American ambassador demanded that the D.E.A. go after his political enemies: “I need help with tapping phones.”

¶ In Sierra Leone, a major cocaine-trafficking prosecution was almost upended by the attorney general’s attempt to solicit \$2.5 million in bribes.

¶ In Guinea, the country’s biggest narcotics kingpin turned out to be the president’s son, and diplomats discovered that before the police destroyed a huge narcotics seizure, the drugs had been replaced by flour.

¶ Leaders of Mexico’s beleaguered military issued private pleas for closer collaboration with the drug agency, confessing that

they had little faith in their own country's police forces.

¶Cables from Myanmar, the target of strict United States sanctions, describe the drug agency informants' reporting both on how the military junta enriches itself with drug money and on the political activities of the junta's opponents.

Officials of the D.E.A. and the State Department declined to discuss what they said was information that should never have been made public.

Like many of the cables made public in recent weeks, those describing the [drug war](#) do not offer large disclosures. Rather, it is the details that add up to a clearer picture of the corrupting influence of big traffickers, the tricky game of figuring out which foreign officials are actually controlled by drug lords, and the story of how an entrepreneurial agency operating in the shadows of the [F.B.I.](#) has become something more than a drug agency. The D.E.A. now has 87 offices in 63 countries and close partnerships with governments that keep the [Central Intelligence Agency](#) at arm's length.

Because of the ubiquity of the drug scourge, today's D.E.A. has access to foreign governments, including those, like Nicaragua's and Venezuela's, that have strained diplomatic relations with the United States. Many are eager to take advantage of the agency's drug detection and wiretapping technologies.

In some countries, the collaboration appears to work well, with the drug agency providing intelligence that has helped bring down traffickers, and even entire cartels. But the victories can come at a high price, according to the cables, which describe scores of D.E.A. informants and a handful of agents who have

been killed in Mexico and Afghanistan.

In Venezuela, the local intelligence service turned the tables on the D.E.A., infiltrating its operations, sabotaging equipment and hiring a computer hacker to intercept American Embassy e-mails, the cables report.

And as the drug agency has expanded its eavesdropping operations to keep up with cartels, it has faced repeated pressure to redirect its counternarcotics surveillance to local concerns, provoking tensions with some of Washington's closest allies.

Sticky Situations

Cables written in February by American diplomats in Paraguay, for example, described the D.E.A.'s pushing back against requests from that country's government to help spy on an insurgent group, known as the Paraguayan People's Army, or the EPP, the initials of its name in Spanish. The leftist group, suspected of having ties to the Colombian rebel group [FARC](#), had conducted several high-profile kidnappings and was making a small fortune in ransoms.

When American diplomats refused to give Paraguay access to the drug agency's wiretapping system, Interior Minister Rafael Filizzola threatened to shut it down, saying: "Counternarcotics are important, but won't topple our government. The EPP could."

The D.E.A. faced even more intense pressure last year from Panama, whose right-leaning president, [Ricardo Martinelli](#), demanded that the agency allow him to use its wiretapping

program — known as Matador — to spy on leftist political enemies he believed were plotting to kill him.

The United States, according to the cables, worried that Mr. Martinelli, a supermarket magnate, “made no distinction between legitimate security targets and political enemies,” refused, igniting tensions that went on for months.

Mr. Martinelli, who the cables said possessed a “penchant for bullying and blackmail,” retaliated by proposing a law that would have ended the D.E.A.’s work with specially vetted police units. Then he tried to subvert the drug agency’s control over the program by assigning nonvetted officers to the counternarcotics unit.

And when the United States pushed back against those attempts — moving the Matador system into the offices of the politically independent attorney general — Mr. Martinelli threatened to expel the drug agency from the country altogether, saying other countries, like Israel, would be happy to comply with his intelligence requests.

Eventually, according to the cables, American diplomats began wondering about Mr. Martinelli’s motivations. Did he really want the D.E.A. to disrupt plots by his adversaries, or was he trying to keep the agency from learning about corruption among his relatives and friends?

One cable asserted that Mr. Martinelli’s cousin helped smuggle tens of millions of dollars in drug proceeds through Panama’s main airport every month. Another noted, “There is no reason to believe there will be fewer acts of corruption in this government than in any past government.”

As the standoff continued, the cables indicate that the United States proposed suspending the Matador program, rather than submitting to Mr. Martinelli’s demands. (American officials say

the program was suspended, but the British took over the wiretapping program and have shared the intelligence with the United States.)

In a statement on Saturday, the government of Panama said that it regretted “the bad interpretation by United States authorities of a request for help made to directly confront crime and drug trafficking.” It said that Panama would continue its efforts to stop organized crime and emphasized that Panama continued to have “excellent relations with the United States.”

Meanwhile in Paraguay, according to the cables, the United States acquiesced, agreeing to allow the authorities there to use D.E.A. wiretaps for antikidnapping investigations, as long as they were approved by Paraguay’s Supreme Court.

“We have carefully navigated this very sensitive and politically sticky situation,” one cable said. “It appears that we have no other viable choice.”

Cable de wikileaks

DATE 2009-12-24 16:58:00

SOURCE Embassy Panama

CLASSIFICATION SECRET//NOFORN

S E C R E T PANAMA 000905

NOFORN•SIPDIS•MEXICO AND EL SALVADOR FOR DEA

E.O. 12958: DECL: 2019/12/24•TAGS: PREL, PGOV, SNAR, PINR, ASEC, KJUS, PM•SUBJECT: Guidance Request: DEA Wiretap Program

REF: PANAMA 639; PANAMA 699; PANAMA 777; PANAMA 776; PANAMA 799•PANAMA 877; PANAMA 901

CLASSIFIED BY: David Gilmour, DCM, State, EXEC;

REASON: 1.4(B), (D)

1. (U) This is an action request, see para 8.

2. (S//NF) Since July 2009, Embassy Panama has grappled with •President Martinelli's desire to involve the USG in his efforts to• construct a wiretap program that would target his domestic •political opponents. Refs A, B and C document the sequence of •events in which the president and subordinates employed a variety• of tactics ranging from straight forward requests to intimidating •threats, in order to obtain USG assistance and/or political cover •for his wiretap project. Ample additional reporting on this topic•is available in other agency channels.

(Condiciones para el uso del programa)

3. (S//NF) From the time of our very first discussion with the GOP •on this subject in July until now, we have clearly and consistently• told all senior GOP officials that the USG will only conduct •limited law enforcement wiretap programs in cooperation with •Panamanian law enforcement and judicial authorities, directed Only •against genuine law enforcement targets, in a process managed by a•Panamanian prosecutor and approved by a Panamanian supreme court• judge.

(expulsar a la DEA de Panamá, restringir pagos y desconfianza a la procuradora)

4. (S//NF) Since our decision in late September (Ref B) to remove •the DEA Matador wiretap program from control of the GOP's Council•for Public Security and National Defense (CSPDN), we have• confronted a series of obstacles, including threats from the CSPDN •director to expel the DEA from Panama (Ref C) and restrict payments •to vetted units (Ref G), and generally weak support for the move• from Martinelli and senior GOP leaders. Martinelli's distrust of• Panama's attorney general (Ref D) has complicated the issue and he •and his subordinates have repeatedly proposed alternative •arrangements that would keep the

Matador program within CSPDN, but would not fully maintain the "firewall" between law enforcement and intelligence activities.

(Los gringos no confían en el sistema judicial y en el uso del programa Matador)

5. (S//NF) We are still hopeful that we can complete the Matador move out of CSPDN early in the new year, but if we are unable to do so, we are faced with a difficult decision. If Matador remains in CSPDN, the GOP will continue its efforts to change procedures to weaken judicial controls over the program. CSPDN director Olmedo Alfaro has told Embassy officers that the GOP plans to introduce legislation that would create a special judge to approve GOP wiretap targets on short notice. With Panama's notoriously corrupt judicial system (rated 103 out of 133 by the World Economic Forum), we are not confident that the new judge will uphold the same standards and civil liberties protections that the Panama supreme court has exercised in its oversight of Matador to date.

(Sistema judicial desangrado, influencia del ejecutivo en el poder judicial)

6. (S//NF) All of this comes at a time when Panama's judicial institutions are under assault by the executive, with Martinelli's strong political pressure on the attorney general (Ref D) and the controversial appointment of two Martinelli political cronies to the supreme court (septel). For several weeks the Panamanian media has carried a steady stream of criticism of Martinelli's actions, and most observers believe that the country's already weak justice system is suffering serious body blows.

(Panamá en los pasos del DAS)

7. (S//NF) The Matador wiretap program is a valuable law enforcement tool, but we believe that the USG must not compromise democratic values in the employment of that tool. The United States itself has recently experienced a difficult debate over

•civil liberties and democratic principles being compromised in the•name of security. We should not be a participant in questionable •activities in Panama. The recent DAS scandal in Colombia •illustrates the catastrophic consequences of politically motivated• wiretaps, and such a scenario could easily unfold in Panama if the •GOP continues its present course of action. If we cannot guarantee •with a high level of confidence that the Matador program will not• be misused for political purposes, then we prefer to suspend the •program.

8. (SBU) Post requests Department coordinate with other stakeholder•agencies to provide advice on a way forward. While we at post are• in the strongest position to provide views on the operacional •impact of suspending the program, stakeholder agencies in• Washington can best provide the perspective on the legal and policy •factors against which the operational impact should be weighed. We• will be pleased to provide extensive additional background material •and technical details as requested.

DATE 2009-08-22 14:46:00

SOURCE Embassy Panama

CLASSIFICATION SECRET//NOFORN

S E C R E T PANAMA 000639

NOFORN•SIPDIS

E.O. 12958: DECL: 08/18/2039•TAGS: PGOV, PREL, SNAR, KCRM, PM•SUBJECT: MARTINELLI WIRETAP QUEST SHOWS DARK SIDE OF NEW GOP

Classified By: Ambassador Barbara J. Stephenson for reason 1.4 b and d.

Summary•-----•1. (S//NF) President Martinelli has reached out to the•Embassy, among other actors, to request help in building• infrastructure to conduct wiretaps against ostensible •security threats as well as political opponents. The•Ambassador has made it clear to the president that the USG• will continue our successful judicialized law enforcement •wiretap

program with Panama, but we will not be party to any effort to expand wiretaps to domestic political targets. Martinelli's seeming fixation with wiretaps and his comments to Ambassador during an August 12 meeting demonstrate that he may be willing to set aside the rule of law in order to achieve his political and developmental goals. Martinelli has publicly declared that wiretapping will be a key law enforcement tool, and has submitted a draft wiretap bill to the national assembly. Civil liberties advocates are girding for a fight, and this issue could provide the first serious challenge to Martinelli's popularity.

"I Need Help"-----2. (S//NF) Late last month Martinelli sent the Ambassador a cryptic Blackberry message that said, "I need help with tapping phones." The Ambassador, who was traveling outside Panama at the time, did not respond to the substance of the message, but directed DCM and DEA chief to meet with Martinelli's staff to get a better understanding of the president's request. DCM and DEA chief met Minister of the Presidency Jimmy Papadimitriu on July 29 and again August 1. The latter meeting also included chief of intelligence Jaime Trujillo and newly-appointed Security Secretary Jose Abel Almengor. Papadimitriu explained that the Martinelli administration's aggressive anti-corruption campaign is taking on powerful and corrupt individuals whose economic status is being threatened. He said some of those individuals may attempt to retaliate by threatening Martinelli's personal safety. In addition, Martinelli believes that his right-of-center political orientation makes him a target of leftist governments in the region who will attempt to infiltrate Panama's trade unions and destabilize the GOP. Papadimitriu said Martinelli believes he is not getting adequate information from Panama's security services to counter these potential threats, and that he hoped to gain greater insight by establishing a wiretap program.

(Funcionamiento del programa Matador)

3. (S//NF) DCM and DEA chief explained the USG's "Operation •Matador" judicialized wiretap program which currently• operates in conjunction with Panama's police and security •services. They emphasized the requirement that all targets •must be related to drug trafficking and related crimes, and• that all taps must be approved by a Panamanian supreme court •judge, following basic legal protections that are•well-established in the U.S. The present program provides •half of the wiretapped lines to the GOP for its own organized• crime investigations, which could include national security• targets. Under current procedures, DEA prepares an affidavit •every 30 days which contains a list of DEA and GOP wire tap•targets, which is reviewed and approved by the supreme court.

(El actual sistema no tiene flexibilidad para seleccionar los objetivos)

4. (S//NF) Papadimitriu, Trujillo and Almengor suggested that• the current system did not allow the GOP enough flexibility• to select targets, and mentioned short-fuse incidents such as• kidnappings where rapid wiretap capability was needed. DC M•and DEA chief countered that the technical capacity already• exists, and that the GOP should explore a new rapid-response• procedure for getting court orders that would authorize taps •for emergency situations.

DCM made very clear to •Papadimitriu that the USG would not assist in expanding the •program to include domestic political targets. Papadimitriu •laughed and said that Panama's security problems were far too• serious to waste limited investigative capacity on political •enemies.

Darker Intent•-----•5. (S//NF) A recent conversation with President Martinelli,•however, paints a less benign picture. On August 12

Vice•President Juan Carlos Varela invited Ambassador, DCM and DEA •chief to meet with him and Papadimitriu to discuss the issue• further. Upon arrival at Varela's office, we were redirected •to Martinelli's office as the president had taken over the •meeting.

(Martinelli reclama que no se comparte la información de la DEA. Martinelli no hace distinción entre sus enemigos políticos y objetivos de seguridad).

6. (S//NF) Martinelli opened by repeating his request for USG help to expand wiretaps, saying "we are in darkness" fighting against crime and corruption. He said it is not fair that DEA collects information but that Panama does not benefit from that information. He made reference to various groups and individuals whom he believes should be wiretapped, and he clearly made no distinction between legitimate security targets and political enemies. Martinelli suggested that the USG should give the GOP its own independent wire tap capability as "rent" in exchange for the use of GOP facilities.

Amenaza de Martinelli de reducir la cooperación antinarcóticos, Stephenson amenazó con informar a Washington.

7. (S//NF) The Ambassador forcefully defended the DEA program and pointed out that the jointly-investigated cases were taking criminals off of Panama's streets and making the country safer. Martinelli made an implicit threat to reduce counter-narcotics cooperation if the USG did not help him on wiretaps, to which the Ambassador promptly countered that she would readily inform Washington and we would all see Panama's reputation as a reliable partner plummet dramatically. Martinelli immediately backed off, and said he did not want to endanger cooperation.

Martinelli afirma que se reunió con las 4 empresas telefónicas para ampliar la extensión del programa.

8. (S//NF) Martinelli said the GOP could expand wiretaps on its own, but would rather have USG help. He said he had already met with the heads of Panama's four mobile phone operators and discussed methods for obtaining call data. The Ambassador reiterated the points made in our earlier meetings, that the current technical capacity was adequate and that the GOP should stream line its process for obtaining court

orders for emergencies.

(Martinelli piensa que acabaran sus problemas con los pinchazos)

Naive and Dangerous•-----•9. (S//NF)
Martinelli's near-obsession with wiretaps betrays• a
simplistic and naive attitude toward the criminal
•investigative process. He appears to believe that
wiretaps• are the solution to all of his crime
problems, and seems• unable to grasp the concept that
wiretaps are only one tool• in the investigative
process. We believe that he has tasked• several
subordinates to obtain wiretap capacity by reachig•
out to other governments and the private sector. His
effort•is an open secret among security professionals
in Panama •City. His behavior also tracks with an
attitude of suspicion •and vindictiveness we have seen
since the early days of the• campaign, when he was
convinced that the PRD-controlled•security service was
tapping his phones. (Comment: This was• very probably
true.)

(Martinelli le tuerce el brazo a un concesionario de
casino, empresarios que no paguen impuestos los voy a
tirar a los tiburones.)

10. (S//NF) More worryingly, Martinelli seems prepared
to •dispense with legal procedure in order to achieve
his reform •agenda. During the August 12 meeting he
proudly recounted to •the Ambassador how, earlier that
day, he had twisted the arms •of casino operators and
threatened to cancel their •concessions if they did
not pay their back taxes and cut •their ties to the
opposition political figures who had• granted their
generous concessions. Referring to Business men •who
received corrupt concessions, Martinelli promised to•
"throw them to the sharks." He chided the Ambassador
for•being "too legal" in her approach to the issue of
wiretaps.

(Riesgos que veían los gringos si prestaban su equipo
de escuchas).

11. (S//NF) Martinelli has visited the DEA/GOP wire room and has been fully briefed on how the joint program operates. Our conversation made clear that he wishes to establish his own independent wire program under the cover of the DEA program. If he were able to establish such a program, he could blame it all on the gringos if it were exposed, which in this tiny country it inevitably would be. That could provoke a political backlash that would endanger the DEA wire program and its significant value to USG law enforcement. •

Varela sale a disculpar actitud de Martinelli.

Martinelli's bullying style with the Ambassador made it clear that he is prepared to push the limit to get what he wants, even with his "friends." VP/FM Varela went out of his way to apologize to the Ambassador and to minimize fallout from the meeting, noting that he hates Martinelli's bluster but has not yet convinced him that what ever his persona is as "Ricardito," such behavior is inappropriate for the President of the Republic.

Big Fight Coming-----12. (S//NF) The GOP last week introduced a draft bill to the national assembly that would require registry of prepaid cell phones and compel mobile operators to submit call data to the GOP for criminal investigations. Panama's out spoken "civilista" sector has already voiced its strong opposition to the bill. In addition to the wiretap bill, civil liberties advocates are deeply concerned about Martinelli's intent to defer modernization of the criminal code through transition to an accusatory system, as well as his moves to distance the new GOP from the process of civil society input to judicial policy dialogue established under the previous government. The noisy and potentially powerful forces who once resisted Manuel Noriega could unite in common cause over these issues to negatively impact Martinelli's popularity. At the very least, Martinelli's comportment manifests the autocratic tendencies which have long been predicted by friend and foe alike.

Comment:•-----•13. (S//NF) A president only gets his "first hundred days"• once, and Martinelli is spending his obsessing about• vengeance against his political foes. Most of his government •appointments have favored loyalty over competence. This is •negatively affecting his ability to pursue his to •priorities, as well as our bilateral cooperation on shared •priorities. His penchant for bullying and blackmail may have• led him to supermarket stardom but is hardly statesmanlike. He risks losing the good will of his backers in the• Panamanian elite and business communities. Martinelli is not •a member of Panama's traditional elite, and he could be on •thin ice if his "anti-corruption" measures end up being seen• primarily as shake-downs for fast cash.

14. (S//NF) Martinelli ran as a pro-U.S. candidate, and now •assumes the U.S. owes him a debt as a right-of-center •counter balance to Hugo Chavez in the region. Our challenge is• to convince him and others in his government that the 1980s• are over in Central America. In our discussions with •Panamanians across the board, we are emphasizing the message •that the U.S. has no interest in a left-right divide in the •hemisphere, but rather in long-term institutional stability. Our desire is that ten years from now, Panama is a stable,•secure, democratic, prosperous country which is friendly to •the U.S. and capable of administering and protecting the• Canal.

15. (S//NF) In addition to sending that message, we are• carefully directing embassy programs to take advantage of new •opportunities, for example a reinvigorated effort to reach•"youth at risk" and reduce street crime, while avoiding •potential pitfalls, particularly in the security arena. Our •wiretap program, which works well and up holds the rule of •law, would easily withstand public scrutiny were it to come •to light. We are coordinating closely with counterparts in•the Council for National Security and Public Defense•(Consejo) to meet our own collection requirements, but we •must remain vigilant against the danger of local oficial s•trying to commandeer the program for internal political •games.

We must be able to defend every action we take and in doing so make our selves immune to threats to reveal our programs if we don't cave to pressure. Close coordination by all USG agencies with Embassy Panama City is therefore more important than ever. STEPHENSON