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**THESIS**

**REFORM OF SENEGALESE GENDARMERIE  
INTELLIGENCE SERVICES**

by

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**REFORM OF SENEGALESE GENDARMERIE INTELLIGENCE SERVICES**

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## **ABSTRACT**

The National gendarmerie in Senegal, which is a hybrid military and law-enforcement force, is an institution inherited from colonial France. Since Senegal's independence on April 4, 1960, the gendarmerie's main role has been to ensure the security of Senegal's people and their properties. The current security context in the country and abroad—characterized by such complex and multiform threats as terrorism and transnational organized crime—has prompted Senegalese policy makers to increase the gendarmerie's current role in fighting these types of security dangers.

Nevertheless, neither the Gendarmerie nor its intelligence services are properly designed to fulfill this role effectively, due to the lack of adequate structures and too few trained personnel. The gendarmerie also lacks units specialized in intelligence analysis—except for the documentation division. Against the background of these shortcomings, and faced with the persistent security crisis in neighboring Mali, Senegal is seeking to overhaul its intelligence services, so as to respond more effectively to such threats while also preserving the standards of democracy.

Based on a review of the relevant literature and a comparison study of reforms in the French National Gendarmerie, this thesis recommends steps to ensure successful reform of the Senegalese gendarmerie intelligence services.

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## LIST OF ACRONYMS AND ABBREVIATIONS

BLAT	Bureau de Lutte Antiterroriste
CCSDN	Commission du Secret de la Défense Nationale (Committee on the Secret of National Defense)
CLAT	Cellule de Lutte Antiterroriste (Counter-Terrorism Cell)
CMR	Cellule Mix de Renseignement (Joint Intelligence Cell)
CNCIS	Commission Nationale de Contrôle des Interceptions de Sécurité (National Commission for the Control of Interception of Security)
CNIL	Commission Nationale de l'Informatique et des Libertés (National Commission for Informatics and Liberties)
COB	Communauté de Brigades (Brigades community)
COG	Centre d'Opérations de la Gendarmerie (Gendarmerie Operational Center)
DGGN	Direction Générale de la Gendarmerie Nationale (Directorate General of the National Gendarmerie)
DGSE	Direction Générale de la Sécurité Extérieure (Directorate General of Foreign Security)
DGSI	Direction Générale de la Sécurité Intérieure (General Directorate of Homeland Security)
DIRCEL	Direction du Contrôle, des Études et de la Législation (Directorate of Control, Studies and Legislation)
DIVDOC	Division Documentation (Documentation Division)
DNRED	Direction Nationale du Renseignement et des Enquêtes Douanières (National Directorate of Intelligence and Customs Investigations)
DPAF	Direction de la Police de l'Air et des Frontières (Directorate of Air and Frontier Police)
DRM	Direction du Renseignement Militaire (Directorate of Military Intelligence)
DRN	Délégation Générale au Renseignement National (General Delegation for National Intelligence)
DRSD	Direction du Renseignement et de la Sécurité de la Défense (Directorate of Intelligence and Security of Defense)
DST	Direction de la Surveillance du Territoire (Directorate of Territorial Surveillance)

ESI	Escadron de Surveillance et d'Intervention (Squadron of Surveillance and Intervention)
GIGN	Groupe d'Intervention de la Gendarmerie Nationale (The National Gendarmerie Intervention Group)
GM	Gendarmerie Mobile (Mobile Gendarmerie)
GT	Gendarmerie Territoriale (Territorial Gendarmerie)
HC	Haut Commandant (de la Gendarmerie Nationale) High Commander (of the National Gendarmerie)
HUMINT	Human Intelligence
IC	Intelligence Community
IGE	Inspection Générale d'État (General Inspectorate of State)
IGFA	Inspection Générale des Forces Armées ( General Inspectorate of the Armed Forces)
IGGN	Inspection Générale de la Gendarmerie Nationale ( The General Inspectorate of the National Gendarmerie)
IIGN	Inspection Interne de la Gendarmerie nationale ( Internal Inspectorate of the National Gendarmerie)
MFA	Ministère des Forces Armées (Ministry of Armed Forces)
MP	Member of Parliament
PSIG	Peloton de Surveillance et intervention de la Gendarmerie (Platoon of Surveillance and Intervention of the Gendarmerie)
SDAO	Sous-Direction de l'Anticipation Opérationnelle ( Subdirectorate of Operational Anticipation)
SR	Section de Recherches (Research Section)
TRACFIN	Traitement du Renseignement et Action Contre les Circuits Financiers clandestins (Intelligence processing and action against clandestine financial circuits)
ULM	Ultra-Léger Motorisé (Ultra-Light Motorized)

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## I. INTRODUCTION

The National Gendarmerie of Senegal, which is a hybrid military and law-enforcement force, is an institution inherited from colonial France.<sup>1</sup> Since Senegal's independence on April 4, 1960, the gendarmerie's main role has been to ensure the security of Senegal's people and their property.<sup>2</sup> The current security context in the country and abroad—characterized by such complex and multiform threats as terrorism and transnational organized crime—has prompted Senegalese policy makers to increase the gendarmerie's current role in fighting these types of security dangers.

Nevertheless, neither the gendarmerie nor its intelligence services<sup>3</sup> are properly designed to fulfill this role effectively due to the lack of adequate structures and trained personnel.<sup>4</sup> For instance, as threats have evolved, the gendarmerie's intelligence units have failed to develop adequate collection techniques (e.g., interception, imagery) or specialists (e.g., particularly in the human intelligence and imagery disciplines). The gendarmerie also lacks units specialized in intelligence analysis—except for the documentation division, which is comprised of 40 employees who serve to centralize and analyze intelligence received from all gendarmerie units and disseminate it to authorities including the President, as well as concerned ministries. Even within this documentation division, however, most of the agents still lack adequate analysis-related training. In addition, they practice intelligence in an informal way; the division lacks any formal standard procedures, including, for example, source handling, clandestine operations, and risk management.

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<sup>1</sup> “La Conférence De Berlin Livre Le Congo Au Roi Des Belges,” [Berlin Conference grants Congo to Belgian King] Herodote.net, August 1, 2016. [https://www.herodote.net/26\\_fevrier\\_1885-evenement-18850226.php](https://www.herodote.net/26_fevrier_1885-evenement-18850226.php).

<sup>2</sup> Sidy Sady, *La Gendarmerie Nationale Sénégalaise : Son Rôle dans la Consolidation de l'État*. [The National Gendarmerie of Senegal: Its Role in the Consolidation of the State] (Paris: Editions L'Harmattan, 2011).

<sup>3</sup> The Senegalese Gendarmerie's intelligence services include the documentation division, the territorial division, and mobile units, which conduct informal intelligence missions.

<sup>4</sup> Trained specialists in intelligence specialties (human intelligence, open source intelligence, signal intelligence, etc.)

All of these limitations have resulted in certain intelligence failures. Most notable among these failures was the clash between Malian and Burkinabe communities in the gold village of Diyabougou in the Bakel department in 2013, which resulted in six dead and many wounded.<sup>5</sup> If the gendarmerie had had human intelligence units assigned to each village, the nascent threat could have been anticipated and prevented.

Against the background of these shortcomings, and faced with the persistent security crisis in neighboring Mali,<sup>6</sup> Senegal is seeking to overhaul its intelligence services, so as to respond more effectively to such threats as civil violence, Islamist radicalization, and the separatist movement in the South of the country—all while also preserving the standards of democracy.

## **A. MAJOR RESEARCH QUESTION**

How can the Senegalese gendarmerie transform its intelligence services to increase their effectiveness while also remaining democratically accountable?

## **B. IMPORTANCE**

This thesis is relevant to the literature of intelligence and democracy in that it provides insights into intelligence reform in a region that is understudied—Africa. It is relevant to the policy makers in Senegal because it provides them with an assessment of the current capabilities of the gendarmerie’s intelligence services and its place in the overall Senegalese intelligence community. Furthermore, it provides them with

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<sup>5</sup> “Tuerie de Diyabougou à Bakel entre Maliens et Burkinabe: Deux Corps Burkinabés Inhumés à Diyabougou, Huit Autres En Attente,” [Killing of Diyabougou in Bakel between Malians and Burkinabe: Two bodies buried in Diyabougou, Eight Others Waiting] *Seneweb News*, accessed March 27, 2018, [http://www.seneweb.com/news/Sécurité/tuerie-de-diyabougou-a-bakel-enter-maliens-et-burkinabe-deux-corps-burkinabes-inhumes-a-diyabougou-huit-autres-en-attente\\_n\\_90505.html](http://www.seneweb.com/news/Sécurité/tuerie-de-diyabougou-a-bakel-enter-maliens-et-burkinabe-deux-corps-burkinabes-inhumes-a-diyabougou-huit-autres-en-attente_n_90505.html).

<sup>6</sup> In 2012, Mali, a country neighboring Senegal, experienced an unprecedented security crisis. The MNLA, the National Movement for the Liberation of Azawad, an independent armed group, attacked the garrison of Menaka, a town in northern Mali, 1,200 kilometers from Bamako, causing many deaths in the ranks of the Malian army. A generalized conquest of North Mali by the MNLA began then. At the same time, a coup d’état took place, led by Captain Amadou Aya Sanogo, who ordered the army to withdraw from the North. Jihadist armed groups such as Ansar Dine, MUJAO, and AQIM (al-Qaeda in the Islamic Maghreb) took advantage of the situation and seized almost all cities in the North and started to advance to the capital Bamako. For further readings, see: Olivier Rogez, “2012, Année Chaotique Pour Le Mali - RFI,” RFI Afrique, December 26, 2012, <http://www.rfi.fr/afrique/20121226-2012-mali-chaos-aqmi-nord-diarra-sanogo-toure-traore>.

recommendations for reforms that the civilian elites in Senegal must undertake to achieve effectiveness and transparency of the gendarmerie's intelligence agencies.

This thesis also aspires to improve the image of Senegal in the African region and the world. As many African countries are facing human-rights issues, implementing new mechanisms of democratic control of intelligence activities will consolidate the power of the ruling leader of Senegal in terms of respect for human rights and democracy.

Finally, this thesis is relevant to the U.S. government because it provides background on the tradeoff between transparency and intelligence in Senegal, a U.S. strategic partner in Africa. If Senegal's intelligence activities are performed professionally and under appropriate democratic civilian control, Senegal's allies can have more confidence in intelligence sharing.

### **C. LITERATURE REVIEW**

Although the literary works dealing with the intelligence function are fairly consistent, those related to the relationship among intelligence, democracy, and effectiveness are quite limited. As far as the Senegalese gendarmerie is concerned, the literature is almost nonexistent. Few articles or books deal with the Senegalese gendarmerie. Thus, this literature review focuses on the intelligence function in a democracy as well as the reform of this function so that it is democratically controlled and effective. Because this thesis includes a comparative study of the French Gendarmerie, the works related to the relations between intelligence and law enforcement are also discussed in the last part of this literature review.

#### **1. On Intelligence Effectiveness in a Democracy**

Although defining intelligence exactly appears to be difficult, some scholars attempt to highlight the role of effective intelligence in a democracy. Mark M. Lowenthal, for one, argues that in a democracy, intelligence plays a major role in supporting policy making.<sup>7</sup>

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<sup>7</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy* (Washington, DC: CQ Press, 2008), 1–9.

Building on Lowenthal's definition of intelligence, Thomas C. Bruneau and Florina Cristiana Matei highlight that

intelligence is a three-tiered element of national security. It is a Process by which certain types of information (e.g., security threats, strategic threat estimates, future capabilities projections, indication and warning) are required and requested, collected, analyzed, and disseminated to decision/policymakers, and by which certain types of covert action are conceived and conducted; an organization, with units that execute the intelligence functions (process and product); and a Product of these processes and organizations (e.g., analyses, intelligence estimates).<sup>8</sup>

They further note that all these aspects of intelligence aim at supporting the policy process and ongoing operations, as well as other security institutions.<sup>9</sup> In agreement with Lowenthal, Matei and Bruneau maintain that intelligence simultaneously involves information and response.<sup>10</sup> In the same vein, Bruneau and Kenneth R. Dombroski emphasize the role of intelligence in a democracy, namely "to determine the capabilities and intentions of a nation's adversaries, and warn of potential threats."<sup>11</sup> On the same note, Michael Hermann states that

governments want "security" (information security) over a wide range of matters. Thus, the country's internal security includes information security measures to frustrate foreign espionage, and external security includes similar measures to protect military and diplomatic communications against foreign interception and exploitation. But some things outside any reasonable definition of the national security area also need information security protection, for example sensitive economic and financial information or even confidential information about individuals.<sup>12</sup>

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<sup>8</sup> Florina Cristiana Matei and Thomas C. Bruneau, "Policymakers and Intelligence Reform in the New Democracies," *International Journal of Intelligence and Counter Intelligence*, 24, no. 4 (2011): 658. <https://doi.org/10.1080/08850607.2011.598784>.

<sup>9</sup> Matei and Bruneau, 659.

<sup>10</sup> Matei and Bruneau, 660–661.

<sup>11</sup> Thomas C. Bruneau and Kenneth R. Dombroski. "Reforming Intelligence: The Challenge of Control in New Democracies," Center for Civil-Military Relations (2014): 2, Calhoun, <http://hdl.handle.net/10945/41971>.

<sup>12</sup> Michael Herman, *Intelligence Power in Peace and War* (Cambridge, UK: Cambridge University Press, 1996), 165.

Hermann's statement hence confirms the centrality of intelligence in a state's functioning and security. Finally, Matei provides a detailed demonstration of the importance of effective intelligence in a democracy, while also stressing the need for accountability and transparency.<sup>13</sup> In this context, she notes that "intelligence systems are a vital component of the state security as the state entrusts them, on the one hand, with the diagnosis of dangers and threats to national security and, on the other hand, with the prevention of the transformation of these threats into disasters (even if this means engaging in clandestine activities or exploiting secret sources and methods)."<sup>14</sup>

## 2. On Intelligence Reform in a Democracy

A different body of literature addresses the concept of intelligence reform in a democracy. Timothy Edmunds, for one, lays out the necessary steps developing democracies must undertake to achieve democratic reform of their intelligence policies and agencies.<sup>15</sup> In his view, democratization of intelligence implies several necessary steps. Edmunds asserts that

The first of these concerns establishing the principle and practice of civilian control over the intelligence agencies. The second involves consolidating the democratic nature of this control through the establishment of mechanisms for oversight and scrutiny of the agencies' activities, and developing relevant expertise and capacities to support these activities. The final level concerns organisational reform in the agencies themselves, reorientating and reorganising for their new roles, and eliminating the most corrosive legacies of the past.<sup>16</sup>

Likewise, Bruneau and Matei argue that democratic reform of the intelligence apparatus should involve the following: the creation of new agencies (reforming personnel and organization); the establishment of legal framework for intelligence that

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<sup>13</sup> Florina Cristiana Matei, "A Plea for Effective Intelligence in a Democracy: The View of an Outsider," in *A War of Mind. Intelligence, Intelligence Services and Strategic Knowledge in the 21st Century*, ed. George Christian Maior (Bucharest: RAO Publishing, 2010).

<sup>14</sup> Matei, 289.

<sup>15</sup> Timothy Edmunds, "Intelligence Agencies and Democratisation: Continuity and Change in Serbia after Milošević," *Europe-Asia Studies*, 60, no. 1 (2008): <https://doi.org/10.1080/09668130701760315>.

<sup>16</sup> Edmunds, 30.

provides for clear roles and missions for intelligence agencies, as well as oversight; interagency coordination and cooperation; and the establishment of democratic control mechanisms over the intelligence agencies, such as executive, legislative, internal, and informal.<sup>17</sup> Interestingly, Bruneau and Matei particularly stress that democratic control mechanisms are key in crafting effective intelligence agencies in a democracy.<sup>18</sup> Matei and Bruneau also emphasize the importance of the professionalization of intelligence agencies in achieving intelligence effectiveness in a democracy:

of particular importance, has been the professionalization of the intelligence agencies (expertise, corporateness, and responsibility), which the developing democracies have strived to accomplish through various education and training programs for intelligence personnel, security clearance to access classified information, as well as instilling a responsibility for democracy.<sup>19</sup>

As presented in their article, professional and focused training is mandatory for an effective reform of intelligence services. In the case of the Senegalese gendarmerie reform, recruitment and adequate training will be one of the pillars supporting effectiveness, as many gendarmes make professional mistakes because of their lack of training in special domains (infiltration, analysis, etc.).

If Edmunds insists on the necessity to reform intelligence in new democracies in order to achieve civilian control of intelligence activities, Marina Caparini, for one, discusses the tradeoff between intelligence oversight and effectiveness. She states that

in a liberal democratic state, security intelligence must exist ‘within the context of respect for civil rights, free speech, the rule of law, checks and balances or other values held to be important by society’. The quest of intelligence control and oversight in the democratic state, then, is to enable agencies to produce effective security intelligence while ensuring that they

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<sup>17</sup> Thomas C. Bruneau and Florina Cristiana Matei, “Intelligence in the Developing Democracies: The Quest for Transparency and Effectiveness,” in *The Oxford Handbook of National Security Intelligence*, ed. Loch K. Johnson (Oxford, UK: Oxford University Press, 2010), 761–770.

<sup>18</sup> Bruneau and Matei, 764–768.

<sup>19</sup> Bruneau and Matei, 768.

operate within the law and in a way that is consistent with democratic norms and standards.<sup>20</sup>

Caparini also discusses the two primary aims of implementing intelligence oversight in a democracy. The first goal of intelligence oversight seeks to determine the efficacy of intelligence services, their capacity to successfully execute their missions, and the efficiency with which they use the funds that are provided to them. Secondly, the oversight may determine whether intelligence services are acting in accordance with the law, in the respect to civils rights and ethical norms.<sup>21</sup>

Fred Schreir, too, notes the need for a tradeoff between efficient and legitimate intelligence in a democracy. He explains the role and functioning of intelligences services in a democracy, which is to inform government by collecting information, evaluating it, transforming it into intelligence, and disseminating it, including “risk estimates, situation reports, and assessments according to the needs of the national government.”<sup>22</sup> Then, he discusses the democratic control of intelligence services that have to be free of any political affiliation. This democratic control should be exercised by the executive power (clear tasking system controlled by the government), the legislative power (Parliamentary oversight committee), the judiciary power (establishment of legal framework), and by the public itself. (Supervision of intelligence activities by civil society organizations, non-governmental organizations, political parties, etc.).<sup>23</sup> Schreir concludes by stating that

more efficiency can only be achieved if the role and function of intelligence is understood by the state’s institutions and the public, and if intelligence is used to its best effect by the government. In this respect, a greater legitimacy of intelligence is needed to gain more respect and trust from the general public and representatives and to make intelligence a permanent part of the nation-state. In this regard, it is necessary to make national interest and the prevention of risks and dangers the *raison d’être*

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<sup>20</sup> Marina Caparini, “Controlling and Overseeing Intelligence Services in Democratic States” in *Democratic Control of Intelligence Services: Containing Rogue Elephants*, ed. Hans Born, and Marina Caparini (Aldershot, England: Ashgate, 2007), 4.

<sup>21</sup> Caparini, 9.

<sup>22</sup> Fred Schreier, “The Need for Efficient and Legitimate Intelligence,” in *Democratic Control of Intelligence Services: Containing Rogue Elephants*, ed. Hans Born and Marina Caparini (Aldershot, England: Ashgate, 2007), 31.

<sup>23</sup> Schreier, 38–44.

of the intelligence services and to enable more international intelligence exchange and sharing, which is a necessity for the international community since international action is no more cohesive than the intelligence assessments that underlie it.<sup>24</sup>

In the case of Senegal, intelligence services' activities are rarely discussed. At some point, it is evident that the intelligence community in the Senegalese state is ignored by many citizens due to the heritage of the post-colonial period, where intelligence services were used as political instruments.

Caparini explains the framework and accountability of security and intelligence using Schedler's tripartite approach to accountability.<sup>25</sup> First, there is *horizontal* accountability. In this type of control, institutions of the same body control each other. This control can only be exercised, however, if the notion of separation of power is effective since the legislative, the judicial, the executive powers, other state institutions, and public agencies interact in terms of control.<sup>26</sup> Then, the second type is *vertical* accountability. Unlike horizontal control, vertical control relates to unequal entities in terms of power, such as decision makers and the public. In a democracy, every citizen has the right to know how the country is ruled and how his or her tax money is used. In terms of intelligence, civil society organizations and the media play a key role in vertical accountability.<sup>27</sup> Finally, there is *third dimension* accountability. The third dimension, control, includes the participation of international actors (foreign governments), intergovernmental organizations, etc. The influence of these international actors helps the domestic agents of control to guide decision makers in shaping better control mechanisms for the intelligence services.<sup>28</sup> However, as Caparini observes, "the biggest obstacle to the effectiveness of the third dimension actors on state security and intelligence agencies is the sovereignty of the nation-state, which in most circumstances enables them to ignore

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<sup>24</sup> Schreier, "The Need for Efficient and Legitimate Intelligence," 44.

<sup>25</sup> Caparini, "Controlling and Overseeing Intelligence Services in Democratic States," 10–17.

<sup>26</sup> Marina Caparini, "Controlling and Overseeing Intelligence Services in Democratic States" in *Democratic Control of Intelligence Services: Containing Rogue Elephants*, ed. Hans Born and Marina Caparini (Aldershot, England: Ashgate, 2007), 10–17.

<sup>27</sup> Caparini, 10–17.

<sup>28</sup> Caparini.

pressures or censure from abroad if it so chooses.”<sup>29</sup> Schedler’s concept<sup>30</sup> closely matches the criteria of accountability and transparency required by and of democracy.

### **3. On Challenges and Best Practices of Intelligence Reform in a Democracy**

Schreier highlights the challenge of reforming and overseeing intelligence in a democracy, due to the secrecy inherent in their day-to-day activities. In this connection, he notes,

compared with other institutions of government, intelligence services pose unique difficulties for control and accountability given that they cannot disclose their activities to the public without disclosing them to their targets at the same time. As a result, intelligence services are neither subject to the same rigors of public and parliamentary debate nor to the same scrutiny by the media as other institutions of the government. Their budgets are secret; their activities are secret; and their products and achievements are secret.<sup>31</sup>

Like Schreier, Edmunds also believes that intelligence services possess capabilities and knowledge that make them dangerous and difficult to reform.<sup>32</sup> As he states, intelligence agencies

may have routine access to privileged or sensitive surveillance information for example, or even personnel who are trained or experienced in assassination techniques. These capacities have the potential to frustrate or influence the reform process in a number of ways. Political opponents can be blackmailed, intimidated or simply deterred from pursuing certain policies for fear of the consequences, or on occasion they might even be murdered. These interventions or even potential interventions—can shape or constrain the domestic political agenda in ways that are not always clearly visible from the outside.<sup>33</sup>

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<sup>29</sup> Caparini, “Controlling and Overseeing Intelligence Services in Democratic States,” 16.

<sup>30</sup> Caparini, 10–17.

<sup>31</sup> Schreier, “The Need for Efficient and Legitimate Intelligence,” 26.

<sup>32</sup> Edmunds, “Intelligence Agencies and Democratisation: Continuity and Change in Serbia after Milošević,” 26.

<sup>33</sup> Edmunds, 26–27.

In the same context, Matei and Bruneau highlight the difficulty new democracies face when attempting to reform their intelligence agencies—i.e., to bring them under democratic civilian control while maintaining operational effectiveness.<sup>34</sup> They find intelligence reform itself complex (“painstaking processes, lack of institutions and resources, competing priorities”), which entails the legacy of past authoritarian practices, the intelligence services resistance to change, the lack of civilian expertise in the intelligence domain, the absence of public support for intelligence or the inexistence of intelligence culture, and the corruption problem.<sup>35</sup>

Bruneau and Matei stress the legacy of the past—abuses, violations of human rights, special privileges—that makes finding a balance between intelligence effectiveness and transparency “extremely difficult” for new democracies.<sup>36</sup> Edmunds makes the same analysis. He argues that the special character of intelligence agencies makes them difficult to reform given the resources they had in their possession, making authorities doubtful about implementing their reform. Then, he raises the question of the legacy of the old regimes that were using the intelligence apparatus as political weapon, and tied it to the executive branch.<sup>37</sup> Finally, he exposes a key challenge represented by the lack of civilian expertise, asserting:

More widely, if democratic oversight of the intelligence agencies is to function in practice, then civilians need to be in a position to actually be able to exercise their de jure powers and responsibilities in a meaningful and effective way. A key requirement for this is the development of an adequate degree of civilian expertise in defense and security issues.<sup>38</sup>

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<sup>34</sup> Florina Cristiana Matei and Thomas Bruneau, “Intelligence Reform in New Democracies: Factors Supporting or Arresting Progress,” *Democratization*, 18, no. 3 (2011): <https://doi.org/10.1080/13510347.2011.586257>.

<sup>35</sup> Matei and Bruneau, 607–615.

<sup>36</sup> Matei and Bruneau, 609.

<sup>37</sup> Timothy Edmunds, “Intelligence Agencies and Democratisation: Continuity and Change in Serbia after Milošević,” *Europe-Asia Studies*, 60, no. 1 (2008): 26–28, <https://doi.org/10.1080/09668130701760315>.

<sup>38</sup> Edmunds, 29.

Larry L. Watts, too, notes the difficulty of creating an intelligence system that is free from past authoritarian practices.<sup>39</sup> Using Romania as an example he argues that the justice system's lack of power to enforce laws and constitutional provisions is the most significant obstacle to achieving intelligence transparency and effectiveness in a democracy, as well as a generator of other intelligence reform challenges.<sup>40</sup>

Moreover, Bruneau and Kenneth R. Dombroski identify the legacy of past authoritarian regime practices (impunity, independence, unaccountability, political ties) as the most important obstacle for intelligence reform.<sup>41</sup> Hence, they provide three principal practices that lead to a successful democratic reform of intelligence services in a state. First, the executive (the president or prime minister) needs to manage intelligence functions (collection, analysis, counter intelligence, and covert actions) by prioritizing funding based on the immediate needs of the state. Then, the role of the military in the intelligence apparatus should be redefined by involving more civilians at the strategic level of intelligence leadership. Finally, decision makers of new democracies should reorganize the coordination of intelligence by appointing a director of intelligence, responsible for coordinating all intelligence activities.<sup>42</sup> Nonetheless, to guarantee the appointee's independence and ability to remain objective, the director of intelligence should not be tied to the policy-making branch.<sup>43</sup> Caparini argues that intelligence should be free from policy makers' preferences and should avoid providing them intelligence that confirms their preferred options.<sup>44</sup>

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<sup>39</sup> Larry L. Watts, "Control and Oversight of Security Intelligence in Romania," in *Democratic Control of Intelligence Services: Containing Rogue Elephants*, ed. Hans Born and Marina Caparini. (Aldershot, England: Ashgate, 2007).

<sup>40</sup> Watts, 64.

<sup>41</sup> Thomas C. Bruneau and Kenneth R. Dombroski, "Reforming Intelligence: The Challenge of Control in New Democracies," 7–8.

<sup>42</sup> Bruneau and Dombroski, 14–16.

<sup>43</sup> Bruneau and Dombroski, 15–16..

<sup>44</sup> Caparini, "Controlling and Overseeing Intelligence Services in Democratic States" 7–8.

In addition, Edmunds outlines a complete series of practices for successful intelligence reform in a democracy. These practices take into account almost every point discussed by the other scholars. He argues that

democratisation in the intelligence sector thus entails reform at three inter-related levels. The first of these concerns establishing the principle and practice of civilian control over the intelligence agencies. The second involves consolidating the democratic nature of this control through the establishment of mechanisms for oversight and scrutiny of the agencies activities, and developing relevant expertise and capacities to support these activities. The final level concerns organisational reform in the agencies themselves, reorienting and reorganizing for their new roles, and eliminating the most corrosives legacies of the past.<sup>45</sup>

Finally, Matei and Bruneau highlight the catalysts for intelligence reform in new democracies. These factors that boost progress are, in their view: the desire and readiness of decision makers to democratically reform intelligence, foreign implications and assistance, involvement of civil society and the media, and the “increased perception of the emerging threats of terrorism and organized crime.”<sup>46</sup> In particular, these authors view the foreign implications and the desire of the decision makers as essential for a successful democratic reform of the gendarmerie intelligence services.

#### **4. On Intelligence and Law Enforcement**

Another body of literature involves law enforcement and intelligence. Olivier Chopin and Benjamin Oudet identify three major types of intelligence services:

- Foreign intelligence, which is often assimilated to strategic intelligence, operates overseas in order to prevent any threat coming outside of the state. Foreign intelligence can use disruptive methods and covert actions to fulfill its objectives.
- Domestic intelligence focuses on internal threats. Law enforcement participates actively in this type of intelligence.

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<sup>45</sup> Edmunds, “Intelligence Agencies and Democratisation,” 30.

<sup>46</sup> Matei and Bruneau, “Intelligence Reform in New Democracies,” 615–624.

- Military intelligence is charged with producing intelligence related to military issues. Military intelligence provides military options and military advice for the success of military operations of the state.<sup>47</sup>

Chopin and Oudet describe a threefold logic underlying domestic intelligence: a classic logic of intelligence turned toward the interior of the national space; a police logic (intelligence activities being part of the policeman's work); and a judicial logic. Because hostile acts detected by the intelligence service are likely to be qualified as crimes and offenses, they are normally intended to be transmitted to justice.<sup>48</sup> Fred Schreier details the missions of domestic intelligence, which consist of collecting, analyzing, and producing intelligence related to the security of the state.<sup>49</sup> These missions include

uncovering terrorism; espionage; sabotage; subversion; political, ethnic and religious extremism; organised crime, narcotics production and trafficking; money faking and laundering; proliferation of WMD [weapons of mass destruction]; illegal arms dealing; arms, human, contraband and other smuggling; illegal immigration; electronic and cyberattacks, hacking and data theft; and dissemination of pornography, etc.<sup>50</sup>

Thus, the role of law enforcement in intelligence encompasses criminal intelligence (internal or international), counter intelligence, and countering terrorism.

With the development of the terrorist threat, police forces play fully their role in domestic intelligence. Steve Hewitt emphasizes the role of intelligence and law enforcement in addressing domestic terrorism. He argues that to deal with terrorism, states need to elaborate a nuanced, unified, and intelligent counterterrorism response. In

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<sup>47</sup> Olivier Chopin and Benjamin Oudet, *Renseignement et Sécurité* (Malakoff, Paris: Armand Colin, 2016), 138–149.

<sup>48</sup> Chopin and Oudet, 143–147.

<sup>49</sup> Fred Scheier, "Fighting The Pre-eminent Threats with Intelligence-Led operations" (Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2009), 52, [https://www.dcaf.ch/sites/default/files/publications/documents/OP16\\_SCF\\_Fighting%2520the%2520Pre-eminent%2520threats.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/OP16_SCF_Fighting%2520the%2520Pre-eminent%2520threats.pdf).

<sup>50</sup> Scheier, 52-53.

this response, police forces and intelligence services will play a crucial role in domestic intelligence, the security of populations, and threat prevention.<sup>51</sup>

Jeremy G. Carter and David L. Carter define the mission of law enforcement intelligence. According to them, this mission is to

prevent or mitigate crimes/threats/attacks from reaching fruition. This mission requires, or assumes, certain knowledge to be available to law enforcement—such as information on the criminal actors along with their motives, methods and targets. Without this information the probability of law enforcement successfully preventing crimes and terrorism diminishes.<sup>52</sup>

Owing to the proximity of law enforcement and local populations, law enforcement can have broad access to a large network of human intelligence (HUMINT).

#### **D. PROBLEMS AND HYPOTHESES**

The first hypothesis considered in this thesis is that Senegal needs an assessment of the current state of the gendarmerie's intelligence services. The gendarmerie has so far not carried out major reorganization in the field of intelligence, as it is struggling to position itself well within the intelligence community.

Second, Senegal's gendarmerie's intelligence services need a thorough reorganization. In particular, this reorganization should begin with the establishment of specialized units exclusively in intelligence gathering and analysis. Also, this reorganization should take into account the tradeoff between intelligence effectiveness and transparency. Indeed, the democratic aspirations of our country should go hand in hand with the practices of our intelligence services. Thus, I hypothesize that Senegal must establish control mechanisms over the activities of the intelligence services of the gendarmerie. Such a control mechanism would be a bureau of supervision of activities of intelligence services (search operations, call record requests, etc.), which would be under

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<sup>51</sup> Steve Hewitt, *The British War on Terror: Terrorism and Counter-terrorism on the Home Front Since 9/11* (London: Continuum, 2011), 4.

<sup>52</sup> Jeremy G. Carter and David L. Carter, "Law Enforcement Intelligence: Implications for Self-radicalized Terrorism," *Police Practice and Research*, 13, no. 2 (2012): 13, <https://doi.org/10.1080/15614263.2011.596685>.

the supervision of the commander of the Internal Inspection of the Gendarmerie to allow the institution to remain democratically accountable and transparent while operationally effective. Moreover, there should be a legal framework for the gendarmerie, clearly defining the role of the intelligence units and including a control and oversight mechanism (legislative committee).

Finally, given the small number of intelligence specialists in the gendarmerie, I posit that Senegal needs a more robust career path for potential intelligence professionals to include better recruitment, promotion, education, and training. Many instances of misconduct can result from lack of education/training or inappropriate training. By targeting appropriate and necessary education and training, the gendarmerie will be able to set up competent intelligence services capable of effectively fulfilling their missions.

## **E. METHODS AND SOURCES**

This thesis assesses the state of the gendarmerie's intelligence services in order to identify shortcomings and other areas for improvement. By identifying the weak points as well as the strengths of the intelligence services, I can formulate the right combinations for a recommended reform in line with the new security requirements.

This thesis mainly centers on a review and analysis of relevant literature, based on relevant information collected from books and articles by scholars, and reports produced by national and international institutions, on the reform of intelligence services in different countries. The study focuses particularly on the reforms and organizations of the intelligence services of the French gendarmerie.

Therefore, this work's analysis and proposed solutions to the problem are articulated in two parts. In the first part, this research focuses on the organization of the intelligence services of the French gendarmerie as well as its diverse changes over the past years. The second and last part is devoted to the study of the adequacy of the different solutions found through a comparative study of the intelligence services of the French and Senegalese gendarmeries while taking into account the transparency and accountability aspect for a better efficiency.

## **F. THESIS OVERVIEW**

The first chapter of this thesis introduces the problem, research question, literature review, and hypotheses.

The second chapter provides an overview of the gendarmerie's intelligence services in Senegal.

The third chapter provides a comparative study of the intelligence services of the French gendarmerie. This study includes its history, the various reforms it has known, as well as its advantages and disadvantages.

The fourth and final chapter—analysis and recommendations—answers the research question, tests the hypotheses, provides the main findings and proposes recommendations in order to lead an effective reform of the services of the gendarmerie. The reform of the services of the gendarmerie will have to undertake the establishment of new units specializing in intelligence and effectively distributed throughout the national territory. This measure will allow the gendarmerie to perform better in terms of intelligence and reposition itself within the intelligence community. This reform should take into account the accountability and transparency aspect, which should serve as a basis for future prospects for transparency and accountability in the field of intelligence at the national level.

Prior to any reform effort starting in earnest, a complete assessment of the state of the Senegalese gendarmerie's intelligence services is carried out. This assessment is to determine the shortcomings and other areas for improvement. After this evaluation, the comparative study of the information services of the French gendarmerie allows me to draw the useful lessons for an effective reform of those of the Senegalese services.

## II. THE INTELLIGENCE SERVICES OF THE SENEGALESE GENDARMERIE

Since its creation in 1960,<sup>53</sup> the Senegalese National Gendarmerie has carried out intelligence roles. Its categorization as a service having intelligence responsibility as a complementary mission, however, denotes a certain failure. This failure could be explained by the fact that the National Gendarmerie has not been especially focused on intelligence. By that, I mean that the gendarmerie did not provide its personnel with adequate training in intelligence. This fact is felt most often at the level of gendarmerie brigades which, through their fact sheets, do not apply the intelligence cycle. The fact sheets sent at the level of the documentation division come in the form of raw data. Even if intelligence staff is recruited according to well defined criteria (morality, integrity, loyalty, operability, capacity for discretion, analysis and adaptation, etc.), the intelligence functions at the level of the gendarmerie needs to improve. Moreover, the lack of specialization among the personnel of the gendarmerie constitutes a significant obstacle.

Indeed, of all the personnel of the gendarmerie, few are specialized in intelligence. At the noncommissioned officer level, there are about 20 intelligence specialists (personnel who have received the appropriate training and whose dominant career is intelligence). At the officer level, fewer than ten intelligence specialists exist. Even if they have received the appropriate training to specialize in intelligence, their performance is affected by the fact that they are not used exclusively in intelligence units. They are mostly serving in the other gendarmerie units.

This chapter provides an overview of the organization and function of the intelligence services of the Senegalese National Gendarmerie, its role and place within the intelligence community, and its strengths and weaknesses. This chapter also assesses the control and oversight of the gendarmerie's intelligence services as well as their effectiveness.

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<sup>53</sup> Sady, *La Gendarmerie*.

## A. OVERVIEW OF THE SENEGALESE NATIONAL GENDARMERIE

Regulated by Law 70–23 of June 6, 1970, on the general organization of the national defense, the Senegalese armed forces are composed of the National Gendarmerie, the military (including the army, navy, and air force), and the National Fire Brigade. The organization and functioning of the National Gendarmerie of Senegal is regulated by Decree 74–571 of June 13, 1974,<sup>54</sup> which established the main roles and missions of the service. Specifically, the law stipulates that the gendarmerie ensures the enforcement of laws and regulations, the maintenance of order and public security, establishes infractions, and investigates and defends the perpetrators before the courts. The articles 6, 8, and 125 of Decree 74–571 organize the intelligence missions assigned to the gendarmerie: general surveillance mostly based on HUMINT, intelligence sharing with other administrative services, and dissemination of intelligence to all ministries concerned. The gendarmerie also participates in the operational defense of the territory, such as securing borders and protecting critical installations, and military operations alongside the armed forces.<sup>55</sup>

The gendarmerie consists of conventional and special units. Among the conventional units are the territorial gendarmerie units (Administrative police and judicial police) and the mobile units (law enforcement and operational defense of the territory). The gendarmerie also includes special units, including the documentation division (intelligence and surveillance); the research section<sup>56</sup> (judicial and scientific Police); the National Gendarmerie Intervention Group (GIGN) (a special intervention unit); and the cyno group (a canine intervention unit).<sup>57</sup>

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<sup>54</sup> Léopold S. Senghor, Décret No. 74–571, “Règlement sur l’Emploi et le Service de la Gendarmerie,” [Regulation on the Employment and Service of the Gendarmerie] *Journal Officiel de la République du Sénégal* (1974).

<sup>55</sup> Senghor.

<sup>56</sup> Abdoulaye Wade, Décret No. 2001–312, “Création de la Section de Recherches,” [Creation of the Research Section] *Journal Officiel de la République du Sénégal* (2001).

<sup>57</sup> Abdoulaye Wade, Décret No. 2006–112, “Organisation du Haut Commandement de la Gendarmerie Nationale, ainsi que des Attributions des Autorités de Commandement” [Organization of the High Command of the National Gendarmerie, as well as the Attributions of the Command Authorities] (2006); “Jur Ak Njanaaw Avec Le Cynogroup De La Gendarmerie,” SEN360 SN, accessed June 19, 2018, [https://news.sen360.sn/video/jur-ak-njanaaw-avec-le-cynogroup-de-la-gendarmerie-dtv-37648\\_.html](https://news.sen360.sn/video/jur-ak-njanaaw-avec-le-cynogroup-de-la-gendarmerie-dtv-37648_.html).

In addition, the gendarmerie includes mobile intervention units called squadrons of surveillance and intervention (ESI). ESIs are deployed to Senegal's borders and their main mission is surveillance and counterterrorism.<sup>58</sup> The gendarmerie also includes an aerial section, which includes light aircraft type ULM (Ultra-Léger Motorisé), to strengthen surveillance by the air dimension. Finally, the gendarmerie has mobile brigades equipped with X-ray scanners to scan vehicles for hidden objects at the borders and within the national territory, depending on the level of alerts or particular requests from territorial gendarmerie units. On a daily basis, however, their mission consists of controlling random vehicles<sup>59</sup> at the borders or at particular crossroads in the country,<sup>60</sup> according to the Penal Procedure Code and the Traffic Code. All these units, at their respective levels, participate in the intelligence missions of the gendarmerie.

As part of the Armed Forces of Senegal, the National Gendarmerie is under the Ministry of Armed Forces. It is in charge of the military police within each service branch (inside the country or overseas). The High Commander of the Gendarmerie has the same responsibilities and privileges as the Chief of Staff of the Armed Services vis à vis the National Gendarmerie. He is also the Director of Military Justice. The National Gendarmerie also actively participates in intelligence missions within the Senegalese intelligence community.

## **B. THE SENEGALESE GENDARMERIE'S INTELLIGENCE SERVICES**

The National Gendarmerie intelligence services complement the work of the intelligence services of the Ministry of the Interior and other services, as depicted in Figure 1, under the direction of the General Delegation for National Intelligence (DRN).

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<sup>58</sup> Gendarmerie Nationale, *Directive portant Emploi des Escadrons de Surveillance et d'Intervention*, [Employment Directive of the Surveillance and Intervention Squadrons] No. 2285 /2/HC/EM/OPS/DAS (Dakar: Government of the Republic of Senegal, 2012).

<sup>59</sup> In Senegal, the police and the gendarmerie have the right to stop and control vehicles randomly. It is at the discretion of the officer to choose to control a vehicle or not. Also, any individual can be asked to show to the officer his I.D. For more information, see: Articles 14 and 16, Livre Premier, Titre Premier, *Code de Procédure Pénal du Sénégal* and Article 107, Titre 5, Chapitre Premier, *Code de la Route du Sénégal*.

<sup>60</sup> Arfang Saloum Sane, "La Gendarmerie Sénégalaise Dotée D'Unités De Scanner Mobiles," [The Senegalese Gendarmerie equipped with Mobile Scanner Units] *La Voie De Bargny*, May 13, 2016, <http://www.lavoiedebargny.com/la-gendarmerie-senegalaise-dotee-dunités-de-scanner-mobiles/>.

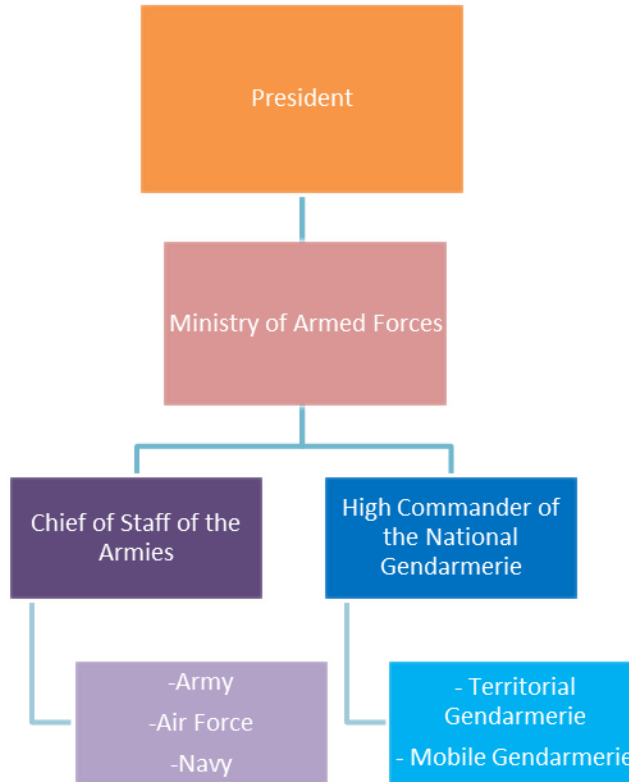


Figure 1. Senegalese Defense Organizational Chart

As detailed in Articles 8 and 125 of Decree 74–571, the gendarmerie exercises the intelligence mission for the authorities; specifically, they collect, exploit, analyze, and disseminate the intelligence to concerned authorities. For example, the units of the Territorial Gendarmerie regularly elaborate reports that they transmit to the documentation division of the National Gendarmerie. Nonetheless, any other gendarmerie unit in possession of information or intelligence may prepare a report for the documentation division for further action. In sum, every gendarmerie unit participates in intelligence missions. Whether they collect raw information or finished intelligence, units are responsible for transmitting it to the documentation division, which is charged to disseminate it to authorities after exploitation and analysis.

The documentation division (DIVDOC) has the exclusive mission of research, collection, exploitation, analysis, and dissemination of intelligence. It is part of the Employment / Operations chain of command of the High Command headquarters of the

National Gendarmerie. In accordance with the provisions of Ministerial Order No. 2075 MFA-DIRCEL dated April 27, 2005, the DIVDOC's missions are to assist the High Commandant of the National Gendarmerie in the search and detection of propaganda such as misinformation campaigns, and terrorist propaganda and other similar activities that can harm the National Defense and state security; to orient the units of the Gendarmerie in the search for intelligence; to collaborate, under the authority of the High Commander of the National Gendarmerie, with the other State agencies specializing in the field of intelligence; to ensure the centralization, exploitation, analysis, synthesis and transmission of the information collected by the units; assist the High Commander of the National Gendarmerie in his mission to protect the personnel, documents, equipment and establishments of the Gendarmerie against interferences and subversive actions; to maintain the documents relating to the protection of secrecy, the listing of information and the number; develop safety guidelines and instruct intelligence personnel; to prevent and investigate activities that may affect documents, materials and establishments related to the different levels of the Command; to ensure the technical links with the other intelligence services and collect from them the information useful to the Gendarmerie.<sup>61</sup>

The DIVDOC includes the Office of Collection, which collects intelligence from open sources, HUMINT, and other reports transmitted by other gendarmerie units, particularly the Territorial Gendarmerie; and an Office of Analysis, which is charged to exploit, analyze, and disseminate intelligence gathered from the Office of Collection.<sup>62</sup>

In 2014, Decree No. 2014-1244 / PR of November 29 stipulated the creation of an intelligence community in Senegal. The decree stipulated that the Senegalese intelligence community is comprised of dedicated intelligence services as well as services having intelligence as a complementary mission, such as:

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<sup>61</sup> "Organisation de l'État-major et du Cabinet du Haut Commandant de la Gendarmerie Nationale ainsi que les Attributions des Autorités de Commandement," Arrêté Ministériel No. 2075 MFA-DIRCEL [Organization of the General Staff and the Office of the High Commander of the National Gendarmerie and the Powers of the Command Authorities] *Journal Officiel De La République Du Sénégal* (2005), accessed April 2, 2018, <http://www.jo.gouv.sn/spip.php?article3420>.

<sup>62</sup> Arrêté Ministériel No. 2075 MFA-DIRCEL.

- The General Delegation for National Intelligence (DRN), which is a special intelligence service whose mission is to collect, both inside and outside the national territory, to analyze and disseminate to the President of the Republic and the relevant decision-making authorities, information relating to threats to the security and fundamental interests of the Nation. The DRN is led by the General Delegate for National Intelligence, appointed by the president. It is the general coordinating body of intelligence responsible for centralizing, exploiting, analyzing, and disseminating to the President of the Republic, the productions sent to him by the other intelligence services.
- The Directorate of Territorial Surveillance (DST), which is responsible for: research and centralization of the information needed to inform the government and the public authorities in the political, economic, and social spheres; research and the observation of all threats against the state security; the fight against terrorism, concurrently or in relation with other security services; the surveillance and control of gambling establishments (casinos, etc.); assisting in the processing of applications for association receipts; control of the production of the press and the national and international bookstore; the control of the import, transit, export, trade, port, and possession of arms and ammunition in connection with the Customs Administration; the processing of applications for entry and short stay visas in Senegal; counter-interference.<sup>63</sup>
- The Directorate of Air and Frontier Police (DPAF), which is responsible for: the application of the laws and regulations relating to the land, sea, and air border police; port and airport security and safety; control of the admission of persons; cross-border intelligence research; the fight against irregular migration.

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<sup>63</sup> La Direction de la Surveillance du Territoire (DST), [The Directorate of Territorial Surveillance] accessed April 2, 2018, <http://www.policenationale.gouv.sn/dirsurveillance.html>.

In addition, the intelligence community participates in the fight against transnational organized crime involving small arms, vehicles, and stolen objects or art work and trafficking in drugs or persons and similar practices.<sup>64</sup>

- The Counter-Terrorism Cell (CLAT) aims to combat terrorist threats, in cooperation with the services of friendly countries, in the framework of a partnership whose modalities will be defined by a protocol of agreement. Its mission is to collect, process and exploit information of all kinds relating to all categories of terrorist threats. The Counter-Terrorism Cell is also responsible for providing advice and recommendations on prevention and counter-terrorism policy. As part of the accomplishment of their missions, the members of the Cell implement all human and material means necessary for the collection of information on the activities of the terrorist groups and for the neutralization of the various threats, in cooperation with allied countries.<sup>65</sup>

In Decree No. 2014–1244 / PR of November 29, 2014, on the organization and functioning of the intelligence community, the DIVDOC is classified among the services having intelligence mission as complementary. Yet, DIVDOC actively participates in intelligence activities of the intelligence community. It is a permanent member of the Joint Intelligence Cell (CMR), which is an information exchange platform that brings together the DST, the DPAF, the DRN, the CLAT, and the Senegalese Armed Forces intelligence network.<sup>66</sup>

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<sup>64</sup> Abdoulaye Wade, Décret No. 2003–292, “Organisation du Ministère de l’Intérieur,” [Organization of the Ministry of the Interior] *Journal Officiel De La Republique Du Senegal* (2003), accessed April 3, 2018, <http://www.jo.gouv.sn/spip.php?article770>.

<sup>65</sup> Abdoulaye Wade, Décret No. 2003–388, “Création d’une Cellule de Lutte Anti-Terrorisme,” [Creation of an Anti-Terrorist Cell] *Journal Officiel De La Republique Du Senegal* (2003), accessed April 3, 2018, <http://www.jo.gouv.sn/spip.php?article798>; Arrêté Ministériel No. 5457 MINT/CAB, “La Composition, l’Organisation et les Missions de la Cellule de Lutte Anti-Terroriste (CLAT),” [The Composition, Organization and Missions of the Anti-Terrorist Cell (CLAT)] *Journal Officiel De La Republique Du Senegal* (2004), accessed April 03, 2018, <http://www.jo.gouv.sn/spip.php?article2465>.

<sup>66</sup> “Organisation De La Police Nationale,” [Organization of the National Police] Ministère de l’Intérieur, accessed April 3, 2018, <http://www.interieur.gouv.sn/securite-publique/organisation-de-la-police-nationale>.

## 1. Transparency and Oversight

With regard to control and transparency, Senegal is struggling to focus on intelligence services. Senegal has established several control bodies such as the General Inspectorate of State (IGE),<sup>67</sup> which is charged to ensure all public services of the Republic observe the laws, orders, decrees, regulations, and instructions that govern the administrative, financial, and accounting operations. Furthermore, the IGE is responsible for studying the quality of the functioning of these services, the way in which they are managed and their results; and for verifying the use of the public appropriations and the regularity of the operations of the administrators, the authorizing officers, the accountants and managers of moneys and matters. Finally, the IGE has the responsibility to propose all necessary measures to simplify and improve the quality of the Administration, to lower its operating costs and increase its efficiency; and to give its opinion on the bills, orders, decrees, regulations, instructions, and other matters submitted to IGE by the President of the Republic. The IGE mission is exercised on all public services of Senegal regardless of their management mode (service governed, conceded, and autonomous) or their geographical location (central, regional, and external services), including public institutions placed under the supervision of the State, regardless of the status or name of these institutions, as well as local authorities and their public institutions. The scope of the IGE's mission also extends to the administration of the Army; administrative and financial management of the judicial services; national societies; majority-owned companies; private-law legal persons receiving financial assistance from public authorities; and relations between controlled institutions or agents and third parties, in particular, public and private banking bodies. In the latter case, professional secrecy cannot be opposed to the IGE controlling personnel.<sup>68</sup>

Another control and oversight body is the National Assembly, which creates the finance law that determines the amount of operating and investment credits allocated to national defense. The National Assembly has, in addition, 11 standing committees,

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<sup>67</sup> "Inspection Générale D'état Du Sénégal," IGE, accessed April 18, 2018, <http://www.ige.sn/>.

<sup>68</sup> IGE.

including the Defense and Security Committee.<sup>69</sup> The latter is responsible for all matters relating to the National Defense and Preservation of Territorial Integrity; Military Cooperation; Military and Para Military Establishments; Civilian Personnel in Armed Forces; Public Security; Security; Gendarmerie and military justice.

Finally, the General Inspectorate of the Armed Forces (IGFA)<sup>70</sup> and the Internal Inspectorate of the National Gendarmerie (IIGN)<sup>71</sup> can also both exercise control over intelligence activities carried out by the armed forces, the IIGN's oversight is, however, limited to the gendarmerie only.

Despite the implementation of these control mechanisms, it remains very difficult to observe evidence of their audit and control of intelligence services. This stems from their lack of knowledge about intelligence, on the one hand, and their lack of interest, on the other. For example, several times Members of Parliament (MPs) have had to ask questions about wiretapping, showing their ignorance of intelligence activities as MPs.<sup>72</sup> At the same time, these interrogations of the deputies point to the lack of discussion about the intelligence services at the national assembly level. As for the role of the media, there is a lack of interest in intelligence on their part. This apathy has led to public ignorance about the activities of the intelligence services, which are often considered institutions serving the executive branch. According to a study conducted from March to July 2015 by the Platform of Non-State Actors<sup>73</sup> on “the perception of citizens of the State control

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<sup>69</sup> “Commissions,” Assemblée Nationale, accessed April 18, 2018, <http://www.assemblee-nationale.sn/xml-1411131120-page-rub30-int.xml?p=active30>.

<sup>70</sup> Abdou Diouf, Loi No. 84–62, “Organisation Générale des Forces Armées,” [General Organization of the Armed Forces] *Journal Officiel de la République du Sénégal (1984)*.

<sup>71</sup> Abdoulaye Wade, Décret No. 2006–112/PR/MFA, “Organisation du Haut Commandement de la Gendarmerie Nationale, ainsi que les Attributions des Autorités de Commandement,” [Translation] *Journal Officiel de la République du Sénégal (2006)*.

<sup>72</sup> “Assemblée Nationale: « Est-ce Qu’il Y a Des écoutes Téléphoniques Sur Certaines Personnalités Sénégalaises ? », (député),” [National Assembly: “Are There Any Telephone Taping of Some Senegalese Personalities? ,” (deputy)] Pressafrik, accessed April 18, 2018, [https://www.pressafrik.com/DIRECT-Assemblee-nationale-Est-ce-qu-il-y-a-des-ecoutes-telephoniques-sur-certaines-personnalites-senegalaises--depute\\_a174015.html](https://www.pressafrik.com/DIRECT-Assemblee-nationale-Est-ce-qu-il-y-a-des-ecoutes-telephoniques-sur-certaines-personnalites-senegalaises--depute_a174015.html); “Aïda Mbodj Et Les écoutes Téléphoniques,” [Aïda Mbodj and The Phone Tappings] SenXibar, accessed April 18, 2018, [https://www.senxibar.com/Aida-Mbodj-et-les-ecoutes-telephoniques\\_a42235.html](https://www.senxibar.com/Aida-Mbodj-et-les-ecoutes-telephoniques_a42235.html).

<sup>73</sup> “Mieux Nous Connaître,” [About Us] Plateforme Des A.N.E. du Sénégal, November 5, 2008, <https://acteursnonetatiquesn.wordpress.com/about/>.

and regulation bodies (case of the Army and the Court of Accounts),” 52 percent of citizens say they have never seen a report of bodies and organs of control and regulation, 39 percent do not know anything about such mechanisms, and only 3 percent have consulted such reports very often.<sup>74</sup>

## 2. Senegalese Gendarmerie Democratization

To assess democratization of the Senegalese National Gendarmerie intelligence services, I rely on Matei and Andres de Castro García’s intelligence democratization framework.<sup>75</sup> In the 2018 Freedom House indices, Senegal scores 2,<sup>76</sup> granting the country classification as a free democracy. Despite this outstanding score by Senegal in comparison to other African countries, it lacks active control by mechanisms in the intelligence domain. Table 1 considers the institutional organization of Senegal with its intelligence services as a whole, as well as their performance. Values ranging from low to high are assigned to each requirement.

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<sup>74</sup> “IGE, Cour Des Comptes, ARMP... : 56 % Des Sénégalais Ignorent L’existence Des Organes De Contrôle Et De Régulation,” [IGE, Court of Auditors, ARMP ...: 56% of Senegalese Ignore the Existence of Control and Regulation Mechanisms] SeneNews, July 14, 2015, [https://www.senenews.com/actualites/societe/ige-cour-des-comptes-armp-56-des-senegalais-ignorent-lexistence-des-organes-de-controle-et-de-regulation\\_134365.html](https://www.senenews.com/actualites/societe/ige-cour-des-comptes-armp-56-des-senegalais-ignorent-lexistence-des-organes-de-controle-et-de-regulation_134365.html).

<sup>75</sup> Florina Cristiana Matei and Andrés De Castro García, “Chilean Intelligence after Pinochet: Painstaking Reform of an Inauspicious Legacy,” *International Journal of Intelligence and Counter-Intelligence* 30, no. 2 (2017): 357–360, <https://doi.org/10.1080/08850607.2017.1263530>.

<sup>76</sup> “Senegal,” Freedom House, January 16, 2018, <https://freedomhouse.org/report/freedom-world/2018/senegal>.

Table 1. Requirements for Intelligence Control and Intelligence Effectiveness (Senegal)<sup>77</sup>

	Control			Effectiveness		
Requirements	Institutional Control Mechanisms	Oversight	Professional Norms	Plan or Strategy	Institutions	Resources
	Low-medium	Low-medium	Medium	Medium-High	Medium	Medium-High

*a. Requirements for Control*

Senegal scores “Low-medium” in the Institutional Control Mechanisms category. Control mechanisms have been established and a legal framework has been created to support intelligence control. The DRN has numerous civilian employees, and the military intelligence does not influence it.

In the Oversight category, Senegal scores once more “Low-medium,” principally due to the lack of intelligence knowledge and interest exhibited by MPs. While control mechanisms are established at the executive and the legislative levels, intelligence debates rarely occur at the national assembly level. Regarding the press, few journalists have written about intelligence activities. This reality tends to diminish over time, thanks to the development of the Internet and social media, which have promoted the globalization of information. More interest in gendarmerie intelligence services activities would probably lead to a better understanding of their job, which is, for many Senegalese, a shadow area. Given the near absence of debates about intelligence activities at the national assembly level, the media could play an important role in leading the government to communicate more about intelligence. For example, when a former gendarmerie intelligence officer published a book about corruption and scandals in the National Gendarmerie, the Minister of the Armed Forces made a public statement

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<sup>77</sup> Adapted from Florina Cristiana Matei and Andrés De Castro García, “Chilean Intelligence after Pinochet: Painstaking Reform of an Inauspicious Legacy,” *International Journal of Intelligence and Counter Intelligence* 30, no. 2 (2017): 357–360, <https://doi.org/10.1080/08850607.2017.1263530>.

announcing that an investigation would be opened by the Inspectorate-General of the Armed Forces.<sup>78</sup> This book, which was published in France, was brought to the Senegalese public's attention by the media.

Senegal scores "Medium" in the Professional Norms category. Even though the DRN has civilian employees who are trained professionals in various positions, the military, the National Gendarmerie, and the National Police, which provide the majority of DRN's personnel, need to specialize more of their agents.

***b. Requirements for Effectiveness***

In the Plan or Strategy category, Senegal scores "Medium-high." Since 2014 and the reorganization of the Senegalese intelligence community, Senegalese policy makers have developed strong intelligence strategies and orientations, leading Senegal to be one of the most stable countries in the Sahel region.

Senegal scores "Medium" in the Institutions category. Senegal has developed an organized intelligence community with cooperation platforms (CMR). Nonetheless, the intelligence system could be more effective if the role assigned to some institutions, such the gendarmerie and the penitentiary administration, are revised and upgraded.

In the Resources category, Senegal scores "Medium-high." Senegalese intelligence services generally have limited resources at their disposal due to the stability of the country. With the creation of the DRN, important resources were allocated to it. The law No. 2016–33 of December 14, 2016, relating to the intelligence services,<sup>79</sup> describes the means that can be used by the special intelligence services in order to succeed in their missions. These means include, among others, monitoring devices and location. However, other intelligence services such as the gendarmerie's intelligence

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<sup>78</sup> "Sénégal: L'auteur De «Pour L'honneur De La Gendarmerie» Mis Aux Arrêts," [Senegal: The Author Of "For The Honor Of The Gendarmerie" Arrested] RFI Afrique, August 14, 2014, <http://www.rfi.fr/afrique/20140814-senegal-auteur-honneur-gendarmerie-mis-arrets-colonel-ndaw-abdoulaye-fall-casamance>.

<sup>79</sup> Macky Sall, Loi No. 2016–33 "Services de Renseignement," [Intelligence Services] *Journal Officiel de la République du Sénégal* (2016), accessed April 20, 2018, <http://www.jo.gouv.sn/spip.php?article10999>

services suffer from a lack of resources (including functional vehicles and special equipment).

### **C. CONCLUSION**

Finally, it appears that the Senegalese National Gendarmerie, despite its active participation in intelligence missions within the community, is struggling to position itself among the leaders. This fact is explained by multiple causes. First, the Senegalese National Gendarmerie's intelligence services lack professionalization. Given the large territory it covers, the gendarmerie should play a leading role in intelligence missions. Secondly, the lack of adequate training and specialization path for gendarmerie personnel has resulted in a failure by brigades to fulfill correctly intelligence missions. Lastly, the almost non-existent oversight and civilian control calls for a transformation of the National Gendarmerie's intelligence service in order to be more efficient and democratically accountable.

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### **III. THE INTELLIGENCE SERVICES OF THE FRENCH GENDARMERIE**

Since the creation of the French National Gendarmerie during the Hundred Years War (1337–1457),<sup>80</sup> its intelligence services have undergone several transformations, including an update of its capacities, an update of its competencies, and the creation of new units adapted to contemporary threats. Despite its active participation on the intelligence mission within the intelligence community, the gendarmerie’s intelligence services remain unproven in terms of effectiveness. This chapter discusses the organization of the French National Gendarmerie, its evolution, its intelligence missions, and how effective and democratically accountable they are.

#### **A. OVERVIEW OF THE FRENCH NATIONAL GENDARMERIE**

The gendarmerie is the heiress of the *Maréchaussées*<sup>81</sup> dates back to the Hundred Years War (1337–1457) when it was created to control the behavior of the troops.<sup>82</sup> On January 25, 1536, King François I extended the jurisdiction of the *Maréchaussées*, which had thus far been limited to the misdeeds by deployed troops, to include all major crimes whether their perpetrators were military or civilians, wanderers or residents. Consequently, the *Maréchaussées* became a military and police force with responsibility for the countryside and the main roads of the kingdom, and remains the foundation of the specific mission assigned to the gendarmerie to the present.<sup>83</sup>

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<sup>80</sup> “La Gendarmerie, Héritière Des *Maréchaussées*,” [The Gendarmerie, Heiress of the *Maréchaussées*] Gendarmerie, accessed April 4, 2018, <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/La-gendarmerie-heritiere-des-marechaussees>.

<sup>81</sup> The *Maréchaussées* were the military corps responsible for police, public order, and military justice since the Middle Ages.

<sup>82</sup> Gendarmerie, “La Gendarmerie, Héritière Des *Maréchaussées*.”

<sup>83</sup> Sady, *La Gendarmerie*, 40–41.

After the 1778 reform of the Maréchaussées,<sup>84</sup> all the Maréchaussées were placed under one body: The Maréchaussée, counting 4,114 men on the eve of the French Revolution. This period was decisive since it devised the roles of the Maréchaussée and the gendarmerie for several centuries: to seek and prosecute criminals, to ensure the free movement of goods and people, to observe the behavior of the troops, to ensure the orderly proceedings in the parties and other assemblies, and to maintain public safety and tranquility in all circumstances.<sup>85</sup> The gendarmerie was identified as the “public force”<sup>86</sup> announced in the declaration of the rights of man and the citizen of August 26, 1789.<sup>87</sup>

The law of February 16, 1791, made the force the National Gendarmerie. It is no longer in the service of the King, but of the law.<sup>88</sup> In 1849, the Republican Guard<sup>89</sup> became attached to the gendarmerie. In 1854, a decree reorganized the institution. Still under the Second Empire, the gendarmerie again proved its fighting expertise by taking part in the Crimean War (1854–1856), especially during the siege of Sevastopol in 1855, as well as in the Franco-German conflict of 1870–1871. The decree of May 20, 1903, does not modify the missions of the gendarmerie, but reaffirms its military status.<sup>90</sup>

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<sup>84</sup> “Société Nationale De L’histoire Et Du Patrimoine De La Gendarmerie (SNHPG ), Histoire Gendarmerie,” [National Society Of The History And Heritage Of The Gendarmerie (SNHPG), History Gendarmerie] Forces Publiques, accessed April 29, 2018, <https://www.force-publique.net/index.php?page=3&ch=3>.

<sup>85</sup> Gendarmerie, “La Gendarmerie, Héritière Des Maréchaussées.”

<sup>86</sup> “The guarantee of the rights of man and of the citizen requires a public force: this force is thus instituted for the benefit of all, and not for the particular utility of those to whom it is entrusted,” See *Déclaration des Droits de l’Homme et du Citoyen de 1789*, [The Declaration of the Rights of Man and the Citizen of 1789] Article 12, Légifrance, accessed April 4, 2018, <https://www.legifrance.gouv.fr/Droit-francais/Constitution/Declaration-des-Droits-de-l-Homme-et-du-Citoyen-de-1789>.

<sup>87</sup> Sady, *La Gendarmerie*, 40–41.

<sup>88</sup> Sady, 42.

<sup>89</sup> The Republican Guard is the heiress of all the military corps which, since the first Frankish kings, have ensured the protection of the city, the security of the institutions and the honor of the high authorities of the State. By decree of Louis Napoleon Bonaparte, this body is integrated into the gendarmerie on February 1, 1849; See “Garde Républicaine,” [Republican Guard] Gendarmerie, accessed April 4, 2018, <https://www.gendarmerie.interieur.gouv.fr/garde-republicaine/Decouverte/Histoire>.

<sup>90</sup> “Lors De La Restauration,” [During the Restoration] Gendarmerie, Accessed April 04, 2018, <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/Lors-de-la-restauration>.

During the First World War, the French National Gendarmerie played the role of provost. Because of the nature of its mission (i.e., control of the activities of the combatants), some combatants criticized it. In February 1918, the government set up a Sub-Directorate of the Gendarmerie, whose command was entrusted to Lieutenant-Colonel Plique. In addition, gendarmes received the rank of noncommissioned officer.<sup>91</sup>

The inter-war period was also a period of great changes for the gendarmerie. In 1921, to fulfill its mission of maintaining the public order, the French National Gendarmerie created mobile squads of gendarmes, in reinforcement of brigades, attached to the legions of departmental gendarmeries. These units would later provide the majority of the personnel and equipment of the 45th Battalion. The latter resisted during the fighting of the spring of 1940 in the Ardennes.<sup>92</sup>

Since the Second World War, the gendarmerie has experienced several changes. First, its superior command, after having been attached to military justice within a Directorate of Military Justice and within the gendarmerie in 1947, found a new autonomy in 1981. Indeed, hierarchically attached to the army, the French National Gendarmerie asserts itself as an autonomous military force within the Ministry of Defense<sup>93</sup> with the creation of the Directorate General of the National Gendarmerie. Then, the management of the gendarmerie also changed. Directed since 1947 by a civilian, such as a magistrate or prefect, it has been since 2004 overseen by a General of the Gendarmerie.<sup>94</sup> Indeed, the gendarmerie has long been managed by a high-ranking civil servant because of the civilian nature of most of its missions,<sup>95</sup> including protection of the population and its property and

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<sup>91</sup> Gendarmerie, “Lors De La Restauration.”

<sup>92</sup> “L’entre-deux-guerres,” [Between the Two Wars] Gendarmerie, accessed April 05, 2018, <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/L-entre-deux-guerres>.

<sup>93</sup> Christelle Chichignoud, “La Gendarmerie, Force De Sécurité Au Service De La Nation,” [The Gendarmerie, Security Force at the Service of the Nation] *Hérodote* 116, no. 1 (2005): 85–86, <https://doi.org/10.3917/her.116.0082>.

<sup>94</sup> “Pendant L’Occupation,” [During the Occupation] Gendarmerie, accessed April 5, 2018, <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/Pendant-l-Occupation>.

<sup>95</sup> Jean-Christophe Videlin, *Droit De La Défense Nationale* [National Defense Law] (Brussels: Bruylant, 2014).

the execution of judicial missions. Also, this period corresponds to a period of internal tensions within the gendarmerie that resulted from the poor social and working conditions of the gendarmes. Thus, the appointment of a new director from the ranks of the gendarmerie was to allow greater consideration of the concerns of gendarmes, by an administrator who knows the realities of the institution.<sup>96</sup> Moreover, because of his civilian status, the director of the gendarmerie was often excluded from the military coordination bodies, unless there was an expressed waiver.<sup>97</sup>

The departmental gendarmerie has also seen its field of action extended with the establishment of units made up of specialized personnel. These specialized personnel have responsibility for the missions of general surveillance and protection of the people and the goods, and consist of platoons of supervision and intervention (PSIG) created in 1975, including mountain platoons, river brigades, and air sections. Other specialized personnel are traffic police, organized in motorized platoons, squadrons, and motorway squads, and judicial police, including research units and the Criminal Research Institute of the National Gendarmerie for the Scientific Police. In addition, to strengthen and optimize brigade service, Gendarmerie Operational Centers (COG) were created in 1990 and Brigade Communities (Cob) in 2005. The new articulation improved operations and intelligence coordination.<sup>98</sup>

The mobile gendarmerie, whose name was changed from the Republican Mobile Guard in 1954, remains a specialized force in maintaining public order. It is charged to maintain public order and, when necessary, restore it. Notably, after the events of 1968,<sup>99</sup>

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<sup>96</sup> Richard Lizurey, *Gendarmerie Nationale, Les Soldats De La Loi* [National Gendarmerie, Soldiers Of The Law] (Paris: Presses Universitaires De France, 2006), 846.

<sup>97</sup> Jean-Christophe Videlin, *Droit De La Défense Nationale* [National Defense Law] (Brussels: Bruylant, 2014).

<sup>98</sup> “La Gendarmerie Départementale,” [The Departmental Gendarmerie] Gendarmerie, accessed April 5, 2018, <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/La-gendarmerie-departementale>.

<sup>99</sup> In 1968, France experienced a period of student demonstrations, as well as general strikes and violent demonstrations. These events were characterized by a vast spontaneous anti-authoritarian revolt, of a cultural, social and political nature, directed against capitalism, consumerism, American imperialism and, more immediately, against the Gaullist power in place. See “Combien De temps Aura duré 68 ?” [How long will it have lasted 68?] Libération.fr. January 19, 2018, [http://www.liberation.fr/debats/2018/01/19/combien-de-temps-aura-dure-68\\_1623845](http://www.liberation.fr/debats/2018/01/19/combien-de-temps-aura-dure-68_1623845).

the mobile gendarmerie experienced several wounded<sup>100</sup> due to inadequate equipment and a lack of special training of gendarmes in the maintenance of public order. These lessons led to the creation of a development center installed in Saint-Astier in 1969. Similarly, in the 1970s, to address the rising threat of Islamist terrorism in France, the National Gendarmerie Intervention Group (GIGN) was created.<sup>101</sup>

One of the major changes experienced by the French National Gendarmerie is probably its recent attachment to the French Ministry of the Interior. In 2002, the process of attaching the gendarmerie to the Ministry of the Interior was initiated. In Decree No. 2002–889 of May 15, 2002,<sup>102</sup> it is stipulated that for the exercise of its homeland security missions, the Minister of the Interior, Internal Security and Local Freedoms is responsible for the employment of services of the National Gendarmerie. Until then, the gendarmerie was placed under the authority of the Ministry of the Interior “for employment” in matters of homeland security.

Since the law No. 2009–971 of August 3, 2009, relating to the French National Gendarmerie,<sup>103</sup> the gendarmerie has been attached to and placed under the authority of the French Ministry of the Interior. Nevertheless, the gendarmerie retains its military status and the Minister of Defense participates in the management of human resources, is exclusively responsible for disciplinary matters and for the participation of the gendarmerie in military missions, notably alongside the armed forces outside the national territory.

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<sup>100</sup> Thierry Forest, “La Gendarmerie Mobile En 1968,” [The Mobile Gendarmerie in 1968] Force Publique, accessed May 1, 2018, <http://www.force-publique.net/sources/Revue/FP03art/FP-03-Forest.html>.

<sup>101</sup> “La Gendarmerie Mobile.” [The Mobile Gendarmerie] Gendarmerie. Accessed April 05, 2018. <https://www.gendarmerie.interieur.gouv.fr/Notre-institution/Notre-histoire/La-gendarmerie-de-sa-naissance-a-aujourd-hui/La-gendarmerie-mobile>.

<sup>102</sup> Jacques Chirac, Décret No. 2002–889 du 15 mai 2002 “Attributions du Ministre de l’Intérieur, de la Sécurité Intérieure et des Libertés Locales,” [Responsibilities of the Minister of the Interior, Internal Security and Local Liberties] *Journal Officiel de la République de France*, (2002), accessed April 5, 2018, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000005633083&dateTexte=20100603>

<sup>103</sup> Nicolas Sarkozy, Loi No. 2009–971 du 3 août 2009, “La Gendarmerie Nationale (1),” *Journal Officiel de la République de France*, (2009), accessed April 5, 2018, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000020954146&dateTexte=&categorieLien=id>.

## B. THE FRENCH GENDARMERIE INTELLIGENCE SERVICES

As in Senegal, the French Gendarmerie's intelligence services are not part of special intelligence services of the intelligence community. As stated by Chopin, "the Gendarmerie Nationale ... is one of the primary police forces that ensure comprehensive surveillance on French soil."<sup>104</sup> Indeed, present in almost all parts of the territory, the gendarmerie constitutes a major asset in the field of homeland security and general surveillance, and therefore plays an important role in national intelligence. However, the current standing of the gendarmerie in the intelligence community<sup>105</sup> is justified by the fact that the gendarmerie has barely started reforms and development of its intelligence services.

Even though gendarmes have the capacity to collect intelligence, they generally do not follow the intelligence cycle due to a lack of professional training, which contributes to the dissemination of raw information or intelligence that is not related to the national security interest. The type of information that gendarmes collect is frequently related to petty crimes as well as community-based social concerns. Hence, any information collected was rarely analyzed.<sup>106</sup> The gendarmerie which has not specifically trained its personnel on intelligence, has begun therefore to focus on intelligence of interest to national security,<sup>107</sup> especially intelligence pertaining to counterterrorism in regards to the new security environment in France.

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<sup>104</sup> Olivier Chopin, "Intelligence Reform and the Transformation of the State: The End of a French Exception," *Journal of Strategic Studies* 40, no. 4 (2017): 541, <https://doi.org/10.1080/01402390.2017.1326100>.

<sup>105</sup> The French Intelligence Community is composed of eight principal agencies from the Ministry of Defense, the Ministry of Interior, and the Ministry of Finance. At the level of the Ministry of Defense, there is the General Directorate for External Security (DGSE), the Military Intelligence Directorate (DRM), and the Directorate on Defense Protection and Security (DRSD). The Ministry of the Interior regrouped as the General Directorate of Interior Security (DGSI), the Central Service of Territorial Intelligence (SCRT), and the Directorate of Intelligence for the Prefecture of Paris Police (DRPP); all these three agencies are based in police institutions. Finally, the Ministry of Finance includes the TRACFIN Intelligence and Action Against Clandestine Financial Channels and DNRED National Direction of Intelligence and Investigations of Trade Duties. These services, together with the National Intelligence Coordinator and the Intelligence Academy, constitute the French intelligence community.

<sup>106</sup> Diego Esparza and Thomas C. Bruneau, *Closing the Gap Between Law Enforcement and National Security Intelligence: Comparative Approaches* (unpublished), 26.

<sup>107</sup> Esparza and Bruneau, 25.

In 2014, the gendarmerie created the Sub-Directorate of Operational Anticipation (SDAO). The SDAO has several missions, it proposes the doctrine relating to intelligence missions within the gendarmerie; processes internal and external information to alert the authorities, as well as the monitors sensitive short-term situations; participates in the research, collection, analysis, and dissemination of defense, public order, and national security information necessary for the execution of the gendarmerie's missions; handles the processing of operational intelligence of public order and economic security intelligence in metropolitan France and overseas; leads or participates, with the other sub-directorates of the Operations and Employment Department, in interdepartmental crisis management; and monitors and coordinates the actions of the units in their areas of responsibility.<sup>108</sup> The SDAO includes the Operational Intelligence Center of the Gendarmerie and the Analysis and Exploitation Center.<sup>109</sup> Also, the Counter-Terrorism Bureau (BLAT) in the gendarmerie has important intelligence capabilities and plays a central role in countering terrorism.<sup>110</sup> The BLAT acts both in the field of intelligence (prevention) and in that of the judicial police (law enforcement). It is responsible for analyzing, developing, and disseminating the information to the authorities concerned. It is responsible for coordinating, at the national level, the action of the gendarmerie units or services involved in the fight against terrorism, violent extremism, or attacks on state

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<sup>108</sup> Manuel Valls, Arrêté du 6 décembre 2013 Modifiant l'Arrêté du 12 août 2013, "Organisation de la Direction Générale de la Gendarmerie Nationale," [Organization of the General Directorate of the National Gendarmerie] *Journal Officiel de la République de France* (2013), accessed April 5, 2018, <https://www.legifrance.gouv.fr/affichTexte.do?jsessionid=?cidTexte=JORFTEXT0000028336019&dateTexte=&oldAction=dernierJO&categorieLien=id>

<sup>109</sup> Valls.

<sup>110</sup> The BLAT is a French operational unit created in 2003, specializing in anti-terrorism, and reporting to the Direction of the Judicial Police (SDPJ) of the Directorate General of the National Gendarmerie (DGGN). It was recognized, by the Ministerial Order of March 31, 2006, as one of the services especially charged with the prevention and the repression of the acts of terrorism; See, Nicolas Sarkozy, "Arrêté du 31 mars 2006 Pris pour l'Application de l'Article 33 de la Loi No. 2006-64 du 23 Janvier 2006 Relative à la Lutte contre le Terrorisme et Portant Dispositions Diverses Relatives à la Sécurité et aux Contrôles Frontaliers," [Order of March 31, 2006 Taken for the Application of Article 33 of Law No. 2006-64 of January 23, 2006 Relating to the Fight Against Terrorism and Various Provisions Relating to Security and Border Controls] *Journal Officiel de la République de France* (2006), accessed April 5, 2018, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000456295>

security. Within the Directorate General of the National Gendarmerie (DGGN), it can now receive the support of the SDAO.<sup>111</sup>

All these efforts taken by the French National Gendarmerie have resulted in the recognition of its services' effectiveness in terms of intelligence and counterterrorism by the French authorities.<sup>112</sup>

## **1. Transparency and Oversight**

In France, the oversight of the activities of the intelligence services is done on several levels.<sup>113</sup> There is, for example, internal administrative and hierarchical control. At the level of each ministry (Defense, Interior, and Finance), it is the responsibility of the hierarchy, at the top of which the minister has ultimate responsibility, to ensure that the activity of the service is in line with its mission.

Independent administrative authorities also play an active role in intelligence activities oversight. Among these authorities are the National Commission for the Control of Interceptions of Security (CNCIS), which checks the legality of requests for interception of administrative communications and gives an opinion before the authorization decision by the Prime Minister; and the Advisory Committee on the Secrets of National Defense (CCSDN), which gives its opinion on requests for the declassification of information protected by national defense secrecy. Another independent administrative authority is the National Commission for Informatics and Liberties (CNIL), which ensures the protection of personal data, including those collected

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<sup>111</sup> Nicolas Sarkozy, "Arrêté du 31 mars 2006 Pris pour l'Application de l'Article 33 de la Loi No. 2006-64 du 23 Janvier 2006 Relative à la Lutte contre le Terrorisme et Portant Dispositions Diverses Relatives à la Sécurité et aux Contrôles Frontaliers," [Order of March 31, 2006 Taken for the Application of Article 33 of Law No. 2006-64 of January 23, 2006 Relating to the Fight Against Terrorism and Various Provisions Relating to Security and Border Controls] *Journal Officiel de la République de France* (2006), accessed April 5, 2018, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000456295>

<sup>112</sup> Frédéric Naizot, "Des Gendarmes Au Top Dans La Lutte Contre Le Terrorisme," [Gendarmes At The Top In The Fight Against Terrorism] *Leparisien*, January 2017, <http://www.leparisien.fr/espace-premium/val-d-oise-95/des-gendarmes-au-top-dans-la-lutte-contre-le-terrorisme-21-01-2017-6597858.php>.

<sup>113</sup> "L'encadrement Juridique De L'activité De Renseignement," [Legal Framework of Intelligence Activity] *L'académie Du Renseignement*, accessed April 22, 2018, <http://www.academie-renseignement.gouv.fr/encadrement-juridique.html>.

by the intelligence services.<sup>114</sup> The General Inspectorate of the National Gendarmerie (IGGN) attached to the Director General of the National Gendarmerie also has a controlling role. It must respond to external complaints from private individuals and independent administrative authorities, as well as internal requests related to administrative inquiries. The IGGN ensures and instills respect for deontology, and can carry out judicial investigations when agents are implicated.<sup>115</sup>

In addition, the committees of the assemblies, as well as the investigation commissions if necessary, can monitor the activity of the gendarmerie intelligence services.<sup>116</sup> In fact, the Director of the Gendarmerie is, whenever necessary, heard by the commissions of the National Assembly, notably the National Defense and Armed Forces Commission, on matters related to the gendarmerie missions as well intelligence activities.<sup>117</sup>

As in any democracy, the French media often addresses issues related to the activities of the intelligence services. For the most part, the media has focused more on scandals implicating the intelligence services. As Damien Van Puyvelde explains, the media approach to intelligence issues in France has been reactive rather than proactive. Some journalists do not master the field, failing to properly inform and educate the public about intelligence.<sup>118</sup> Gerald Arboit and Michel Mathien reinforce the position of Van Puyvelde, explaining that media actors used to treat intelligence-related business affairs as news items, emphasizing burrs and other imperfections rather than successes. For example, in 2009 the newspaper *Le Monde* published an article recounting the rivalry of

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<sup>114</sup> L'académie Du Renseignement.

<sup>115</sup> “La Gendarmerie Nationale 2017: Histoire, Missions, Effectifs, Recrutement,” [The National Gendarmerie 2017: History, Missions, Workforce, Recruitment] Police-Nationale, January 2018, <http://www.police-nationale.net/gendarmerie/#direction-generale>.

<sup>116</sup> “L’encadrement Juridique De L’activité De Renseignement,” [Legal Framework of Intelligence Activity] L’académie Du Renseignement, accessed April 22, 2018 <http://www.academie-enseignement.gouv.fr/encadrement-juridique.html>.

<sup>117</sup> “Commission De La Défense Nationale Et Des Forces Armées de L’Assemblée Nationale,” [National Defense Commission And Armed Forces Of The National Assembly] *Compte Rendu no. 07 du Mardi 10 Octobre 2017, Séance de 17 heures*, accessed May 2, 2018, <http://www.assemblee-nationale.fr/15/cr-cdef/17-18/c1718007.asp>.

<sup>118</sup> Damien Van Puyvelde, “Intelligence, Democratic Accountability, and the Media in France,” *Democracy and Security* 10, no. 3 (2014): 292, <https://doi.org/10.1080/17419166.2014.946018>.

the intelligence services of the police and the gendarmerie. In this article, the mode of operation of the gendarmerie’s intelligence services was strongly criticized for operating out of their jurisdiction, using intimidation, and so forth.<sup>119</sup>

## 2. French Gendarmerie Democratization

As I did for Senegal, I rely on Matei and Bruneau’s intelligence democratization framework to assess French Gendarmerie intelligence democratization. See Table 2.

Table 2. Requirements for Intelligence Control and Intelligence Effectiveness (France)<sup>120</sup>

	Control			Effectiveness		
Requirements	Institutional Control Mechanisms	Oversight	Professional Norms	Plan or Strategy	Institutions	Resources
	High	Low-medium	High	High	High	High

### a. Requirements for Control

France scores “High” in the Institutional Control Mechanisms category. Control mechanisms have been institutionalized and reinforced along with the legal framework. The legislative control, which includes a dual competency between the National Assembly and the Senate, makes it particularly strong and reliable.<sup>121</sup>

In the Oversight category, France scores “Low-medium” due to the significant number of oversight mechanisms in place. At the senate and the national assembly levels, there is debate on intelligence matters and issuance of directives and amendments, but

<sup>119</sup> Isabelle Mandraud, “Guerre Sourde Entre Gendarmes Et Policiers Sur Le Renseignement,” [Deaf War Between Police And Gendarmes On Intelligence] *Le Monde*, September 2009, [http://www.lemonde.fr/societe/article/2009/09/21/guerre-sourde-entre-gendarmes-et-policiers-sur-le-enseignement\\_1243051\\_3224.html](http://www.lemonde.fr/societe/article/2009/09/21/guerre-sourde-entre-gendarmes-et-policiers-sur-le-enseignement_1243051_3224.html).

<sup>120</sup> Adapted from Matei and García, 357–360.

<sup>121</sup> L’académie Du Renseignement, “L’encadrement Juridique De L’activité De Renseignement.”

only occasionally.<sup>122</sup> While in the past the media focused more on scandals related to intelligence activities, more recently professional journalists, with deep knowledge on intelligence issues, have been publishing reliable and substantive articles on the topic.<sup>123</sup> By having professional journalists interested in and writing about intelligence activities, the public has a better understanding of the intelligence function in the state, and at the same time, intelligence oversight is strengthened.

France scores “High” in the Professional Norms category. Since the recent reforms through the creation of the intelligence community, France is still professionalizing its intelligence agencies. The creation of the Intelligence Academy, which is part of the intelligence community, illustrates perfectly the willingness France to professionalize and improve its intelligence services.

***b. Requirements for Effectiveness***

In the Plan or Strategy category, France scores “High” also. In fact, the National Intelligence Council, a specialized service of the Defense and National Security Council, defines the strategic orientations and the intelligence priorities, and establishes the planning of the human and technical resources of the intelligence services.<sup>124</sup> Also, the national intelligence coordinator advises the President of the Republic in the field of intelligence. The National Intelligence Council prepares the National Intelligence Strategy and the National Intelligence Orientation Plan.<sup>125</sup> Moreover, taking intelligence

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<sup>122</sup> Gueric Poncet, “Loi Sur Le Renseignement : Bilan D’une Folle Semaine.” [Intelligence Act: Review of a Crazy Week] *Le Point*, April 25, 2015, [http://www.lepoint.fr/chroniqueurs-du-point/guerric-poncet/loi-sur-le-renseignement-bilan-d-une-folle-semaine-17-04-2015-1922401\\_506.php](http://www.lepoint.fr/chroniqueurs-du-point/guerric-poncet/loi-sur-le-renseignement-bilan-d-une-folle-semaine-17-04-2015-1922401_506.php).

<sup>123</sup> Gérald Arboit and Michel Mathien, “Médias et exploitation politique des services du renseignement,” [Media and Political Exploitation of Intelligence] *Annuaire Français De Relations Internationales*, VI, Bruylant, 2006, [http://www.afri-ct.org/wp-content/uploads/2006/06/afri2005\\_mathien1.pdf](http://www.afri-ct.org/wp-content/uploads/2006/06/afri2005_mathien1.pdf).

<sup>124</sup> “La Coordination Nationale Du Renseignement,” [The Coordination of National Intelligence] L’académie Du Renseignement, accessed April 24, 2018, <http://www.academie-renseignement.gouv.fr/coordination.html>.

<sup>125</sup> L’académie Du Renseignement.

into account as an essential point in the 2013 Defense and National Security White Paper clearly defines the role and place of intelligence in France.<sup>126</sup>

Similarly, France scores “High” in the Institutions category. The country has a well-organized intelligence community, composed of several intelligence services, both civilian and military. Cooperation between agencies is smooth and effective since the creation of the National Intelligence Coordinator function in July 2008.<sup>127</sup>

In the Resources category, France scores “High.” Whether in terms of human resources or financial resources, France allocates significant resources to its intelligence services, including the gendarmerie. This priority of funding could be explained by the role of France in combating terrorism at the international level, which has made it a prime target for terrorist organizations. The allocation of ample resource may also reflect a concern for adequacy according to the evolution of the security situation in Europe, which is impacted by immigration, religious radicalism, and the rise of nationalism. As an illustration, Table 3, which shows the distribution of human and financial resources in French intelligence,<sup>128</sup> highlights the importance of intelligence in the French state apparatus.

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<sup>126</sup> Government of the French Republic, *Livre Blanc, Défense Et Sécurité Nationale, 2013* [White Paper, Defense and National Security] (Paris: Government of the French Republic, 2013), 70–75.

<sup>127</sup> “La Coordination Nationale Du Renseignement,” [The Coordination of National Intelligence] L’académie Du Renseignement, accessed April 24, 2018, <http://www.academie-renseignement.gouv.fr/coordination.html>.

<sup>128</sup> Marie Tetard, “Renseignement Français. Où En Est-on ?,” [French intelligence. Where are we?] Fondation IFRAP, accessed April 24, 2018, <http://www.ifrap.org/etat-et-collectivites/le-renseignement-francais-ou-en-est>.

Table 3. Distribution of Human and Financial Resources in French Intelligence<sup>129</sup>

Ministries	Name of the agency	Human Ressources	Budgets (€)
Defense	DGSE	6 000	644 million
	DRM	1 600	167 million
	DRSD	1 150	93 million
Interior	DGSI	3 500	200 million
Finance and public accounts			62 million
	DNRED	700	52 million for salaries and 6.9 million for functioning
	TRACFIN	104	4.95 million

In 2018, the budget of the internal security forces (police and gendarmerie) is € 12.8 billion, up 1.4 percent from 2017. The exceptional resources granted to the internal security forces in the last two years are therefore consolidated and increased. Thus, compared to 2015, the 2018 budget for internal security represents € 1 billion of additional appropriations, of which 16 percent is an increase for operating and investment resources.<sup>130</sup>

Finally, even if the intelligence services of the French National Gendarmerie are not part of the special services of the French intelligence community, their role remains crucial. For a long time, the gendarmerie, despite its many transformations, did not prioritize the intelligence function. Present on 95 percent of the French national territory and even outside,<sup>131</sup> and especially in the most remote areas, the gendarmerie's

<sup>129</sup> Adapted from Tetard, "Renseignement Français. Où En Est-on ?,".

<sup>130</sup> "Budget 2018 De La Police Et De La Gendarmerie Nationales," [2018 Budget of the Police and the National Gendarmerie] Ministère De L'Intérieur, accessed April 29, 2018, <https://www.interieur.gouv.fr/Actualites/Communiqués/Budget-2018-de-la-police-et-de-la-gendarmerie-nationales>.

<sup>131</sup> Police-Nationale, "La Gendarmerie Nationale 2017."

intelligence mission should be among the most effective at all levels (judiciary, domestic, terrorism, etc.)

### C. CONCLUSION

Despite the active role played by the French National Gendarmerie in the intelligence community, particularly in the fight against terrorism, it is not supervised by most of the control bodies; these organs are generally limited to the special services of the intelligence community. Nevertheless, the creation of the BLAT and the SDAO show a clear will on the part of the gendarmerie to reposition itself within the intelligence community. Even if the Director of the Gendarmerie testifies at the National Assembly about intelligence activities, the intelligence services of the gendarmerie lack relatively proper oversight. This gap is concerning, particularly in light of new intelligence law, which has strengthened and expanded the security force's powers to the detriment of individual liberties.<sup>132</sup> Most recently, the Domestic Security and Counter-Terrorism law, adopted in 2017, includes many measures such as house arrest, and search and control of persons in investigations related to terrorism. This law also extends the scope of checks in border areas, around airports, ports and stations, and authorizes prefects to temporarily close places of worship. It is consistently criticized by human rights groups such as Human Rights Watch for being ineffective and undermining individual liberties.<sup>133</sup> And it was during a visit to the mobile gendarmerie troops deployed to secure the French capital (Paris) in the fight against terrorism, that Gerard Collomb, Minister of the Interior at the time, welcomed the official publication and the entry into force of the new law.<sup>134</sup>

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<sup>132</sup> Elsa Trujillo, "Loi Renseignement : Une Première «boîte Noire» Activée Pour Surveiller Les Communications," [Intelligence Law: First "Black Box" Activated To Monitor Communications] *Le Figaro*, November 14, 2017, <http://www.lefigaro.fr/secteur/high-tech/2017/11/14/32001-20171114ARTFIG00202-loi-renseignement-une-premiere-boite-noire-a-ete-activee.php>.

<sup>133</sup> Trujillo.

<sup>134</sup> "Entrée En Vigueur De La Loi Sécurité Intérieure Et Lutte Contre Le Terrorisme," [Application of the Law For Domestic Security and Fight against Terrorism] Ministère de l'Intérieur, accessed May 3, 2018, <https://www.interieur.gouv.fr/Le-ministre/Communiqués/Entree-en-vigueur-de-la-loi-securite-interieure-et-lutte-contre-le-terrorisme>.

## **IV. ANALYSIS AND RECOMMENDATIONS**

The two preceding chapters provided overviews of the intelligence services of the Senegalese and French gendarmeries, respectively. These chapters highlighted weak points and insufficiencies in both the Senegalese and the French gendarmeries' intelligence services. Although the French National Gendarmerie model is not perfect, its democratic accountability and its effectiveness can provide a good framework to shape Senegalese gendarmerie intelligence services.

This chapter answers the research question of how the Senegalese gendarmerie can transform its intelligence services to increase their effectiveness while also remaining democratically accountable. The chapter also tests the hypothesis that Senegal must establish a control mechanism, such as a bureau of supervision under the command of the Internal Inspection of the Gendarmerie to oversee the intelligence activities of the gendarmerie and ensure the institution remains democratically accountable and transparent while operationally effective. The test involves drawing up various points of improvement for the Senegalese National Gendarmerie, while relying on the comparative study of the French National Gendarmerie. Then, this chapter discusses the findings from the overview chapters on the Senegalese and French gendarmeries. To finish, this chapter provides recommendations for successfully implementing reform of Senegalese gendarmerie intelligence services by making them effective and democratically accountable.

### **A. ANALYSIS OF SENEGAL'S AND FRANCE'S GENDARMERIE INTELLIGENCE DEMOCRATIZATION**

The democratic reforms of the gendarmerie intelligence services in Senegal and France have been lengthy and cumbersome processes. Both cases share similarities and divergences, in terms of achieving institutional and operational effectiveness, as well as democratic oversight of intelligence.

## 1. On Intelligence Effectiveness

Both Senegal and France have gaps in intelligence effectiveness, for a variety of reasons. To begin with, in both countries, the gendarmerie intelligence services have a limited role within the overall intelligence community of their respective countries. Senegal, for one, still struggles to increase the role of its gendarmerie within the intelligence community, partly because intelligence is a complementary mission. In this context, besides the DIVDOC, the Senegalese National Gendarmerie does not include any other unit specifically dedicated to intelligence. Nevertheless, although the DIVDOC is not part of special intelligences services of the intelligence community, it does participate in intelligence meetings and missions within that community. In addition, the DIVDOC is a permanent member of the Joint Intelligence Cell (CMR), which makes it aware of and enables it to participate on every important security topic discussed by the other intelligence services. Ultimately, however, the Senegalese gendarmerie intelligence services play only a complementary role in the overall Senegalese intelligence community.

By contrast, in France, although the intelligence services of the French gendarmerie are not part of the special services of the intelligence community, they remain more efficient and better structured than their counterparts in Senegal. These services include the DGSE, for foreign intelligence; DGSI, for homeland intelligence; DRM, military intelligence; DRSD, counter-interference (CI) defense intelligence; DNRED, customs related intelligence; and TRACFIN: finances related intelligence. These services are exclusively charged to lead within the intelligence community on intelligence related to their domain,<sup>135</sup> and they actively participate in intelligence missions within the community. In this context, gendarmerie personnel is integrated into the territorial intelligence service (SCRT), with 150 gendarmes in 75 SCRT offices, and conversely with the reception within the SDAO of two officials of the national police and the DGSI. The DGSI also has an officer of the gendarmerie. Then, regular intelligence

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<sup>135</sup>“Les Services Spécialisés De Renseignement,” [The Specialized Intelligence Services] L’Académie Du Renseignement, accessed May 28, 2018, <http://www.academie-renseignement.gouv.fr/services.html>.

exchanges take place between the DGSI and the SCRT. Every intelligence matter relevant to a gendarmerie area of expertise that arises in these exchanges is then sent to the SDAO. Finally, the Anti-Terrorist Coordination Unit (UCLAT) organizes a weekly meeting with intelligence services, in which the SDAO participates.<sup>136</sup>

Furthermore, the attachment of the gendarmerie to the Ministry of the Interior constitutes a major advance in terms of effectiveness for the intelligence services of the French National Gendarmerie. Indeed, most of the missions of the gendarmerie are homeland security missions. The attachment of the gendarmerie directly to the Ministry of the Interior also facilitates cooperation between the police forces (that is, the National Police and French National Gendarmerie). Although 90 percent of the DGSI is made up of police officers,<sup>137</sup> the presence of gendarmes within it facilitates its cooperation with the intelligence services of the gendarmerie. Since 2014, a gendarmerie officer has been assigned as an assistant to the SCRT while a police commissioner is assigned as a deputy to the SDAO.<sup>138</sup> These exchanges of personnel reflect a desire to bring police forces closer together for better cooperation in intelligence matters. Also, the consolidation of the police and gendarmerie budgets within the Ministry of the Interior allows for an optimization of the resources of the intelligence services of both police forces.

One other common reason why both countries have gaps in the effectiveness of their gendarmerie intelligence services is the lack of proper prioritization of intelligence. In Senegal, for example, the gendarmes very rarely use the intelligence cycle in their day-to-day activities, and as a result, the intelligence product disseminated to decision makers is unfinished. Like the Senegalese National Gendarmerie, the French National Gendarmerie has long integrated intelligence into its daily missions. However, it has not been able to prioritize the intelligence mission. Thanks to its vast territorial network, the

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<sup>136</sup> “Projet De Loi De Finances Pour 2017: Sécurités : Gendarmerie Nationale,” [Draft Finance Law For 2017: Security: National Gendarmerie] Sénat, accessed May 14, 2018, <http://www.senat.fr/rap/a16-142-11/a16-142-118.html>.

<sup>137</sup> Esparza and Bruneau, *Closing the Gap Between Law Enforcement and National Security Intelligence*, 25.

<sup>138</sup> “Renforcer L’efficacité Du Renseignement Intérieur,” [Strengthening the effectiveness of domestic intelligence] Sénat, accessed May 15, 2018, <http://www.senat.fr/rap/r15-036/r15-0366.html>.

gendarmes collect a large amount of information. That information, however, is not properly processed due to insufficient knowledge of the intelligence cycle by the gendarmes.

Thus, with the creation of the SDAO, the French National Gendarmerie has a body centralizing all the information and intelligence provided by the units and services of the gendarmerie. This reorganization allows the French gendarmerie to take advantage of its vast territorial network, which allows it to gather information on almost the entire French territory. Thus, with the creation of the SDAO to centralize, exploit, analyze, and disseminate the intelligence collected, the gendarmerie has a service exclusively responsible for intelligence. Also, the presence of Assistant Intelligence Officers at the level of each territorial area allows a better management of intelligence at all levels. Thus, even if the gendarmes who collect information do not use the intelligence cycle, the assistant intelligence officer will take all the necessary measures to ensure that the information collected is cross-checked, processed, and analyzed. The role of the Assistant Intelligence Officer thus enables the Chief of the Territorial area to respond effectively to the intelligence needs addressed to him by the civilian and military authorities.

Another challenge to intelligence effectiveness in both countries—yet currently more prominent in Senegal as compared to France—involves education and training in intelligence. In Senegal, the related courses taught at the academy remain at a basic level, insufficient to allow learners to fully understand the intelligence cycle. Secondly, due to a lack of adequately trained personnel, intelligence training updates at the gendarmerie unit level are almost non-existent, making gendarmes serving in these units unaware of the role and importance of the intelligence function and its cycle. Lastly, other than those serving at the DIVDOC, the noncommissioned officers of the gendarmerie are rarely specialized in the field of intelligence. As far as the officers are concerned, specialization in the field of intelligence is very rare. The Senegalese gendarmerie inherited the French tradition, focusing mainly on the areas of judicial police and law enforcement. Thus, very few gendarmerie officers specialize in the field of intelligence. This dearth of specialized personnel leads to a glaring absence of the gendarmerie officers at the top levels of the

national intelligence structures (DRN, DGRE, DGRI, CLAT, etc.), for lack of qualification.

In addition, the personnel from other gendarmerie units do not receive proper intelligence training. Having not received adequate training in intelligence, the gendarmes of other units collect information; however, they do not apply the intelligence cycle to make it a finished product. This failure to apply the intelligence cycle results in the dissemination of raw, untreated information to DIVDOC, which, in turn, greatly affects the gendarmerie's intelligence mission. Because DIVDOC, which is in charge of the centralization of intelligence, often faces a lack of precision in the intelligence reports it receives, DIVDOC must carry out its own verifications to obtain a finished intelligence product. Having gendarmes of other units of the gendarmerie correctly trained in intelligence could prevent duplication of effort by the DIVDOC.

Similarly, the lack of specialized trained personnel in intelligence constitutes a major weak point for the Senegalese gendarmerie intelligence. At every level, including noncommissioned officers and officers, there are very few specialized personnel. Even if some personnel did receive adequate training in intelligence, they rarely have the opportunity to practice what they have learned due to the almost nonexistent career path in the intelligence domain of the gendarmerie. In terms of trainings, both officers and noncommissioned officers receive very basic training during their initial training at the academy.

Like Senegal, France had—at least initially—failed to educate and train its gendarmerie intelligence services properly, partly because of its long tradition of proximity with local populations. This proximity facilitates gendarmerie personnel collecting relevant intelligence on a daily basis thanks to the strong relationships built with the local population.<sup>139</sup> The lack of appropriate training, however, resulted in the gendarmerie failing to adequately execute its intelligence missions as security threats

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<sup>139</sup> Laurent Lagneau, “Les Missions des Brigades de Gendarmerie Vont être Allégées pour Favoriser le Contact avec la Population,” [The Missions of the Brigades of the Gendarmerie Will be Lightened to Promote the Contact with the Population] Opex 360, October 28, 2016, <http://www.opex360.com/2016/10/28/les-missions-des-brigades-de-gendarmerie-vont-etre-allegees-pour-favoriser-le-contact-avec-la-population/>.

evolved. Yet, the recent shift in the gendarmerie has led to a new reorganization of its intelligence services, and the French National Gendarmerie has made important efforts in intelligence training. Thus, since September 1, 2009, the National Operational Intelligence Training Center (CNFRO) has been created within the gendarmerie. This center ensures the professional training of gendarmerie officers and noncommissioned officers operating in various intelligence fields. One area is the reception and the exploitation of the telephone calls from the public to the departmental platforms such as centers of operations and intelligence of the gendarmerie (CORG). Other areas include the exploitation and management of general information (that is, non-judicial intelligence), and implementation of the work of the gendarmerie in the field of economic intelligence.<sup>140</sup> In addition to the operational efficiency and the strengthening of standards in the execution of intelligence missions for the entire gendarmerie, the CNFRO allows gendarmerie officers to specialize in the field of intelligence. Over time, this specialization will allow gendarmerie officers to occupy positions commensurate with the officers in other intelligence structures of the community.

Moreover, the creation of the Intelligence Academy is an important step forward. Not only does it contribute to the training of intelligence personnel, the strengthening of ties within the French intelligence community, and the dissemination of intelligence culture,<sup>141</sup> but it constitutes a major asset for the training of the personnel of the whole French intelligence community, including those of the gendarmerie. This academy is of particular importance in that it allows all intelligence services staff to be trained to the same standards. It also facilitates cooperation between intelligence services by harmonizing information processing procedures. On the other hand, unlike the Senegalese gendarmerie, the French gendarmerie has increased specialization of its personnel in the field of intelligence. With the creation of the CNFRO, officers and noncommissioned officers are selected, trained, and specialized in intelligence. Though

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<sup>140</sup> “Centre National De Formation Au Renseignement Opérationnel (CNFRO),” [National Training Center for Operational Intelligence (CNFRO)] Gendarmerie, accessed May 16, 2018, <https://www.gendarmerie.interieur.gouv.fr/cegn/Autres-pages/Centres/Centre-national-de-formation-au-enseignement-operationnel-CNFRO>.

<sup>141</sup> “L’académie Du Renseignement,” [The Intelligence Academy] Académie Du Renseignement, accessed May 16, 2018, <http://www.academie-renseignement.gouv.fr/academie.html>.

the French gendarmerie has few representatives in the other intelligence services, that lack of representation is progressively changing with the integration of gendarmerie personnel in the other intelligence services like the SCRT.<sup>142</sup> Thus, the French National Gendarmerie intelligence services are becoming more effective with more and better trained personnel.

Moreover, the French gendarmerie is dedicated to improving counterterrorism-related education and training by participating actively in BLAT. In sum, although the French gendarmerie did initially not make intelligence one of its top priorities, it has ultimately succeeded in maintaining its personnel at an acceptable level of education in the field of intelligence.

All in all, the organization and structure of the French National Gendarmerie has made them more effective and more efficient than those of Senegal. The creation of new intelligence special units such as BLAT and SDAO, the assignment of intelligence officers in other national intelligence services, as well as the implementation of the CNFRO to train and specialize personnel in intelligence, have made the French National Gendarmerie far more able to fulfill its intelligence missions than the Senegalese gendarmerie. In this context, Eric Denece notes that France's intelligence agencies, including those comprised in the gendarmerie, are "of high quality and have proven themselves to be well adapted to the country's needs."<sup>143</sup>

## **2. On Intelligence Oversight**

Control and oversight of the gendarmerie intelligence agencies in both countries is precarious. Nevertheless, Senegal is lagging behind France. In this regard, the control and oversight in the gendarmerie's intelligence service is almost non-existent in Senegal. Although the National Assembly of Senegal has a defense and security committee, debates on the activities of the intelligence services rarely take place. In particular, the

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<sup>142</sup> Floriane Boillot and Florian Garbay, "En planque!" [In stash!] Ministère De L'Intérieur, accessed May 26, 2018, <https://www.interieur.gouv.fr/fr/Actualites/Dossiers/En-planque>.

<sup>143</sup> Eric Denécé, "France. The Intelligence Services Historical and Cultural Context," in *The Handbook of European Intelligence Cultures*, ed. Bob de Graaf and James M. Nyce, with Chelsea Locke (London: Rowman & Littlefield, 2016), 146.

activities of the intelligence services of the gendarmerie, which is not considered as a special intelligence service within the Senegalese intelligence community, are unknown to the deputies.

With regard to the media and civil society, issues relating to intelligence services and their activities are almost never raised—in either Senegal or France. Almost no debate or discussion of intelligence is organized by members of civil society, and few media publish articles on intelligence activities. The few journal articles published on intelligence services often deal with their role in an investigation or a public case, but rarely with their activities.

Even if like Senegal, French National Gendarmerie intelligence services are not part of special services of the intelligence community, the recent attachment of the gendarmerie to the Ministry of Interior made them more known by the members of the National Assembly and Senate; thus, their activities are more transparent, and they are more accountable than those of Senegal. Indeed, the committees of the National Assembly and the Senate summon whenever necessary the chiefs of intelligence services of the gendarmerie. Even if the parliamentary oversight of intelligence activities in France needs to be improved, the testimony of the heads of services in relation to their missions and means, remains a major breakthrough in terms of transparency and democracy.

Compared to Senegal, media oversight of intelligence activities is more effective in France. Even if in the past French media were more focused on intelligence scandals, they have significantly evolved and now discuss various intelligence topics in a more substantive way. They offer analysis and discussion of intelligence activities, budgets, as well as intelligence successes and failures. In addition, the media has lately become engaged in promoting an intelligence culture in France through film production. As such, the television show called the *Bureau* (originally titled *Le Bureau des Légendes*), akin to NCIS in the United States, is educating the public in what intelligence does in France and which ethical responsibilities, constraints, and limits it has as a democratic institution—

hence, at a minimum, bringing the intelligence function closer to public.<sup>144</sup> In the meantime, the media in France also acts as a watchdog, by monitoring and denouncing, if necessary, misconduct or violations related to intelligence services activities.<sup>145</sup>

France and Senegal share similarities in terms of control and oversight of the gendarmerie intelligence services. Though the control mechanisms of intelligence exist, official discussion about their activities is still insufficient. However, the French National Gendarmerie intelligence services remain more transparent and accountable than their Senegalese counterparts, since legislative committees are interested in their activities. Likewise, with regard to the external control by the media and civil society, French the media today plays an important role in intelligence oversight thanks to their interest in intelligence topics. Also, civil society has recently begun to play its role in French intelligence. Thus, the Directorate of Military Intelligence (DRM) has recently opened up to civil society by calling on researchers and start-ups to help address the “big data” phenomenon and new threats, in order to enhance their analysis capabilities and strengthen civil-military relations.<sup>146</sup>

## **B. TESTING THE HPOTHESES**

Finally, it is clear that the Senegalese National Gendarmerie is experiencing many difficulties in the correct execution of its intelligence missions. These difficulties are mainly related to the organization of its intelligence services, which has not undergone any major change since the 2005 reform, which centered on the reorganization of the gendarmerie staff divisions and the emergence of the DIVDOC.<sup>147</sup> In terms of

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<sup>144</sup> Florina Cristiana Matei and Damien Van Puyvelde, “Intelligence and Democracy” (class discussion NS3155, Naval Postgraduate School, Monterey, CA, August 2007).

<sup>145</sup> “Médias Et Secret Défense: Petites Fuites Et Grandes Oreilles,” [Media And Secret Defense: Little Leaks And Big Ears] *Journaleuse*, accessed May 29, 2018, <https://journaleuse.com/2014/03/30/medias-secret-defense-petites-fuites-grandes-oreilles/>.

<sup>146</sup> Marine Penner, “Le Renseignement Militaire Français S’ouvre à La Société Civile,” [French Military Intelligence Opens to Civil Society] *Capital.fr*, March 23, 2017, <https://www.capital.fr/entreprises-marches/le-renseignement-militaire-francais-s-ouvre-a-la-societe-civile-1216359>.

<sup>147</sup> Sidy Sady, *La Gendarmerie Nationale Sénégalaise: Son Rôle dans la Consolidation de l’État*, [The National Gendarmerie of Senegal: Its Role in the Consolidation of the State] (Paris: Editions L’Harmattan, 2011), 102–103.

democratization, the intelligence services of the gendarmerie are almost unknown to the legislative control bodies. Finally, the lack of trained intelligence specialists in the gendarmerie has a negative impact on the overall intelligence performance of the gendarmerie units.

In view of the foregoing, the reform of the intelligence services of the Senegalese gendarmerie is necessary, as hypothesized. Senegal's gendarmerie's intelligence services need a thorough reorganization, which should begin with the establishment of specialized units dedicated exclusively to intelligence gathering and analysis. This reorganization should take into account the tradeoff between intelligence effectiveness and transparency. Thus, Senegal must establish control mechanisms over the activities of the intelligence services of the gendarmerie, such as a bureau of supervision of activities of intelligence services (search operations, call record requests, etc.) that would be under the supervision of the commander of the Internal Inspection of the Gendarmerie, to allow the institution to remain democratically accountable and transparent while operationally effective. Also, a legal framework for the gendarmerie that clearly defines the role of its intelligence units and includes a control and oversight mechanism, such as a legislative committee, is needed. Finally, given the scarcity of intelligence specialists in the gendarmerie, Senegal needs a more robust career path for potential intelligence professionals to include better recruitment, promotion, education, and training.

This reform could be based largely on the positive aspects of the French National Gendarmerie which, despite a delay in the intelligence field in France, has reorganized to raise its level of intelligence.

### **C. RECOMMENDATIONS**

The overview and assessment of the Senegalese gendarmerie intelligence service clearly shows that the gendarmerie needs a thorough reorganization. This reorganization should first include the creation of new units exclusively dedicated to intelligence (operations and analysis). Prior to this reorganization, though, intelligence training in the gendarmerie must be completely reformed in order to have well-trained personnel to serve in the new dedicated intelligence units. To make the program more effective and

capable to train more specialists, this plan for this reform of the intelligence training program should be undertaken in cooperation with Senegal's allies. In turn, these graduates of the new program can also train other gendarmerie units' personnel on intelligence. The fact that few personnel of the gendarmerie are specialized in the intelligence field is not only due to the lack of training, but also to the almost non-existent career path for officers and noncommissioned officers in intelligence.

Furthermore, to be successful, Senegalese gendarmerie intelligence reform should take in account the tradeoff between intelligence effectiveness and transparency, as discussed in the literature review. Indeed, intelligence activities in Senegal are rarely debated by the MPs, the civil society, or the media. Thus, the gendarmerie intelligence services should have internal oversight as well as a legislative oversight. Moreover, the latter should include an overhaul of the Decree 2006–112 organizing the gendarmerie. Therefore, control and oversight mechanisms as well as a new legal framework specific to the Senegalese gendarmerie intelligence services should be established.

The first step to reorganize the intelligence services of the Senegalese National Gendarmerie should focus on structure. Intelligence needs to be a major chain of command in the gendarmerie organization like Operation, Logistics, and Human Resources, which would grant it more importance and more autonomy in the gendarmerie. Then, the creation of new services specialized in intelligence, specifically Analysis and Operations, is necessary. Given the large territory the gendarmerie covers, the DIVDOC is not efficient enough to properly coordinate the intelligence missions of the gendarmerie in addition to participating in intelligence operations. The DIVDOC would best be the equivalent of the SDAO in French National Gendarmerie, and thus be responsible to centralize, analyze, and disseminate the intelligence to the authorities.

At the same time, a new intelligence unit should be created in charge of conducting and coordinating intelligence operations with the gendarmerie. The main mission of this unit will be to support every gendarmerie unit that needs to conduct special intelligence operations (or operations that require special means). Commensurate with this responsibility, this unit should be well funded and equipped with the latest technology, enabling it to have greater capabilities of surveillance and information

acquisition. Then, given the role that the gendarmerie plays, particularly the GIGN in counterterrorism operations, it would be useful to establish another service like BLAT to be in charge of counterterrorism issues exclusively. Like the French model, the Senegalese BLAT would have intelligence and judicial abilities. The Senegalese BLAT would work closely with the DIVDOC and the newly created intelligence operation unit to guarantee seamless coordination for the gendarmerie's intelligence missions. Also, intelligence officers should be assigned in every territorial legion. They would be in charge to coordinate and organize all intelligence activities in the legion to which they are assigned. They would also be the contact point for other intelligence services present in their legions. All these changes in the gendarmerie intelligence services, however, will be possible only if personnel are well trained.

The second major issue that the Senegalese National Gendarmerie must solve is the lack of intelligence training. As proper intelligence training is necessary for personnel of the gendarmerie, particularly those serving in the intelligence services, new reforms of the intelligence training program should be adopted. First, a training center like the CNFRO in the French gendarmerie should be created. This center would be responsible for intelligence training of all gendarmerie units. As intelligence courses taught in gendarmerie schools are basic and insufficient, the Senegalese CNFRO would conduct intelligence training in gendarmerie schools. Also, any gendarmerie personnel who is willing to specialize should attend special training at this center, which also would be responsible to organize and conduct updates and refresher trainings in intelligence for all gendarmerie units. Given the small number of intelligence specialists in the gendarmerie, this training center would help the gendarmerie recruit, train, and build a robust intelligence career path for its personnel.

To achieve successful reform of gendarmerie intelligence training, it will be necessary to rely on the expertise of Senegal's allies. In this perspective, France could be a major contributor. First, its support is needed for the establishment of a training center in the image of CNFRO. Then, the Intelligence Academy in France could make a considerable contribution in terms of cooperation for training. Finally, given the similar organizational model of the French and Senegalese gendarmeries, a standardization of

training programs between the two countries should be very useful for intelligence exchanges. In addition, the United States should play a central role in the training of gendarmerie intelligence personnel. Indeed, the United States already participates actively in the training of the Senegalese armed forces personnel in several fields. Regarding intelligence, the United States, through AFRICOM, has also contributed to the training of several personnel of the Senegalese armed forces (notably, MINOC-A, MIBOC-A).<sup>148</sup> In addition, the International Military Education and Training (IMET) program provides funding for U.S. military allies in different security fields.<sup>149</sup> These programs should benefit the Senegalese gendarmerie to train their personnel properly, particularly in the intelligence-related field. Other partner countries such as Spain, Italy, or Israel, which are involved in the training of Senegalese armed forces personnel, could also participate in the training of the gendarmerie intelligence personnel.

Finally, control mechanisms should be created for the gendarmerie intelligence services. As surveillance and data collection activities are performed by intelligence services, it is necessary to establish control mechanisms in order to make them accountable. For the Senegalese National Gendarmerie, the oversight should start with the creation, within the IIGN, of a control bureau that would be in charge to control gendarmerie intelligence activities. This bureau should be under the supervision of the commander of the IIGN, which then reports to the High Commander of the Gendarmerie. In addition, this internal oversight needs to be followed by legislative oversight. Indeed, the Defense and Security Committee of the National Assembly should be more interactive with the Senegalese National Gendarmerie. To achieve that interactivity, a new legal framework should be established, which defines clearly the role of gendarmerie intelligence services as well as their powers and prerogatives. This new legal framework should include the new reorganization of the gendarmerie, with the creation of new

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<sup>148</sup> “The Military Intelligence Basic Officer Course-Africa (MIBOC-A) is a course offered to junior military intelligence officers, primarily from north and west Africa,” see U.S. AFRICOM Public Affairs, “Africom Posture Statement: Ward Reports Annual Testimony To Congress,” AFRICOM, March 9, 2010, <http://www.africom.mil/media-room/Article/7245/africom-posture-statement-ward-reports-annual-test>.

<sup>149</sup> “International Military Education and Training Account Summary,” U.S. Department of State, accessed May 26, 2018, <https://www.state.gov/t/pm/sa/sat/c14562.htm>.

intelligence services, and oversight mechanisms that incorporate civilians. In this context, an overhaul of the Decree No. 2006–112 (organizing the Gendarmerie) should be undertaken to ensure effectiveness and transparency. Finally, media should continue to act as a watchdog by reporting on more topics related to intelligence activities. For better media participation, journalists should be invited to learn more about intelligence so they can produce relevant and reliable articles or documentaries on intelligence to inform the public objectively.

The implementation of these recommendations should have several impacts. First, these measures can significantly improve the effectiveness of the Senegalese gendarmerie intelligence services through better reorganization and better management. Given the situation in the region, which is characterized by extremism and various security threats, these measures should enable the gendarmerie intelligence services to properly fulfill their intelligence missions, on which the decisions makers rely. Furthermore, they can help the gendarmerie to enhance its cooperation with the other domestic intelligence services, as well as with foreign partners, by playing a more important role in intelligence cooperation thanks to the quality of its personnel.

Finally, the implementation of these recommendations should help to consolidate Senegalese democracy. As a role model of democracy and stability in the region, Senegal can implement these recommendations to help consolidate its position and, at the same time, influence other countries to follow its lead. Also, these recommendations will give the gendarmerie intelligence services more legitimacy and trust from Senegalese people, who will not see them as political tools, but reliable and accountable services working for their security.

In sum, given the difficulties and weaknesses of the intelligence services of the gendarmerie, reform is necessary. This reform, which would consist of the creation of new services as well as a reorganization of the intelligence services already present in the gendarmerie, will necessarily be accompanied by a new legal framework as well as mechanisms of control and oversight. The successful implementation of these measures would enable the gendarmerie intelligence services to be better organized and better prepared to face the new security threats in the region. Of paramount importance in this

reform, though, is training. Indeed, the intelligence services of the gendarmerie can only be effective if the gendarmes assigned to these services are properly trained, hence the importance of giving training reform special attention.

Moreover, the establishment of control and oversight mechanisms will enable the gendarmerie's intelligence services to act in accordance with laws and regulations. At the same time, these mechanisms will make the gendarmerie's intelligence services more efficient and better structured by clearly defining the role, missions, rights, and obligations of each service. Finally, this recommended reform will consolidate the Senegalese democracy, demonstrating to the Senegalese people and to the other countries, that the effectiveness of intelligence services can be achieved with transparency in a new, consolidating democracy.

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