



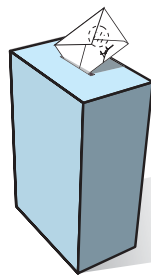
Honduras

The Legal Framework

National Legislation

Systems and Concepts	Military Organization
<ul style="list-style-type: none"> - Constitutive Act of the Armed Forces (Decree N° 39-2001 - 2001/10/29/) 	<ul style="list-style-type: none"> - Military Code (Decree N° 76 – 1906/03/01. Last reform: Decree N° 47 - 1937/01/22) - Act on Social Security Benefits for the Armed Forces (Decree N° 905 - 1980/03/27) - Military Service Act (Decree N° 98-85 - 1985/08/22) - Personnel Act for the Members of the Armed Forces (Decree N° 231-2005 - 2005/10/11)

Source: Compilation based on the legislation above mentioned. For constitutional provisions see Chapter 1.



Political Participation of Military Members

	Retired	On Duty
Are they entitled to vote?	Yes	No
Are they entitled to become candidates for elections?	Yes	Yes ⁽¹⁾

(1) The Constitution mentions the possibility of running for elections in the cases not prohibited by the law (Sec. 37), but it establishes they cannot be elected Deputies (Sec. 199) or President (Sec.240).

Source: Constitution.

International Treaties

<p>On Hemispheric Security</p> <ul style="list-style-type: none"> - Inter-American Treaty of Reciprocal Assistance: Signature: 1947/09/02 Deposit: 1948/02/05 - American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 Deposit: 1950/02/07 - Framework Treaty on Democratic Security in Central America: Signature: 1995/12/15 Deposit: 1997/12/18 	<p>On Disarmament</p> <ul style="list-style-type: none"> - Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/02/14 Deposit: 1968/09/23 - Treaty on the Non-Proliferation of Nuclear Weapons: Signature: 1968/07/01 Deposit: 1973/05/16 - Convention on the Prohibition of Chemical Weapons: Signature: 1993/01/13 Deposit: 2005/08/29 - Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/03 Deposit: 1998/09/24 - Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction: Signature: 1972/04/10 Deposit: 1979/03/14 - Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons: Accession: 2003/10/30 - Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Deposit: 2004/11/23 - Inter-American Convention on Transparency in Conventional Weapons Acquisitions: Signature: 2001/12/18 Unratified - Nuclear-Test-Ban Treaty (CTBT): Signature: 1996/09/25 Deposit: 2003/10/30 	<p>On Human Rights and Justice</p> <ul style="list-style-type: none"> - Inter- American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1969/11/22 Deposit: 1977/09/08 - Inter-American Convention on Forced Disappearance of Persons: Signature: 1994/06/10 Deposit: 2005/07/11 - Inter-American Convention to Prevent and Punish Torture: Signature: 1986/03/11 Unratified - Protocol to the Convention on Duties and Rights of States in the Event of Civil Strife: Signature: 1957/12/18 Deposit: 1960/10/14 - International Criminal Court: Signature: 1998/10/07 Deposit: 2002/07/01 - Jurisdiction of the International Court of Justice as Compulsory: Deposit: 1986/06/06 	<p>On the Hemispheric System</p> <ul style="list-style-type: none"> - Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1950/02/07
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Source: Compilation based on the information supplied by the web pages of the Secretariat for Legal Affairs of the Organization of American States, and the UN Office for Disarmament Affairs.

The Budget

State Budget 2008

Local currency	61,031,063,326
US\$	3,167,154,298
2008 GDP (in US\$)	13,779,000,000

Defence Budget 2008

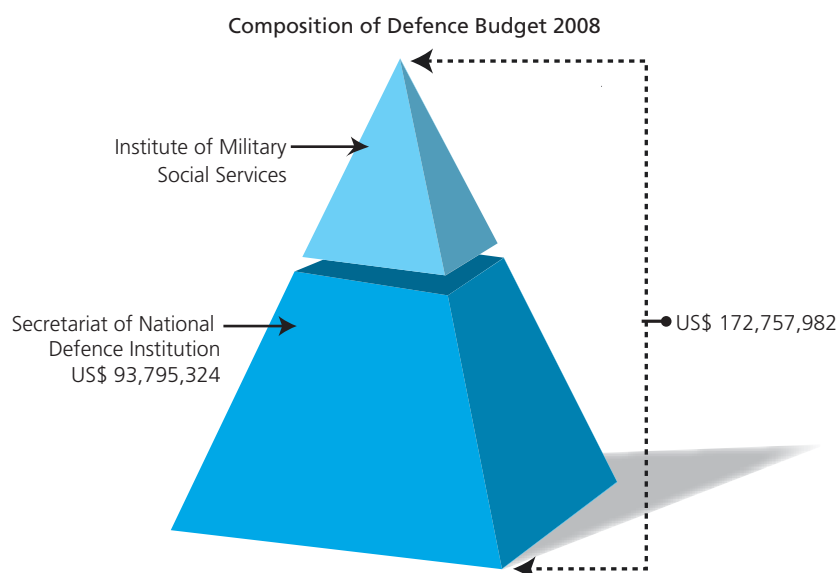
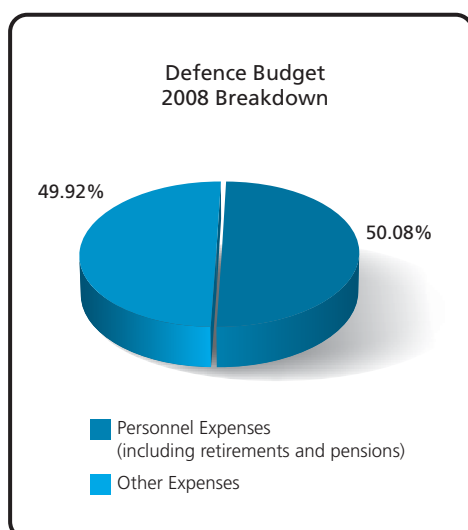
Local currency	3,329,046,306
US\$	172,757,982
GDP's %	1.25
% of the State Budget	5.45

Defence Budget 2008 (in Local Currency)

Institutions	Personnel Services	Non-personal Services	Materials and Supplies	Others*	TOTAL
Secretariat of National Defence					
Central Activities	248,812,980	3,349,164	4,063,349	71,267,800	327,493,293
Army	727,388,965	20,761,121	128,532,438	46,663,600	923,346,124
Air Force	183,960,610	6,894,522	40,914,235	1,439,800	233,209,167
Naval Force	117,837,003	3,787,246	31,557,253	496,600	153,678,102
Joint Chiefs of Staff	84,919,042	18,439,547	60,895,125	5,455,499	169,709,213
Institute of Military Social Services**	227,381,224	19,703,148	4,206,000	1,270,320,035	1,521,610,407
TOTAL	1,362,918,600	72,934,748	265,962,400	1,395,643,334	3,329,046,306

* Includes Goods subject to Capitalization, Transferences, Financial Assets and Public Debts Service.

** The contribution from the Secretary of Defence to the Institute is deducted from the category "Others".



Source: Compilation based on the General Budgetary Decree-Law for Incomes and Outcomes of the Republic for Fiscal Year 2008. The State Budget passed by the Congress by means of the above mentioned legislation is considered herein.

2008 GDP: World Economic Outlook Database Projection, IMF. This source has been taken for comparative purposes. Each country makes the budget based on its own GDP estimation.

The dollar value is the exchange rate considered by the World Economic Outlook Database, IMF. The seller's exchange rate average is 19.03 Lempiras, based on the information provided by the Central Bank of Honduras. For further calculations, figures are provided in local currency.

Expressions in Bold Type (Table) make reference to the different items regarding defence, which can be found in a sectorial or institutional classification of the budgetary Act.



Political Definitions

Concepts

What is Defence?	What is Security?
<p>Defence is defined as a set of actions and capacities aimed at guaranteeing territorial integrity, sovereignty and independence of the country. National defence is focus on preventing and neutralizing external threats which jeopardize national interests.</p> <p><i>(Libro de la Defensa Nacional, 2005)</i></p>	<p>Security is a multidimensional concept which encompasses several aspects of the national reality. It is a guarantee for development as long as it generates the adequate conditions for productive investment and the creation of employment. Security is responsibility of the State and it creates co-responsibility, participation and public appropriation of the society in the defence and maintenance of common security.</p> <p><i>(Libro de la Defensa Nacional, 2005)</i></p>

Participation in Peace Operations

Missions	Military Component	
	MO	CT
MINURSO (Western Sahara)	12	—

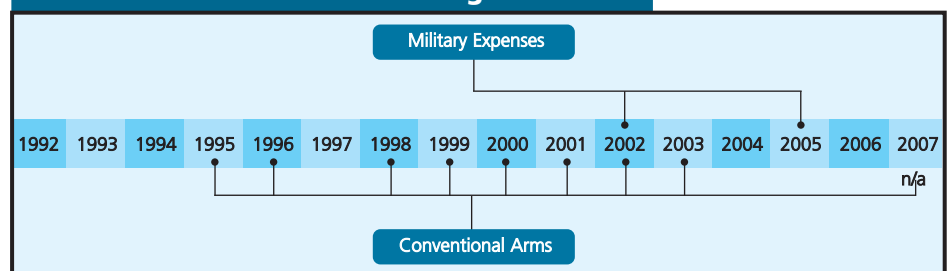
■ The Regional Training Centre for UN Peacekeeping Operations (CREOMPAZ), headquartered in Guatemala, was founded on June 8, 2005.

MO: Military Observers - CT: Contingent Troop.

Source: Compilation based on the information supplied by the UN Department of Peacekeeping Operations (<http://www.un.org/Depts/dpko/dpko/contributors/>). Information as of June 30, 2008.



Submissions to the UN Registers



■ Honduras provides 12 military members to UN peace operations, which represents a 0.18% of the total amount of the Latin American contribution and a 0.01% of the world total.

Source: Compilation based on reports submitted to the UN Register of Conventional Arms and the UN Instrument for Reporting Military Expenditures from 1992 to 2008. The publication of information from the Register of Conventional Arms corresponding to the year 2007 is expected by August 2008.

■ Honduras published the *Libro de la Defensa Nacional* (National Defence Book) in 2005.

Constitutional Powers of the Congress

Related to War and Peace

- Can it declare war?: Yes
- Is a congressional authorization required to declare war?: Yes ⁽¹⁾
- Can it make peace?: Yes
- Is a congressional authorization necessary to make peace?: Yes ⁽¹⁾
- Is a congressional authorization necessary for the entry of foreign troops to the national territory?: Yes
- Is a congressional authorization necessary for the deployment of national troops outside the country?: Yes

(1) It is the Legislative Power itself which has the referred power.

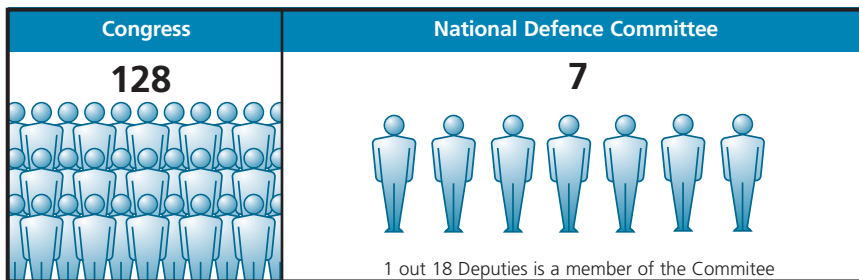
Related to Control

- Is its approval required to appoint senior officers of the Armed Forces?: Yes
- Can it accuse officers of the Armed Forces?: No
- Can it try officers?: Yes
- Does it participate in the election of officials for institutions of external control?: Yes
- Can it modify the national budget?: Yes

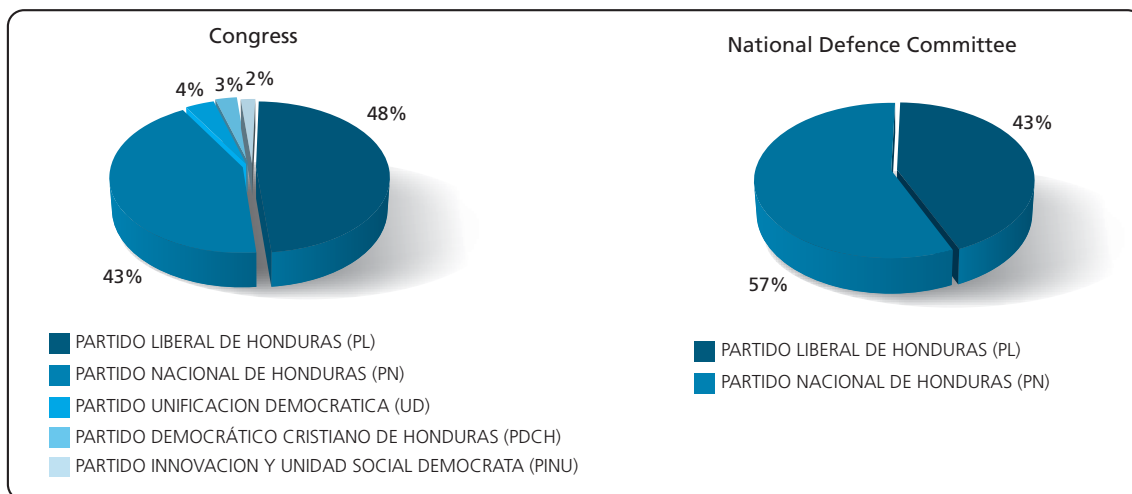
States of Exception

Name: State of siege
 Cause: Invasion of the national territory
 Grave disturbance of the peace.
 Epidemics or any general calamity
 Participation of the Legislative Power: The Congress can ratify, modify or dismiss the decree sent by the President within thirty days.

Source: Compilation based on the Constitution.



Breakdown of Parties



Source: Compilation based on information provided by the Legislative Power.



System Organization

Functions

State Powers Sphere

The President of the Republic is the highest authority in matters of national security and defence. As the Chief of State and Commander General of the Armed Forces, it is within its competence the direction of all aspects related to the defence of the country, in terms of its policies and management, exercising in turn, the direct command of the Armed Forces. The National Defence and Security Council performs an advisory role. The National Congress exercises the faculties conferred by the Constitution of the Republic and constantly overviews those questions related to the defence through the Commission on National Defence.

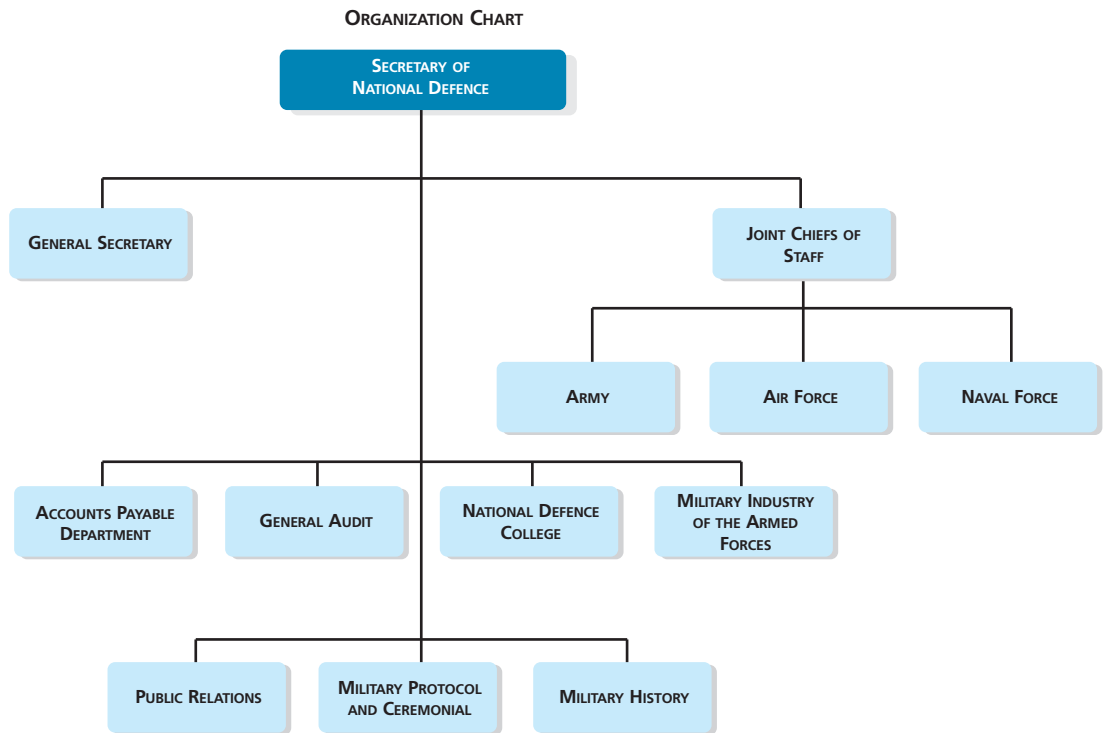
Ministerial Sphere

The Secretary of National Defence is responsible for the due implementation of the National Defence policy. Supervises, inspects and exerts control on the organization and performance of the Armed Forces, and sets up as the administrative body of military institutions. The Joint Chiefs of Staff of the Armed Forces is the superior military technical advisory, planning, coordination and supervision body, and it depends on the Office of the Secretariat of National Defence. It is composed of a Chief and a Vice-chief, a General Staff of Coordination, a Special General Staff, and a Personal General Staff. The Chairman of the Joint Chiefs of Staff of the Armed Forces is appointed and discharged freely by the President, from among the members of the Board of Commanders of the Armed Forces.

Military Sphere

The Command of the Joint Chiefs of Staff is the body that executes orders, instructions and dispositions issued by the Commander General and the Secretary of National Defence Office. It performs the operative command of the Armed Forces. The Board of Commanders of the Armed Forces is the advisory body on all the matters related to the Armed Forces, a decision-making body in matters within its competence and a Supreme Court of the Armed Forces in those issues that are submitted to its consideration. It is conformed by the Chairman of the Joint Chiefs of Staff - who presides it - the Vice-Chairman of the Joint Chiefs of Staff, the Inspector General and the Commanders General of each Force.

Source: Compilation based on the Constitution, *Ley Constitutiva de las Fuerzas Armadas* (Decree N° 39-2001 - 2001/10/29) and *Libro de la Defensa Nacional* (2005).



Source: *Libro de la Defensa Nacional* (2005)

The Secretariat of National Defence

Mission:

The Secretariat of National Defence is in charge of the management, formulation, coordination, execution, oversight and assessment of policies related to national defence.

Specific Responsibilities:

- Guarantee that the Armed Forces properly execute the national defence policy.
- Represent Honduras at defence international bodies.
- Authorise, issue rules, and oversee production, importation, exportation, storage, lending of, transportation, purchasing and selling of weapons, ammunitions, explosives and other similar tools pursuant to law.
- Regarding the Armed Forces affairs: act as administrative body; countersign decrees, agreements, instructions and decisions issued by the Armed Forces Commander; manage the military service compliance affairs pursuant to law; and secure the preparation and implementation of plans and programs to support, development and use of the Armed Forces.
- Enforce the fulfillment of the Armed Forces' operation and development programs.
- Commission the elaboration or update of national defence plans.
- Suggest to the President all rank promotions from Second Lieutenant up to, and including Captain or its equivalents, upon resolution on compliance of requirements from the Joint Chiefs of Staff.
- Oversee, audit, and exercise control over the organization and operation of the Armed Forces and others set forth by law

■ Average permanence
in the Secretary of Defence
position
2 years and 3 months

Date of Foundation

1954

Current Secretary (August 2008)

Aristides Mejía Carranza

Can the military members be Secretaries of Defence?

Yes (if they have retired)

Number of military members who were Secretaries of Defence

None (since 1998, year of the Constitutional reform)

Number of civilians who were Secretaries of Defence

3 (since 1998, year of the Constitutional reform)

Have there been any women in charge of the Secretariat of Defence?

No

[The Secretary currently in charge is not considered. The creation date is related to the moment in which the term "Defence" becomes part of the Institution's name]

Source: Compilation based on information provided by the Secretariat of National Defence and *Ley Constitutiva de las Fuerzas Armadas* (Decree N° 39-2001 - 2001/10/29).

Defence Education

Main Training Courses of Specialization in the Area

Training Course	Institution
<ul style="list-style-type: none"> -- Superior Course of National Defence - Masters on Central American Defence and Security (together with the University of El Salvador - Argentina) 	National Defence College

Source: Compilation based on the information supplied by the above mentioned institution.



Military Career

ARMY
Military Academy
Duration: 4 years
Graduation Title: Graduate in Military Sciences
Graduation Rank: Second Lieutenant
Academies of Intermediate Education
Lieutenant
Captain
Staff College
Command and General Staff School
Major
Lieutenant-Colonel
Colonel
Brigade General
Division General
Entry to the Military Academy - 2008 -
Candidates 354
Admitted Candidates 173
1 out of 2 candidates was admitted

NAVY
Naval Academy
Duration: 4 years
Graduation Title: Graduate in Naval Sciences
Graduation Rank: Midshipman
Academies of Intermediate Education
Frigate Lieutenant
Navy Lieutenant
Staff College
Command and General Staff School
Corvette Captain
Frigate Captain
Navy-Captain
Rear-Admiral
Admiral
Entry to the Naval Academy - 2008 -
Candidates 170
Admitted Candidates 122
2 out of 3 candidates were admitted

AIR FORCE
Military Aviation Academy
Duration: 4 years
Graduation Title: Graduate in Aeronautical Sciences
Graduation Rank: Second Lieutenant
Academies of Intermediate Education
Lieutenant
Captain
Staff College
Command and General Staff School
Major
Lieutenant-Colonel
Colonel
Brigade General
Division General
Entry to the Military Aviation Academy - 2008 -
Candidates 523
Admitted Candidates 64
1 out of 8 candidates was admitted

Source: Compilation based on information supplied by the above mentioned institutions. Entry to Academies: Military Academy, Faculty of Naval Sciences and Military Aviation Academy. The table strictly follows the order and hierarchy of the ranks shown on each country.

The Armed Forces

General Mission

The Armed Forces are formed to defend territorial integrity and sovereignty of the Republic, maintain the peace, public order and the respect for the Constitution, the principles of free suffrage and the rotation of the Presidents of the Republic.

They shall cooperate with the National Police to keep the public order.

They shall cooperate with the Secretariats of the State and other institutions, at their request, in tasks of literacy, education, agriculture, protection of the environment, road systems, communications, health and agricultural reform. They shall participate in international peace missions, based on international treaties; provide logistical support on technical advice, communications and transportation in fighting drug trafficking.

They shall cooperate with personnel and means to face natural disasters and emergency situations which affect people and assets; as well as in protection and conservation programs for the ecosystem, and academic and technical training of their members, and other matters of national interest.

They shall also cooperate with the public security institutions, at the request of the Secretariat of Security, to fight terrorism, arms trafficking and organized crime, as well as in the protection of the powers of the State and the Elections Tribunal, at the request of these, in their installation and operation.

(Constitution, Sec. 272 and 274)

Specific Missions

Army

The Army is the Force which contributes to defending territorial integrity and the sovereignty of the Republic in the land space.

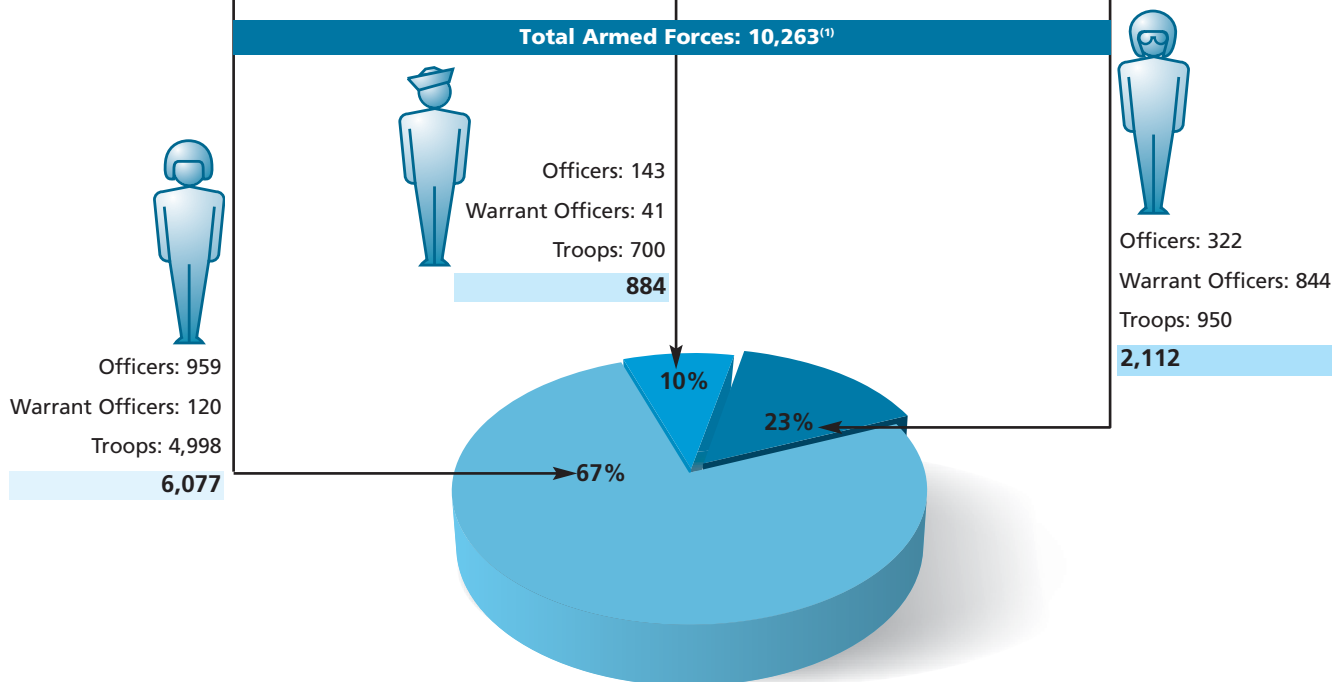
Navy

The Navy contributes to the compliance with the constitutional mission established for the Armed Forces, mainly in the maritime, fluvial and lacustrine space and in the insular territory, maintaining the security and control of the maritime coasts and borders and preserving maritime resources in territorial waters, in adjacent areas, exclusive economic zone and in the continental platform.

Air Force

The Air Force contributes to defending the territorial integrity and sovereignty of the Republic especially regarding the air space.

Total Armed Forces: 10,263⁽¹⁾



(1) Includes 1,236 members of the military in the Secretariat of National Defence, Joint Chiefs of Staff and other offices.

Source: Ley Constitutiva de las Fuerzas Armadas (Decree N° 39-2001 - 2001/10/29) (missions) and Secretariat of National Defence (Regular Force).



Women in the Armed Forces

		Army	Navy	Air Force
Entry year (Officers)	Staff Corps	1970	1975	1970
	Line Corps	1998	1998	1996
Rank reached		Colonel	Navy Captain	Colonel

“Line Corps” means those military members trained to perform in combat missions, and who also have command capacity.
 “Staff Corps” means those military members who are part of the Forces or who join them, in order to provide technical and/or professional support services.

Source: Compilation based on information supplied by the Secretariat of National Defence.

Defence and/or Military Attaché Office in:



Source: Information supplied by the Secretariat of National Defence. The country to which the Attaché is posted is considered here as the Office, beyond other cross accreditations to one or many countries.

Analysis:

Civilian Management and Control: A Democratic Challenge

Leticia Salomón*

The twenty seven years passed since the beginning of the transition towards democracy in 1980, present very clearly the evolution of the defence issue in Honduras, and its transformation according to the changes that have been occurring at the national, regional and international level. The most outstanding fact is the development that took place regarding the so-called military reform, which started with institutional outward changes (restitution of civil control over the Police and other State institutions, outlining of the military jurisdiction competences and exclusion of the mandatory military service, among others) and went on with institutional inward changes (elimination of the figures of the Commander of the Armed Forces and of the Superior Council on National Defence, appointment of civilians in the position of Secretary of Defence, and others).

The outward changes contributed to the substantial improvement of the institutional image towards the society, and to the repositioning of the Armed Forces in the process of democratic construction taking place in the country. The inward changes started the way to a substantial transformation of the Defence sector, which occurred quite extensively, but still has some pending issues (like the strengthening of civil institutionality in the Secretariat of Defence, the approval of a military code, the passage of a defence intelligence Act and the voluntary military service Act, participation on public and citizen security tasks, and others).

The existence of a process – unfinished, to some extent – of defence matters , and the external pressure to address threats coming from the international terrorism, plus the internal-external pressure to face the challenges from the organized crime; and the internal pressure to solve the insecurity problems that the country faces, are threatening to spoil again the image of the Armed Forces - a process

■ The military reform started with an outward and inward institutional change.

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sustained by the weakness of the executive and legislative civil capacity to manage, define and control the defence sector activities.

We will look through some of the cruxes of the process of reinforcement of the civil capacities regarding defence matters.

The Defence Secretariat

For many years the Defence Secretariat has been an appendix of the Armed Forces, a mere setting for paperwork and formalities regarding military issues, such as has happened in several Latin-American countries. The process of reform and the political decision to appoint civilians at the head of the Secretariat, have tuned out to be curbed by an old and ossified institutionality that does not cater the current requirements of a Defence Secretariat. To the aforementioned, we should add, the poor civilian presence in the intermediate ranks, which turns out to be a hindrance to the institutional restructuring that seeks to cover the gap between the Defence Secretariat and the Armed Forces, and to eliminate the barrier that restrains the Secretariat from being efficient in the use of its management faculties within the Armed Forces.

There are some key aspects as to which the Secretariat should fully exercise its management capacity and does not have the necessary technical instances (budget and intelligence activities, for instance). The urgent nature of the issue lies in identifying the importance of the civil management and the tasks inherent to this function, a job that has to be carried out more intensely and jointly with the political parties, so the Secretariat and, specifically, the civil management, are given the importance that democracy grants them.

The Parliamentary Defence Committee

Similarly, the traditional significance of civilians in their relation with the Armed Forces is reproduced in the National Congress Defence Commission, supported by a general unawareness of the issue, its implications and its democratic requirements. There is no precision either on the defence activities control legislative function, including the budgetary issue, a situation that makes matters worse, with the small number of civil advisors directing legislator's activities.

Deputies, like the political figures of defence institutionality, drag the weakness of political parties concerning their positioning in defence issues - which demands certain prior preparation for the exercise of the political power. This worsens if a training process is not incorporated once the deputies have taken office and, if the Defence Commissions themselves are conformed by new legislators who have not experienced other legislatures.

■ The process has been limited by institutionality, which does not cater the modern requirements of a Secretariat of Defence.

The Defence Policy

In order to attain an efficient, transparent and suitable public management, it is necessary to formulate the State policies, focused on participative processes that grant them the required legitimacy. In matters of defence, much has been the progress made with the publication of The Book of National Defence (2006), which

gathers basic information, and particularly, the State stance in delicate matters of defence.

Beyond the lines of this book, which was the outcome of an intense search and debate process at the national level, it is necessary that the President of the Republic and the Secretary of Defence issue the political guidelines that will regulate the performance of the Armed Forces. Nothing or little has been produced in this respect, what leaves an empty space easily occupied by the military initiative and the force of custom. The aforementioned sets the weaknesses seen in the defence management; which is a problem that stems from the cultural perception of the issue, and is shown in the institutional execution and the military autonomy to make decisions or to reach their approval by the civil management.

■ Training for defence is a key factor.

Training in Defence

It is a key factor, to which a lot of attention should be paid. It deals about military training (leading to their professionalization) and civil training (leading to the reinforcement of management, control and support capacities). So far, those efforts are exclusively made in military venues, including the National Defence School, and currently, the National Defence University. A higher involvement is still lacking from state and private universities, so as to grant defence training opportunities coming from the civil sphere. It is not about establishing irretrievable differences between them, but about endorsing a margin of objectivity which, in turn, provide formation on the subject and provides their graduates with a critical view – to prevent them from becoming mere institutional defenders and forget of the significance and meaning of civil management and control of the defence. That will make possible that the Armed Forces take - in the long term - a correct stance in their democracy-granted position, with all the due legitimacy and respect they should take into consideration when carrying out their missions.

The Defence Community

All the issues mentioned above pose the necessity of a Defence Community - which is under construction – that devotes itself to knowing, deepening, debating, researching and proposing about defence issues. It is about a community of citizens concerned in a specialized issue that is not easily accessed by the majority of the population. It requires discipline, dynamism and objectivity, in order to surpass the instrumental and defensive approach to the institution, to know its reality, to reach a universal approach that allows to see the international and regional trends, and to prevent their effect at the internal level.

To sum it up, we could say that the democratic challenge of managing and controlling the defence is more clearly situated on the civil side than on the military axis. In order to be able to address that challenge, efforts should be made from the civil society - within its various manifestations - and from the political spheres in the existing parties.