

The Legal Framework and the Defence System

National Legislation

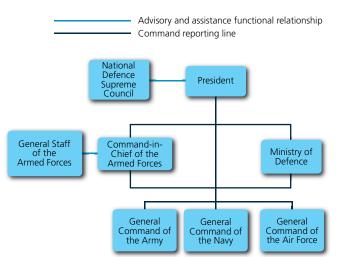
Systems and Concepts

- Organic Law of the Armed Forces (N° 1.405 1992/12/30)
- Organization of the Executive Power Act (N° 2.446 2003/03/19)

Military Organization

- Decree-Law on the Military Social Insurance Corporation (№ 11.901 -1974/10/21. Last amendment: Law № 1.732- 1996/11/29)
- Decree-Law of Organization of Military Justice (N° 13.321 1976/04/02)
- Manual on the Use of Force in case of Internal Conflict (Supreme Decree N° 27.977 2005/01/14)

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

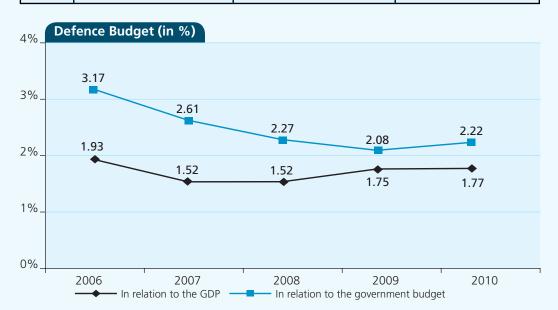


The Military High Command is the highest decision-making organ of the Armed Forces. It is composed of the President, the Minister of Defence, the Commander-in-Chief, the Chairman of the Joint Chiefs of Staff, and the General Commanders of the Armed Forces. They form the Supreme Council of National Defence, the highest advisory body. The President issues the orders to the Armed Forces through the Minister of Defence in political and administrative matters, and through the Commander-in-Chief in technical and operational matters. The Commander-in-Chief receives the advice of the General Staff. The Congress holds the powers granted by the Constitution and permanently monitors defence related issues through the specific committees in both Houses.

Source: Compilation based on *Ley orgánica de las Fuerzas Armadas* (N° 1.405 - 1992/12/30).

The Budget

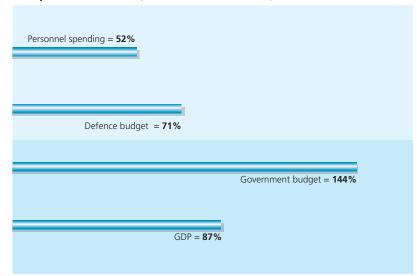
Year	Defence Budget (in US\$)	Government Budget (in US\$)	GDP (in US\$)	
2006	197,291,177	6,220,975,988	10,207,000,000	
2007	193,405,756	7,401,725,343	12,710,000,000	
2008	254,520,509	11,203,635,538	16,699,000,000	
2009	307,478,493	14,797,415,012	17,549,000,000	
2010	336,894,359	15,202,917,715	19,086,000,000	



Defence Budget Breakdown

2006 P: Salaries and other benefits R: Retirement and pension funds / I: Investment O: Other expenses

Comparative Increase (% variation 2006-2010)

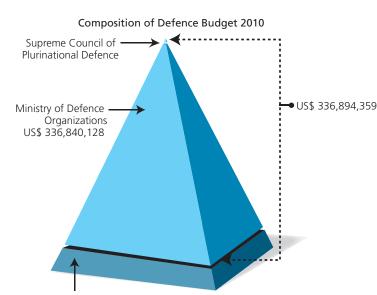


Defence Budget 2010 (in Local Currency)

Institutions	Personnel Services	Non Personnel Services	Materials Others* and Supplies		TOTAL
Ministry of Defence	1,324,422,442	135,560,128	147,027,515	295,312,273	1,902,322,358
Military Social Security Corporation **	56,474,852	30,334,390	33,111,307	108,180,577	228,101,126
Military School of Engineering**	7,046,195	21,737,151	4,394,292	35,096,417	68,274,055
Engineering Command of the Army**	9,277,640	39,334,060	67,372,638	24,036,329	140,020,667
National Naval Hydrography Service**	111,203	1,525,882	541,347	2,030,006	4,208,438
National Aerophotogrametric Service **	256,683	1,229,981	1,622,460	1,094,390	4,203,514
Geodesic Maps Service**	351,048	214,807	79,678	0	645,533
Supreme Council of Plurinational Defence	243,201	39,880	94,911	0	377,992
TOTAL	1,398,183,264	229,976,279	254,244,148	465,749,992	2,348,153,683

^{*} Includes real assets, financial assets, public debt services, transfers, taxes, royalties, and other expenses. The financial assets of the Military Social Security Corporation are not taken into consideration.

tion are not taken into consideration.
** Institutions under the responsibility of the Ministry of Defence.



Bolivian Air Transport, Bolivian Shipping Company, Corporation of the Armed Forcesfor the National Development and their associated companies (under the responsibility of the Ministry of Defence) US\$ 30,926,276 In 2009, a contract was entered into with China for US\$ 57,800,000 for the acquisition of aircraft systems for the Air Force. The payment shall be due in 2012. This amount accounts for 5.3% of the budget allocated to defence in the last four years. Other contracts with the Russian government are under discussion.

Source: Compilation based on *Ley del presupuesto general del Esta-do para el año.* The State Budget passed by the Congress by means of the above mentioned Act is considered herein. The concept of investment is that expressed in "Real assets". Acquisitions: Supreme Decree N° 0310 (2009/09/28).

GDP: Projection of the World Economic Outlook Database, IMF, of each year under review. This source has been taken for comparative purposes. Each country prepares the budget based on its own GDP estimation.

The dollar value considered corresponds to the exchange rate determined by the World Economic Outlook Database, IMF, for each year under consideration. As of July, the 2010 exchange rate average is 7.07 Bolivianos, based on the data provided by the Central Bank of Bolivia. For further calculations, figures are provided in local currency.

Expressions in Bold Type (Table) make reference to the various defence budget items, which can be found in a sector-based or institutional classification of the Budget Act.

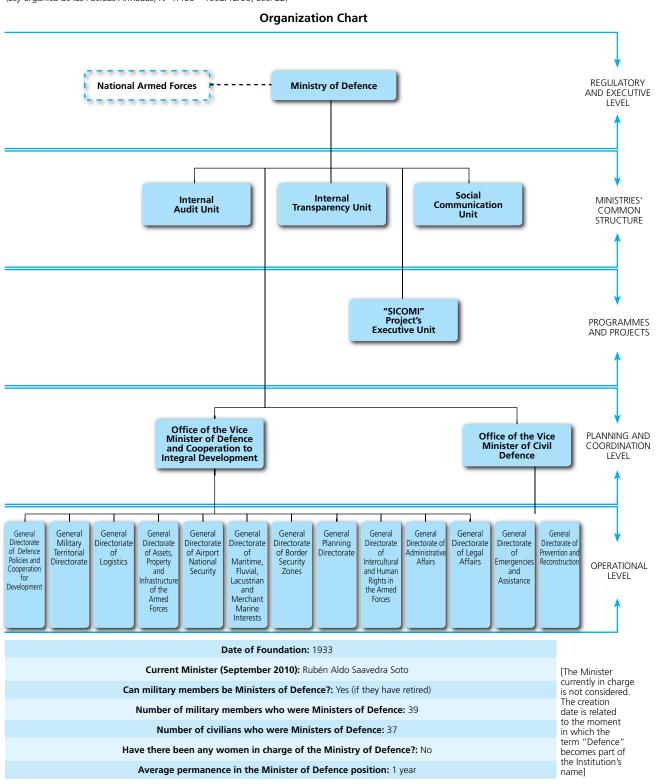


The Ministry of Defence

Responsibility:

The Ministry of Defence is the political and administrative body of the Armed Forces. The Minister of Defence is the legal representative of the armed institution before the public powers.

(Ley orgánica de las Fuerzas Armadas, Nº 1.405 – 1992/12/30, Sec. 22)



Source: Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010 and information provided by the Ministry of Defence.

Political Definitions

Policy Guidelines

State Objectives

The State's objectives around defence and security are the set of goals that the State intends to attain, which result from the interpretation of the complex and polysemic concept of "live well", and respond to the doctrine of a Plurinational State and to the New Political Constitution of the State which are needed to streamline and guide the political action of the government.

- Preserve the existence of the State with independence, sovereignty, dignity and the integrity of its possessions.
- Consolidate unity within plurinational diversity.
- Strengthen democracy.
- Expand social justice with inclusion and solidarity.
- Ensure integrated development.
- Preserve the environment and use our recourses in harmony with nature.
- Reaffirm and promote international presence of the State.
- Promote sea claims with sovereignty

The country has a non-common military defence model, not aggressive, creative and dynamic, based on civil-military co-responsibility, allowing the concurrent integration of all actors of society for the defence of the nation. This strategic concept requires giving effective response, balancing the intensity of external and internal threats with the resources available to the State. This model responds to a bi-dimensional concept, consisting in the use of conventional military force, based on the employment of highly

This model responds to a bi-dimensional concept, consisting in the use of conventional military force, based on the employment of highly versatile joint units. Considering, on the one hand, a response level proportionate to the intensity of the threat to be faced; on the other hand, in face of a scenario of external threat of asymmetric aggression to our sovereignty or territorial integrity which places us in a situation disproportionate in terms of means, modifying the conventional force structure, avoiding direct confrontation to gain greater freedom of action.

Purpose of State Defence

Security and

Defence

Policies:

Bolivia

published the

Libro Blanco

de la Defensa

(White Book

on Defence)

in 2004 and

Bases para la Discusión de

la Doctrina

de Seguridad y Defensa

del Estado

Plurinacional

de Bolivia

(Basis for the

Discussion of

the Security

and Defence

Doctrine of

the Bolivian

Plurinational

State) in 2010.

The following purposes are considered for the defence of a Plurinational State:

- Guaranteeing the security of the population to "live well."
- Protecting and preserving cultural diversity.
- Protecting and preserving natural renewable and non renewable resources.
- Maintaining the State's sovereignty and territorial integrity.
- Actively participating to attain high social and economic development.
- Participating in cooperative and collective security.
- Maintaining the non renounceable and imprescriptible claim to recover access to the Pacific Ocean.
- Protecting and preserving biodiversity and the environment.

Optimization of the Armed Forces' joint operational structure, building upon their immediate response capability in face of internal or external threat situations.

Technology modernization and logistics renewal of the Armed Forces, in order to guarantee a reasonable operational capability facilitating compliance with its essential mission and granting it the technical conditions for its effective participation in integrated development.

Strengthening security and promoting the integrated development in border security areas.

- Promote a culture of respect for human rights and create dignified conditions, with equity, reciprocity and multiculturalism to "live well" in troops quarters.
- Promote the use and peaceful exploitation of the outer space and apply telematic systems allowing the protection of the State's sensitive information.
- Promote the reform of defence area legislation, in consonance with the new precepts in the Constitution, contributing to legal stability and making possible the modernization of the institution.
- Generating a defence culture creating awareness among Bolivian population of their importance for the State's existence and development.
- Becoming the guarantors of democracy and the State's institutional order.
- Strengthen the State's Civil Defence System with the means and the structure of the defence area for the performance of activities associated with emergency response.
- Supporting the State's social protection policy.
- Strengthen defence industries for the purpose of benefiting the State's productive undertakings.
- Promoting the development of science and technology within the Armed Forces in order to contribute to innovation and technological advance within the defence sector and to the integrated development of the State.
- Project military service as an alternative for youth access to technology.
- Defence of the environment and cultural heritage.
- Promote a culture of gender equality and the removal of all forms of discrimination as the axis for human development.
- Sustain our claim to sea access.
- Promote the development of sea, river, lake, and merchant marine interests.
- Strengthen regional military integration for security and defence.
- Actively participate in international initiatives geared to strengthen and maintain regional and world peace.
- Support international initiatives to reduce the production of chemical substances for mass destruction arms.

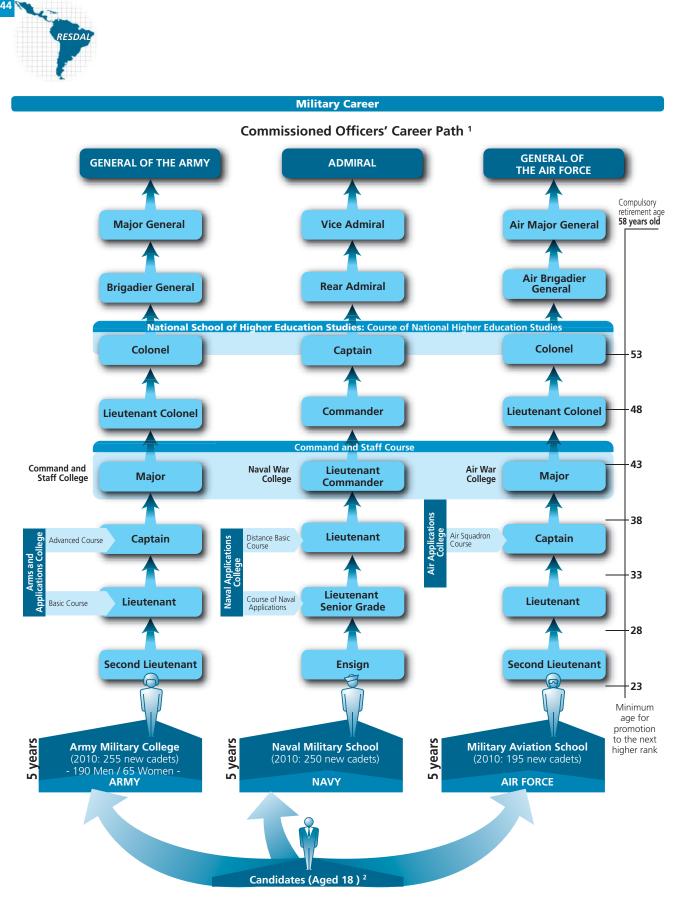
Source: Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010.

Reports Submitted to the United Nations and the OAS

1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
		×	*	×	×	×	×	×	×		×	×
								*	*	*		

Register of Conventional Arms: Register of Military Expenditures: Implementation of Confidence and Security Building Measures:

Source: Compilation based on reports submitted to the United Nations Register of Conventional Arms and the United Nations Instrument for Reporting Military Expenditures and reports submitted to the OAS on the Implementation of Confidence and Security-Building Measures.



¹ Command corps includes officers who have been educated at military academies from the beginning of their professional careers. The graph makes a theoretical reconstruction of officers' promotion through the completion of mandatory courses. Further requirements for promotion have not been considered.

Source: Compilation based on *Ley orgánica de las Fuerzas Armadas de la Nación* (Nº 1.405 – 1992/12/30). New cadets: Information provided by the Military College, the Naval Military School and the Military Aviation School.

² The age of 18 has been considered for comparative purposes.

³ Since 2010, all new cadets of Military College of the Army attend complementary studies at the Engineering Military College, the Naval Military School and the Military Aviation School.

The Armed Forces

General Mission

The Armed Forces have the fundamental mission to defend and maintain national independence, security and stability of the Nation, its national honour and sovereignty; ensure the rule of the Political Constitution, guarantee the stability of the legally established Government and cooperate in the integral development of the country. (Constitution, Sec. 244)

Specific Missions

Army

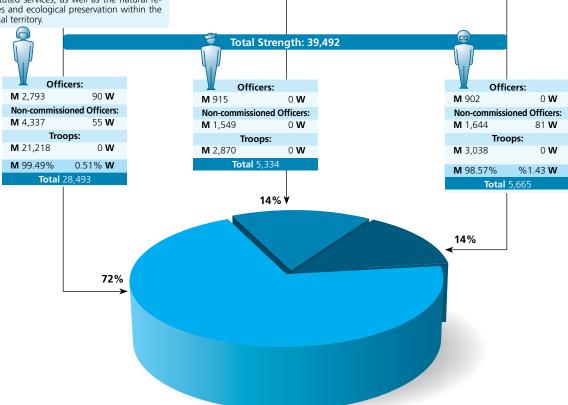
- Defend the sovereignty and the integrity of the national territory.
- Guarantee land security and cooperate with maintaining the public order as instructed by the Commander-in-Chief.
- Take part in the integration of the national territory by building and opening roads, motorways and other access ways.
- Occupy, protect and support the development of national borders.
- Protect vital areas and cities of the country.
- Carry out specific missions with the support of the Air Force and/or the Naval Force.
- Actively participate in the integral development of the Nation, according to the guidelines of the Commander-in-Chief.
- Contribute to the empowerment of the country in coordination with other Forces, enhancing, fostering and protecting national development.
- Create and edit geographic and political maps of the national territory.
- Protect the sources of production and legally constituted services, as well as the natural resources and ecological preservation within the national territory.

Navy

- Ensure the sovereignty and defence of river, marine and lake interests of the Nation.
- Guarantee free navigation for the Merchant Marine in seas, rivers and lakes controlling the right to use the territorial sea, adjacent areas, continental shelf and seabeds.
- Contribute to the empowerment of the Nation in coordination with the other Services, enhancing, fostering and protecting military, merchant and private shipping.
- Create the national hydrographical maps.
- Prevent and repress acts of piracy in navigation, trade and fishing.
- Carry out specific missions supporting the Army and/or Air Force.
- Actively participate in the integral development of the Nation according to the guidelines issued by the Commander-in-Chief.
- Exercise competence and jurisdiction on patrimonial waters, ports and naval facilities in accordance with the regulations established in the Fluvial, Maritime, and Lake Navigation Act.

Air Force

- Ensure the sovereignty and defence of the national air space.
- Reach and maintain a position of supremacy in the air space, enabling the execution of a deterrent action on a given enemy.
- Contribute to the integration of the national territory by means of air transport services.
- Carry out the necessary and timely airlift to support all military operations of national defence.
- Execute specific missions to support the Army and/or Navy.
- Actively participate in the integral development of the Nation, in accordance with the guidelines issued by the Commander-in-Chief.
- Permanently surveil and repress acts of piracy in military and civil air navigation.
- Protect and foster the development of military and civil aviation, infrastructure, aerospace industry and institutes of aerospace scientific research of the Nation.



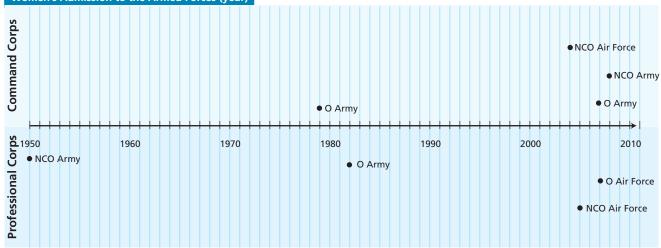
M: Men / W: Women

Source: Ley orgánica de las Fuerzas Armadas (Nº 1.405 - 1992/12/30) (missions) and information provided by the National Army (Regular Forces).



Women in the Armed FOrces

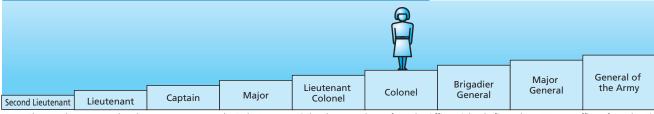
Women's Admission to the Armed Forces (year)



O: Officers - NCO: Non-commissioned Officers

Note: In Bolivia, the first women entered the service between 1979 y 1985, later admission re-opened in 2003. Women are not entering the Naval Force, although future officers are trained abroad. The Command corps includes officers who have been educated at military academies from the beginning of their professional careers. The Professional corps refers to those who develop a career in the civilian sphere and are then incorporated to the armed forces.

Women Officers who have reached the highest rank in the Command Corps (2010)



Note: These ranks correspond to the Army, as an example. Today's women Colonels are graduates from the Officers School's first cohort. Women officers from the Air Force are in their 4° year of instruction.

0.57 % (226) of the total Armed Forces are women.

2009: 24.88%

Chuquisaca

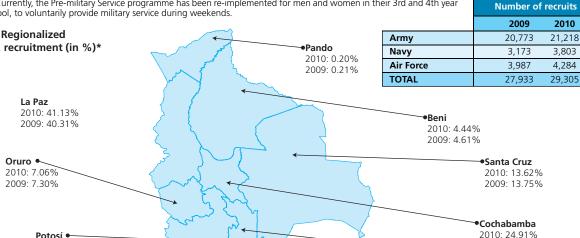
2010: 2.36%

2009: 2.44%

Source: Information provided by the Ministry of Defence, and Project 07-184 Global Peace and Security Fund.- RESDAL.

Military Service

It is mandatory for all men of the appropriate age to enter the military service as conscripts. Soldiers and sailors are paid a perdiem rate. Currently, the Pre-military Service programme has been re-implemented for men and women in their 3rd and 4th year of high school, to voluntarily provide military service during weekends.



* Percentage on the total recruits each year.

2010: 3.82%

2009: 3.94%

Potosí •

Source: Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010 and information provided by the Ministry of Defence.

Tarija

2010: 2.46%

2009: 2.56%

Defence and National and International Community

Participation in Peace Operations

	Military Component					
Current Missions	ME	M	MC			
	Men	Women	Men	Women		
MINUSTAH (Haiti)	-	-	192	16		
MONUSCO (Dem. Rep. of Congo)	10	-	19	-		
UNAMID (Darfur)	1	-	1	-		
UNMIL (Liberia)	2	-	1	-		
UNMIS (Sudan)	14	1	-	-		
UNOCI (Ivory Coast)	3	-	-	-		

MEM: Military experts on mission, including military observers, judge advocates and military liaison officers, among others - MC: Military Contingent.

Source: Compilation based on documents from the Department of Peacekeeping Operations of the United Nations. Data as of 31 August 2010.

Bolivia contributes 260 military troops to the United Nations peacekeeping missions, which represents 3.40 % of the total contribution of Latin America.

The Centre of Peacekeeping Operations of the Bolivian Army (COMPEBOL), was created on January 23, 2007.

In 2009, 259 force members and civilians were trained on peacekeeping operations.



Equal Opportunities Programme for Indigenous Candidates to the Army's Military Academies

The Government of the Plurinational State has adopted a public policy of social inclusion and equal opportunities for all the Bolivian people, in the different public and academic sectors. Through the Ministry of Defence, the programme is aimed at inclusion of indigenous peoples, who have completed their high school education in rural schools and have no economic funds to enter the men and women cadet instruction programme in the Army's Military School "Cnel. Gualberto Villarroel", or as students of the Army's various military academies. The programme was created to respond to a historical demand, thus opening the doors to sectors previously deprived for these social groups, in a process designed to eliminate discrimination and racism. Stages of the Program: First stage: Official announcement, levelling, selection and admission.

Second stage: Military instruction in institutes.

Year of admission into the programme*	Admitted Men / Women	Year of entry in Military School	Students Attending Military School Year – Men / Women
2005	20 / -	2006	5to año- 7 / - cadets
2006	20/5	2007	4to año- 10 / 2 cadets
2007	20/5	2008	3er año- 13 / 3 cadets
2010	21/6	2011	
Total	81 / 16		30 / 5 cadets

^{*}In 2008 and 2009, no students entered due to the closing of the first years of Armed Forces' institutes. The programme is expected to be extended in 2011 to the Air Force and the Navy.

Support Actions

Literacy Programme "YO SI PUEDO" (I CAN)

Pursuant to Supreme Decree No. 28,675, of April 13, 2006, the programme was created with the main purpose of eradicating illiteracy (823,256 illiterate persons in all 9 departments); the Armed Forces made available all necessary human, material and technical resources to effectively support the programme, implementing literacy centres in military premises, participating as facilitators and teachers for illiterate persons, transporting equipment and material with available means to all educational premises, and reaching the national territory's most remote areas.

Renta dignidad

Bonus granted to all persons over 60 years old from the Plurinational State, with the purpose of reducing poverty levels and providing for a dignified old age



-The Armed Forces conduct the monthly payment distribution in all 9 departments comprising 185 centres of payment. In 2009, 89,880 payments were effected.

Juancito Pinto

Bonus granted every year to school age boys and girls for school material and clothing, to contribute to increase school completion rates.



-The Armed Forces conduct the annual distribution of this payment, particularly in rural and border areas. In 2009, it was able to reach a student population of 974,120 children.

Juana Azurduy

Bonus granted to all pregnant and post-partum women, to help improve mother-child nutritional levels, thus reducing infant mortality rates.



- The Armed Forces grant this bonus across the entire national territory and, particularly, in border areas reaching 207 points of payment and effecting 37,983 payments in 2009.

Source: Information provided by the Directorate of Human Rights and Intercultural Affairs of the Ministry of Defence, The National Army, Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia, 2010 and website of the Ministry of Education.

Analisys:

Plurinational State and Armed Forces in Bolivia

Loreta Tellería Escobar

Political Scientist and Master in Latin American Social and Political Studies.

Bolivia is constituted as a Social Unitarian State of Community Plurinational Law, which is free, independent, sovereign, democratic, intercultural, decentralized and with several autonomies.

(Political State Constitution, Sec. 1)

The State Political Constitution

Since 2006, Bolivia has started a process of redesigning its political, economic and social structures. This brought about the breakup of the old state structures that had implemented a highly dependent liberal economy pervaded by a colonial spirit built since the inception of the Republic in the 19th century.

The challenges of the new State underpinned by the Political Constitution promulgated on February 9, 2009 have as a principle, the start of the decolonization cycle¹ in the country, which in effect, should occur at all State spheres, from the ministries to the last governmental agency existing at the boundaries. In reality, the concrete tasks required by this challenge are hindered by the very bureaucratic architecture the change of which is being sought. While the process is a response to a historically overlooked demand, the actions required by change call for a transformation of the people's mindset, which is in fact the hardest and slow objective to be attained.

The New Armed Forces

In this new environment, the armed forces have to submit to a plurinational, intercultural, pacifist State that promotes a culture of peace,² which involves its institutional and doctrinary redesign. Plurality must be reflected in a strategic thinking reproducing the birth of the new Country.

At present, there is urgency for the commencement of a transition process, which should be framed in doctrinary, legislative and functional changes. All of this taking into account that in this process social movements and society as a whole prevail as the main actors of the process of change. In the new State structure, the fundamental stronghold of democracy is no longer the State institutions but the strength of an organized society.

From this perspective, changes must seek a new defence doctrine based on the following premises:

a) The culture of peace and the resignation of war as a result of a foreign defence and security policy at State level.

Bolivia's projection as a pacifist State requires the building up of a foreign policy elaborated jointly by the Ministry of Defence, the legislative branch and the Ministry of Foreign Affairs. This would not only consolidate the Country's vision, but would organize inter-institutional efforts, now uncoordinated, in relation to Bolivia's participation in military cooperation

¹ In general terms, the Bolivian decolonization case can be observed at several levels: anti-imperialist fight, sovereignty, deconstruction of the colonial institutions and an environment with hierarchical and discriminatory relations, disassembly of the colonial State, elimination of a patriarchal state, emergence of alternative, pluralist and heterogeneous modernities. Raúl Prada Alcoreza, "¿Qué es la descolonización?", Cambio, http://www.cambio.bo/noticia.php?fecha=2010-03-24&idn=16304.

^{2 &}quot;Bolivia is a pacifist State that promotes a culture of peace and the right to peace, as well as the cooperation among the nations of the region and the world. As a country it rejects every aggressive war as an instrument to solve disputes and conflict between States. In addition, no foreign military base may be installed in the Bolivian State." Estado Plurinacional de Bolivia, *Constitución Política del Estado, sec. 10.*

agreements, confidence building measures and peace keeping missions. The organization of an external security and defence policy in Bolivia would be the most reliable expression of an attitude matching the principles claimed.

b) The recovery of sovereignty in international defence and security matters.

The main challenge of the new doctrine is to nationalize the defence and security policy, the first step in the decolonization process. This will demand the development of a broad debate and reflection on the whole area, aside from clear political guidelines on the type of armed forces to be organized from a plurinational State perspective.

c) The definition of the armed forces strategic horizon as regards territorial domination.

Territorial domination is a key factor in nationalization and decolonization processes in defence and security doctrine. The actual presence of the armed forces in border areas³ entails not only an event-driven deployment but the transformation of the whole functional structure until now anchored to the country's urban centers and disconnected from the problems that relate to rural area security, including smuggling, arms and drug trafficking, etc. This new deployment could become the core of reform, as it would imply a new doctrinary, functional and operational framework that would bring the armed forces into contact with the social sectors that are most excluded and separated from political decisions, where the State is almost absent and with high insecurity levels.

d) The definition of the armed forces strategic role in external defence, support to development and associated tasks.

Over the past years, the armed forces have been in charge of tasks associated with support to development and humanitarian assistance in disaster situations. This allowed greater closeness to the society and resulted in an improvement of its perception of the armed forces. It also had direct impact on the development of new institutional capabilities. The challenge vis-a-vis these new roles is putting together a regulatory-institutional framework that may prioritize functions and organize the institution according to this functional prioritization. Otherwise, the risk would be

maintaining a traditional structure that accommodates to the roles designated to face any new situation and having they changed according to the political interest prevailing at any time, a procedure that would do nothing but prevent the institutional conformation of the country's defence area.

e)An active role of the armed forces in the protection of natural resources and mother earth (*madre tierra*).

The new State has as a premise the defence of mother earth and the armed forces has been involved in this work, under a vision of preservation of the environment related to the country's natural resources. This new area for military work, still scarcely addressed by academic studies, suggests a fundamental change which, despite any doctrinary loopholes, seems to be an immediate role.

f)A reform to the interior of the defence and armed forces institutions including education, military justice, interculturalism, gender and mandatory military service.

One of the main reforms within the armed forces is undoubtedly oriented to their internal institutional environment, with urgent matters including: i) A deep transformation of education, values and codes of conduct, a fundamental step towards the destructuring of the colonial mentality. ii) The strengthening of interculturalism inside the armed forces, which will lead to the harmonious participation of different cultures under equal conditions and the building up of institutions formed by diverse people. iii) The decolonization entails the demolition of the patriarchal and malechauvinist State; under this premise the armed forces must implement policies directed not only to the inclusion of women in their ranks, but also to a gender perspective mainstreaming. iv) The mandatory military service reform as a means towards the deconstruction of an institution with hierarchical and discriminatory relations, seeking for more innovative and democratic alternatives.

In sum, under the premise of the new plurinational State, the new armed forces of Bolivia must develop a new doctrine and a legislative framework to support it, always bearing in mind that the key to change lies not on the forms but at the very bottom of military members' mindsets. Decolonialization represents a breakup with the past: it cannot be conservative, functional or rhetorical; it needs to be creative and irreverent and for that a perfect dose of willpower, dedication and commitment to the new country is needed.

^{3 &}quot;The fundamental duties of the Armed Forces are the defence, protection, and control of the border security areas. The armed forces shall take part in the policies of integrated and sustainable development of those areas and shall ensure their permanent physical presence in them". Estado Plurinacional de Bolivia, Constitución Política del Estado, art. 263.