The SOUTHCOM Reconnaissance Systems Program in Colombia

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ABSTRACT

For decades, Colombia has remained the strongest and most consistent military ally of the United States in Latin America. As the threat emanating from Colombia transformed from a communist red tide to a criminalized white powder, Colombia's geographical advantages and internal conflict positioned the Andean country to become America's primary supplier of cocaine. Seeking to choke off the drug trade at its source and recognizing the utility of private military contractors (PMCs), various U.S. agencies turned to the private sector to carry out counternarcotics and counterinsurgency operations funded through an initiative named Plan Colombia--the United States' military, diplomatic, and aid program combating Colombian narcotrafficking and insurgent groups. One such 2002 contract resulted in the SOUTHCOM Reconnaissance Systems (SRS) program. Although the SRS program achieved some short-term success, the overall mission was ineffective due to technical deficiencies, mission creep, a dangerous hostage situation, and subsequent critical media coverage. A microcosm of the regulatory, oversight, and risks involved with the use of PMCs in implementing Plan Colombia, the SRS program is an interesting case for critics of U.S. reliance on PMCs and interventionism in Latin America.

INTRODUCTION

Colombia has remained the strongest and most consistent military ally of the United States in Latin America. Motivated by its preoccupation with purging the Western Hemisphere of the red threat of communism, the United States first began providing military assistance to Colombia in the 1950s. By the time the Reagan Administration declared its "War on Drugs" in the early 1980s, the threat emanating from Colombia had transformed from that of a red tide to white powder. As demand for cocaine skyrocketed in the United States, Colombia's geographical advantage and internal civil conflict led it to become the primary supplier. Seeking to choke off the drug trade at its source, U.S. policymakers turned to the private sector to carry out counter-narcotics operations outlined by an initiative dubbed Plan Colombia. Introduced under President Clinton, Plan Colombia used security aid, military, and diplomatic measures to combat the illicit drug industry that had fallen under the control of left-wing guerrilla groups. Recognizing the utility of private military contractors (PMCs), various U.S. agencies contracted out a majority of the counternarcotics and counterinsurgency operations to contractors working for private military firms. One such 2002 contract resulted in the creation of the Southern Command Reconnaissance Systems (SOUTHCOM SRS) program.

This article examines the intent, execution, and outcome of the contract that authorized the SRS program in Colombia. It begins with a description of the historical political and military relationship between the United States and Colombia and then proceeds to provide an overview of American PMCs' operations in Colombia. It then moves on to critically assess the work, execution, and implications of the SRS program, arguing that it serves as a useful case study for critics of U.S. reliance on PMCs and interventionism in Latin America. The analysis concludes that the SRS program achieved some short-term tactical success, but its ramifications rendered the overall mission ineffective. Based on this conclusion, the final section of the paper recommends a reassessment of current U.S. strategy. The reassessment must include a pivot away from the ineffective PMC dominated drug policy and towards treating the drug problem as a public health issue, while improving PMC regulations to ensure that military contracting as seen in Plan Colombia does not harm broader U.S. strategic interests in the region.

BACKGROUND

Incited by the commencement of the Cuban Revolution in 1953, fear of communism pervaded U.S. policy toward Latin America. As the *Fidelista* movement grew, Colombia found itself in the throes of *La Violencia*--a period marked by widespread terror and systematic political violence. This tumultuous time precipitated Colombia's communist-leaning insurgent movements.[1] At the request of Colombian President Alberto Lleras Camargo, an American survey team of CIA and military personnel was sent to Colombia in 1959 to study the "terrorist problem" and offer recommendations.[2] At the behest of the United States, Colombia initiated an internal defense plan, *Plan Lazo*, which deployed intelligence groups and mercenary teams to destroy communist insurgent enclaves.[3] A group of guerrillas who survived these attacks, including Manuel Marulanda, went on to found Colombia's largest, deadliest, and wealthiest guerrilla armies—*Las Fuerzas Armadas Revolucionarias de Colombia* (FARC).[4] Lleras Camargo's invitation represents one of many initial binding ties to the United States, as well as the establishment and structure of Colombia's modern internal security state--a security state credited for making Colombia the "showpiece for U.S. internal security policy in Latin America."[5]

Over the next two decades, the survival of the guerrilla movement in Colombia drove continued U.S.-Colombian military cooperation. However, Colombia became less of a strategic priority when the Carter Administration's focus pivoted to Nicaragua and Guatemala, in order to combat the growing strength of other regional guerrilla movements. Meanwhile in Colombia, other rebel groups formed and grew alongside the FARC, including the National Liberation Army (ELN), the People's Liberation Army (EPL), and the April 19th Movement (M-19.) Local self-defense groups were established under the ostensible claim of countering the rebels, many of which transformed into right-wing paramilitary groups. Concurrently, trade in marijuana and cocaine began to flourish with the founding of the notorious Medellín drug cartel in 1976 and Cali drug cartel in 1977. [6] Although some left-wing groups, such as FARC and ELN, initially eschewed narco-trafficking as a means for financing their activities, by the early 1980s, guerrillas and paramilitaries had joined the cartels in exploiting this lucrative enterprise. The groups fortified their control over various drug trafficking routes and regions by taking advantage of maritime access and the land bridge through Panama.

As drug trafficking spread throughout the region, the fervor surrounding the "War on Drugs" reached a fever pitch in the United States. With cocaine demand at an all all-time high, a 1985 legislative bill passed by the U.S. Congress earmarked $200 million worth of aid for the Andean region via drug crop eradication efforts.[7] Years later, in 1993, U.S. intelligence agents helped Colombian Special Forces murder narco-kingpin Pablo Escobar. Although the powerful cartels had begun to fall, factions of rebels, paramilitaries, and criminals filled the power vacuum left by the cartels, and thereafter controlled much of the drug trade. By 1999, FARC ranks had swelled to 18,000 combatants, controlling 42,000 square miles of land in central-southern Colombia.[8] Colombia's cocaine production and cocoa cultivation reached its peak in 2000 at 700 metric tons of powder and 160,000 hectares of coca plants respectively--a demoralizing fact given ongoing counternarcotics efforts.[9] As cocaine flows to the United States increased--90 percent of which claimed Colombian origin--the Clinton Administration's initiation of Plan Colombia increased funding nearly threefold from the 1985 bill to $765 million in 2000.[10]

U.S. influence over Colombia's military and internal security was highlighted in the initial stages of Plan Colombia. Publicly, military components were downplayed in comparison to the coca crop eradication and fumigation plan. However, 70 percent of the total aid package went to military operations--the rationale being that ending the flow of drug imports was directly related to successfully exterminating guerrilla movements.[11] Responsible for counternarcotics operations abroad, the State Department supplied the Colombian military with weapons, training, and equipment to fight the guerrillas through contracts with American PMCs.[12] The strategic use of PMCs was relatively novel in U.S. foreign policy. Adam Isacson--then Director of the Center for International Policy--observed that "the drug war in general, but Colombia in particular, was the testing ground for the use of military contractors."[13] For decades afterward, the United States has tethered itself to the funding, training, and organization of Colombia's internal security apparatus, a role it has yet to extricate itself from.

PMCS AND PLAN COLOMBIA

The downsizing of militaries post-Cold War, the political palatability of employing contractors, and the economic utility of contracting led to the mass expansion of the private security sector during the 1990s and U.S. reliance on such services. Heavy PMC-use throughout Plan Colombia represented the newest iteration of U.S. interventionism in Latin America. Through a $99 million contract with the State Department in 1991, DynCorp became the first and largest PMC working in Colombia.[14] Subsequently, a $170 million contract renewal authorized DynCorp to work on anti-drug projects composed of eradication missions.[15] An additional contractor, L-3 Military Professional Resources Inc. (MPRI), worked with the Colombian Army and National Police on the ground and engaged with FARC rebels in direct combat. However, the L-3 MPRI "force modernization" contract was not renewed in 2001, likely because of the "poor results in engaging the FARC."[16] Another contractor, Northrop Grumman, began its work in Colombia in 1998 by operating the *Counternarcotics Surveillance and Control System*, which monitored cocaine distribution routes and traffic patterns.[17] The crop eradication and intelligence-gathering operations were incredibly dangerous, and between 1998 and 2003, the FARC shot down 21 U.S.-titled aircraft involved in operations of Lockheed Martin, DynCorp, Northrop

Grumman, and other contractors.[18] Part of President Clinton's "Air Bridge Strategy," a law passed in 1994, exempted U.S. government officials and employees from liability for mistakes made while cooperating with another country's shoot-down policy.[19] This exemption was one of the many examples of the United States granting PMCs controversial latitude in carrying out operations in Colombia.

Nonetheless, the United States defended its preference for PMC use in the context of Plan Colombia through economic, military, and political justifications. Not only did PMCs provide well-trained contractors, they were also cost-effective and politically more popular than direct military intervention. However, their involvement in the Colombian context has been criticized heavily for lack of effective control, oversight, and accountability for their dangerous activities, resulting in embarrassing mishaps and overall mission failures. The exact number of PMCs and personnel employed during Plan Colombia is unknown due to limited records. Though the Vigilance and Private Security Superintendence (VPSS), a Colombian governmental superintendence, was meant to monitor private military security companies (PMSCs,) many companies were not registered with the organization.[20] Furthermore, because PMCs were not regulated or limited by a legal and judicial system, the likelihood of civil, labor, and penal incidents was high. For example, a 2003 bilateral immunity agreement between the United States and Colombia extended immunity to PMC contractors working in Colombia, limiting the ability of victims to seek redress outside of Colombia.[21] In 2004, contractors from the Tolemaida base recorded a pornographic movie with minors and in 2007, an American contractor from the same base was accused of raping a 12-year-old girl.[22] Both cases are still unresolved as the Colombian judicial system cannot make an extradition request, nor can it summon the defendants. Similarly, in 2001, evidence emerged of heroin, cocaine, and amphetamine use and smuggling by DynCorp employees, but was never acknowledged by U.S. or Colombian authorities.[23] The United States can withhold information on these cases on the grounds of national security, and PMCs themselves can plead corporate confidentiality to obscure activities.

Despite the building controversy around American PMCs in Colombia in the early 2000s, the fight against guerrilla strongholds ratcheted up. Under Colombian President Álvaro Uribe's hardline, large-scale "Plan Patriota" offensive in 2003, demand for U.S. personnel increased. Consequently, the existing 400 personnel cap on American PMCs was increased to 800 military personnel and 600 civilian contractors.[24] PMCs were able to get around the cap limits by hiring non-U.S. citizens, who did not count towards the civilian cap limit.[25]

Kendall Bianchi, a researcher at the Washington Institute for Near East Policy, has characterized the U.S. government's practice of private military contracting as a "risk-transfer mechanism" that makes U.S. interventionism more palatable for the general public by using contractors instead of American soldiers.[26] However, Bianchi argues this transfer ends up incurring more risk by generating moral hazard, due to a reduction in the government's ability to oversee risk levels in implementation of U.S. policy, and the existence of profit incentives that compromise personnel safety. The following evaluation demonstrates how the SRS program--with the decision to employ PMCs during Plan Colombia--serves as a microcosm for the regulatory, oversight, and other risks that Bianchi describes.

THE SOUTHCOM SRS PROGRAM: A CASE STUDY

Kick-started in 1998, the SRS program was the Defense Department's "cost-effective" aerial surveillance program in Colombia.[27] The program was first contracted to Lockheed Martin and then subcontracted to Northrop Grumman, before being subcontracted a third time to a Grumman subsidiary, California Microwave Systems (CMS).[28] Since Northrop's aircrafts were less expensive and air-based operations required fewer men, the company was able to 'low-ball' the bid. The United States awarded Northrop a contract for $8.6 million in FY 2002.[29] The mandate of the program was to fly intelligence, surveillance, and reconnaissance (ISR) missions over the Colombian jungle to identify drug productionareasandtraffickingroutesofguerrillagroups--specificallytheFARC.[30] The air interdiction flights were used to identify and photograph cocaine laboratories and trafficking routes so that drug infrastructure could be destroyed.[31] Yet, the dual-purpose mission of countering narcotics and political insurgents, combined with technical failings, mission creep, a dangerous hostage situation, and subsequent critical media coverage, characterized the major challenges of the program.

TECHNICAL INADEQUACY

The SRS program suffered an array of technical difficulties under CMS. The aircrafts used in these intelligence-gathering operations were two single-engine Cessna 208 Grand Caravans.[32] As they patrolled, forward looking infrared (FLIR) identified heat, which given off by human bodies and microwave ovens served as indicators of a drug lab or an insurgent hide-out.[33] The data gathered was relayed back to the U.S. embassy in Bogotá, and Colombian ground forces would destroy the labs and "track the rebels."[34] Though the strategy to identify and dismantle these routes and sites was clear, the tactical elements involved were problematic. The Cessnas ran on a turbine engine that barely had enough power to fly over the high altitudes of the Andes, and the protocol was for the aircraft to take off with half-full tanks, because they could not climb over the mountains with the weight of a full tank.[35] Despite being "packed with weapons, radios, cameras, and other equipment, the flights were given special exemption from the Federal Aviation Administration to fly five hundred pounds overweight".[36] Considering Colombia was a "war zone" at the time, flying "any-single engine airplane by itself over the jungle [was] dangerous. [And flying] any single-airplane over the jungle where they're shooting at you [was] extremely dangerous." [37]

Northrop Grumman surveillance pilots Paul Hooper and Douglas Cockes were critical of the company's choice to use the unsatisfactory aircraft. In a 2002 letter to CMS, the men warned the choice would "invite a catastrophic aviation mishap and potential corporate liability in the event of engine failure," and that "these actions demonstrate a failure in management and leadership."[38] The pilots recommended the company to switch to a dual-engine plane. However, CMS liked to "run things on the cheap" (with some employees calling the surveillance program "Econ-Recon") and the update would have cost millions of dollars.[39] Cockes and Hooper were given written reprimands "for their 'negative attitude and divisive tendencies,'" and ended up resigning a few months later.[40] In 2001, the Cessna suffered engine failure over the ocean outside of Cartagena.[41] However, because the pilot was skilled enough to fly the aircraft to safety, the engine was merely replaced, and the plane continued to be used by the CMS contractors for operations.[42]

MISSION CREEP

While technical concerns were highlighting the dangerous situation, the SRS program also began falling victim to mission creep. Following tactical successes in mission performance, the mission's "payload, distance, and location" were increased and "stretched," and limits on mountain and night flying went ignored.[43] Furthermore, the attitude of the pilots contracted by CMS greatly contributed to the mission creep. Pressure on pilots to deliver results was constant because of the CMS practice of obfuscating contract lengths.[44] Many pilots bringing home a paycheck of $150,000 a year were enthusiastic about conducting night missions, and worried that a more aggressive company could steal the CMS contract if they underperformed.[45]

HOSTAGE SITUATIONS

The combined dangers of deficient aircrafts and mission creep came to a head on February 13, 2003. Due to engine failure, the Cessna Grand Caravan carrying four American contractors and one Colombian operative crashed in the jungles of Caquetá--a zone in Colombia dominated by FARC.[46] Swarmed by rebels after the crash, American contractors Keith Stansell, Marc Gonsalves, and Thomas Howes were taken hostage in the jungle.[47] American pilot "[Tom] Janis and Colombian intelligence operative Sgt. Luis Alcides Cruz were immediately shot by the female guerilla -- known as *La Pilosa* -- who had spotted the Cessna and received permission from the FARC commander to take it down.[48]

The hostage situation surrounding the three American contractors was a complex and dramatic ordeal. These hostage takings were especially difficult situations because the U.S. military did not have direct responsibility to rescue contractors working under the purview of the State Department-led Plan Colombia.[49] In addition, the contractors' status as non-military personnel meant that they were not protected under the Geneva Conventions.[50] However, Colombia was so notorious for its kidnappings during this time that there was an established protocol to foreign captures. Northrop Grumman hired Control Risks Group, a security company, to establish contact with the kidnappers and to provide operational guidance.[51] Despite a State Department policy prohibiting concessions to kidnappers, an FBI negotiator partnered with the company to negotiate hostage releases.[52]

The negotiations process itself was fraught with difficulties. Because of the war-like setting, it was likely that FARC leaders viewed the contractors as mercenaries fighting alongside the hardline administration of Colombian president Álvaro Uribe. They demanded the release of FARC prisoners and a demilitarized zone from the Colombian government in exchange for hostages, which included the American contractors, Colombian state legislators and a Colombian presidential candidate.[53] While such high political concessions had worked for the rebels with previous Colombian president Andrés Pastrana, they had disastrous results for the government.[54] President Uribe refused to make any such concessions, resulting in "1,967 days in captivity" for the three Americans.[55] The hostage negotiations suffered breakdown after breakdown--even involving Venezuelan dictator Hugo Chávez at one point--before the men were finally rescued five years after their crash in an operation dubbed Operation Jaque.[56]

PUBLIC MEDIA COVERAGE

During and shortly after the hostage-taking situation, the public media coverage was disastrous for Northrop Grumman and their CMS subsidiary. The immediate U.S. response was to ensure as little as possible was reported on the situation, given that large media coverage could have enhanced the value of the hostages.[57] It is also believed that the United States wanted to avoid drawing attention to the classified programs, in order to skirt any criticism of its activities in Colombia.[58] As Adam Isacson notes, "Obviously it's embarrassing to the U.S. because [the kidnapping] causes people to ask questions about the policy being carried out in Colombia and the role of contractors in general."[59] Former U.S. Ambassador to Colombia, Myles Frechette, even claimed, "It's very handy to have an outfit not part of U.S. forces.…Nobody wants to see American military men killed."[60] At first, there was success in turning the hostage crisis "into a non-story," as the crash had occurred five weeks before the high-profile launch of operation Iraqi Freedom. With the media focused on Iraq, the State Department advised families of the hostages to stay quiet and placed a gag order on the case, effectively keeping the story under wraps.[61] Recognizing the PR nightmare, Northrop Grumman dissolved the CMS subsidiary and rebranded as CIAO, Inc. The name, however, proved a poor choice, as the use of the letters CIA led the FARC captors to assume the contractors were CIA.[62] The dissolution of the subsidiary incensed the hostages' families and after months of poor communication from both Northrop and the State Department, Marc Gonsalves' mother felt pushed to make the information public.[63] The initial story in the Hartford Courier led to a flood of other articles and news coverage, especially after a proof-of-life video surfaced.[64] The entire operation was cast in a negative light, with much criticism coming from Congress. Congresswoman Jan Schakowsky (D-IL) introduced a bill that would have prohibited the use of civilian contractors in the Andean region, arguing that outsourcing counter narcotics assistance "shrouds in secrecy very sensitive activities in the Andean region that may be pulling the U.S. into violence."[65] Representative Bill Delahunt (D-MA) claimed that contract work in Colombia lacked sufficient transparency to ensure accountability.[66] After an additional three Northrop Grumman employees were killed in a plane crash while on a rescue mission searching for the kidnapped men, a lawsuit against the Department of Defense and Northrop Grumman was filed in a Georgia district court.[67] The complaint claimed that "the United States 'privatizes' dangerous missions, thereby placing contractors directly on the front lines of the drug war for no reason other than to save a few dollars."[68] The lawsuit and the media coverage, which prompted further congressional criticism, destroyed any credibility or achievements of the SRS program.

IMPLICATIONS AND RECOMMENDATIONS

The SRS program was a dangerous combination of U.S. intervention in Latin America and the use of PMCs writ large. Taken together, the program's ill-equipped aircrafts, its disregard for flying restrictions, the government's lack of awareness of many of the activities taking place, and the profit motives of the pilots illustrate the consequences of using PMCs as a risk-transfer mechanism. The degree of separation between contractors, sub-contractors, and subsidiaries passed the buck of accountability without a clear chain of operational or investigative command. Furthermore, the Northrop Grumman-CMS-CIAO matryoshka exemplified the trend of major corporations buying small military companies without providing oversight.[69] With two crashed planes, hostage-taking of three contractors, and four American deaths, the outcomes of the SRS program support the claim of Victoria Bruce—the author of *Hostage Nation: Colombia's Guerrilla Army and the Failed War on Drugs* – that, "the outsourcing of the war on drugs in Colombia was designed to protect the United States from liability should anything go awry."[70]

To accurately evaluate the SRS program's effectiveness in a strictly transactional manner, it is essential to discern if the objectives of the program were achieved. In the short-term, the tactical achievements of identifying cocaine laboratories, trafficking routes, and guerrilla movements cannot be denied. Between 2001 and 2004, coca cultivation and cocaine production declined consistently, and the FARC's numbers decreased dramatically.[71] However, looking at the long-term picture, identifiable success of the program remains ambiguous. The decline in cocaine production and the depletion of the FARC ranks may have had less to do with the contracted programs and more to do with the hardline military approach of President Uribe, which involved countless human rights violations.[72] Further highlighting the inefficiency of the U.S. program, cocaine production in Colombia peaked again in 2007 and in 2016.[73] Additionally, even with the signing of a peace deal with the FARC in 2016, other dangerous armed groups, such as the ELN and criminal gangs known as *bandas criminales (bacrim)*, are usurping FARC-vacated territory, mirroring events following the fall of the drug cartels in the 1990s.

Although U.S. assistance contributed to the gradual stabilization of the country, it was much less effective in stemming the flow of narcotics. In 2017, the availability of cocaine in the United States was on the rise for the first time in almost a decade.[74] Unsurprisingly, Colombia continues to supply almost all the cocaine reaching American markets.[75] Nonetheless, the United States is persistent in continuing to battle the seemingly unwinnable war on drugs. After spending $10 billion over 15 years on Plan Colombia and despite President Trump's threat to decertify Colombia as a partner in the war on drugs[76], the United States transitioned to a new aid package called Peace Colombia.[77] The aid package provided $391 million to Colombia in 2018, $143 million of which was earmarked for international narcotics control and $38.5 million for foreign military financing.[78] However, for such aid to have a positive and sustainable impact, the United States also needs to address the failures of past policy.

POLICY RECOMMENDATIONS

The illicit cocaine trade will certainly continue to be the center of gravity for the security relationship between Colombia and the United States. Given that the anti-drug strategies implemented under Plan Colombia were ineffective and costly, the United States must seek a new approach. Policies must focus on an effective strategy that prioritizes stability in the region and continued U.S. commitment to the precarious Colombian peace process, especially considering the spillover effects of the current crisis in neighboring Venezuela.

While more resources and attention have shifted to Venezuela, it is especially important to not waste time or funding on tactics that do not have a history of success. Introduction of new tactics gained priority in 2015, when aerial eradication was banned in Colombia for fear of health effects caused by the chemicals used in past operations.[79] While the ban was eroded later, it signaled that Colombia was pivoting its focus away from coca eradication and toward treating the cocaine problem as a public health issue. The United States should follow suit. Nearly 20 years of eradication efforts have not resulted in a net decrease in cocaine production or trade. This is compounded by the fact that, over this period, the number of American cocaine users has increased, with 90 percent of their supplies originating from Colombia.[80] Treating the demand side of the cocaine trade by framing it in a purely criminal or militarized context has had negligible success. Thus, policy should shift to focus on public health solutions.

American PMCs will continue to work in the Andean region for the immediate future and a robust regulatory framework for PMC use must be established. Adam Isacson has noted that Peace Colombia is still heavily focused on military aid and is not radically different than its predecessor.[81] For example, as part of Plan Colombia, $3.4 billion were spent on private contractors and military companies by the United States.[82] The U.S. Department of Commerce's International Trade Administration predicts that there will be a requirement for training, parts, and maintenance of older aircraft used during Plan Colombia.[83] For effective and judicious use of taxpayer money, comprehensive and accountable regulation of American PMC use must be established and clarified by the government agencies which utilize them. This regulation must come from Congress or be taken on by the individual agencies themselves. Regardless of the entity that takes on this role, regulations must examine the legal, moral, and political aspects of using PMCs internationally, and the dangers they pose without strict oversight.

As United States' ceaseless war on drugs in Colombia continues, PMC use will oftentimes be a favored option of policymakers for coca crop eradication (aerially, manually, or by drone) or combating armed groups (guerrillas, cartels, or *bacrim*). However, as evidenced by the SRS program in 2002, the profitdriven nature of PMCs can create complications in an environment with few restrictions, inadequate consequences for violations, and little accountability. As government procurement expert Steve Schooner has pointed out, “It’s easy to blame the contractor… but the government is the one paying.”[84] Therefore, PMC accountability and regulation will have to follow the money back to its source, and originate in effective U.S. legislation.

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