



Honduras

The Legal Framework and the Defence System

National Legislation

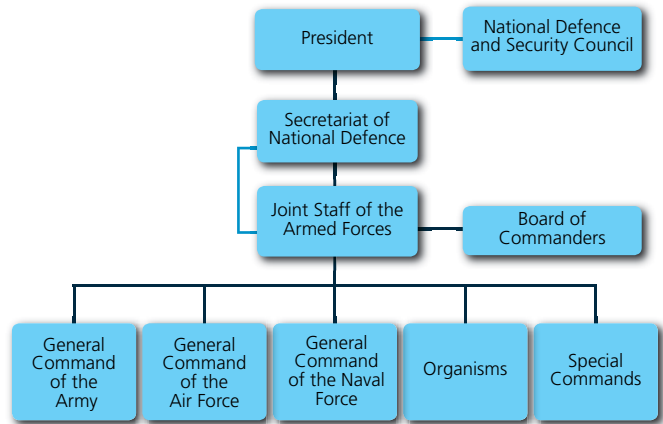
Systems and Concepts

- Constitutive Act of the Armed Forces (Decree N° 39-2001 - 2001/10/29)

Military Organization

- Military Code (Decree N° 76 - 1906/03/01. Last amendment: Decree N° 47 - 1937/01/22)
 - 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)
 - Military Security Service Institute Act (Decree N° 167 - 2006/11/27)

— Advisory and assistance functional relationship
 — Command reporting line



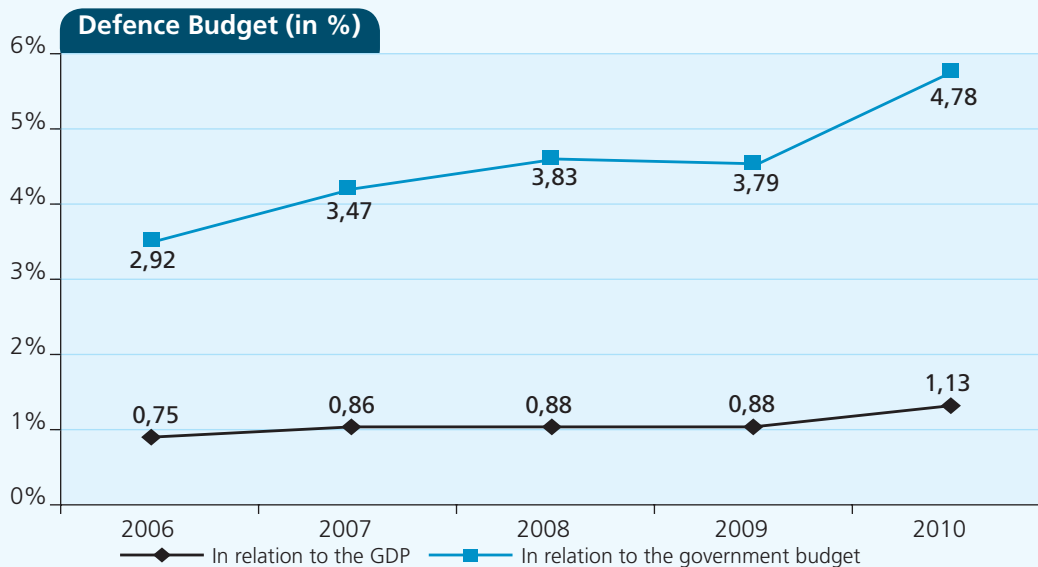
The President may receive the advice of the National Defence and Security Council and holds the command of the Armed Forces, either directly or through the Secretary of Defence, who in turn has the Joint Staff as the highest military technical body for advice, planning, coordination and supervision. The Board of Commanders is the consultative body, composed of the Chairman and the Vice Chairman of the Joint Chiefs of Staff, the Inspector General of the Armed Forces and the General Commanders of the Armed Forces. The Congress holds the powers granted by the Constitution and permanently monitors defence related issues through the National Defence Committee.

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

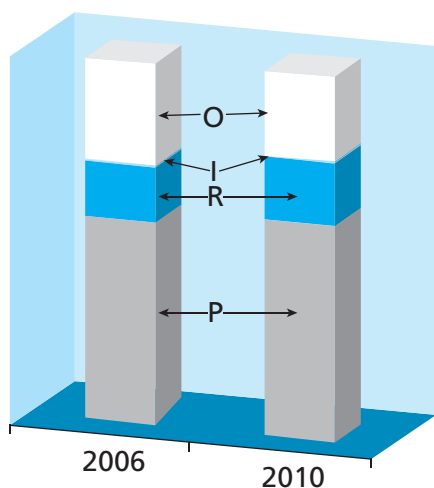
Source: Compilation based on the Political Constitution, *Ley constitutiva de las Fuerzas Armadas* (Decree N° 39-2001 - 2001/10/29) and *Libro Blanco de la Defensa Nacional*, 2005.

The Budget

Year	Defence Budget (in US\$)	Government Budget (in US\$)	GDP (in US\$)
2006	63,175,260	2,166,132,003	8,413,000,000
2007	86,837,651	2,499,174,091	10,059,000,000
2008	121,183,088	3,167,154,298	13,779,000,000
2009	127,963,147	3,377,085,767	14,581,000,000
2010	172,194,128	3,598,658,227	15,288,000,000

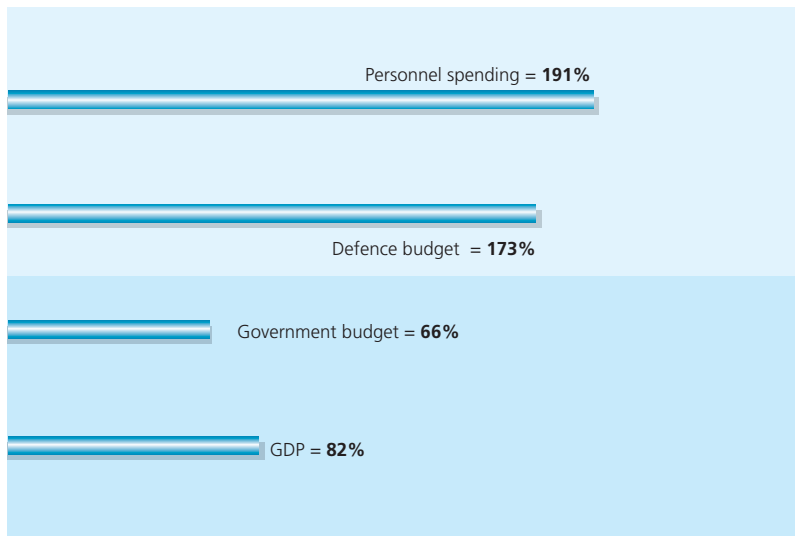


Defence Budget Breakdown



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

Comparative Increase (% variation 2006-2010)



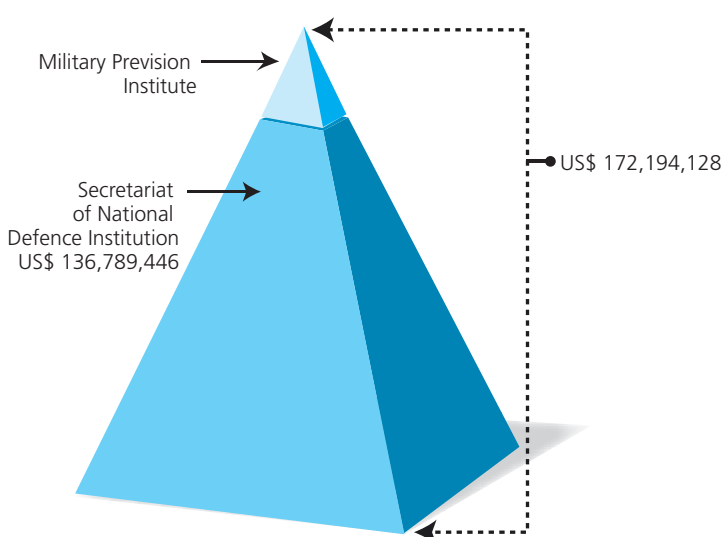
Defence Budget 2010 (in Local Currency)

Institutions	Personnel Services	Non-personnel services	Materials and Supplies	Others*	TOTAL
Secretariat of National Defence					
Central Activities	169,987,110	8,246,500	16,054,712	38,285,250	232,573,572
Army	942,202,231	18,332,272	187,528,163	2,469,500	1,150,532,166
Air Force	253,533,869	8,556,167	46,155,850	1,439,800	309,685,686
Naval Force	170,294,887	9,028,536	52,952,690	496,600	232,772,713
Joint Chiefs of Staff	363,976,603	20,919,246	31,597,664	251,470,250	667,963,763
Military Prevision Institute**	54,140,557	28,939,038	4,669,332	583,523,834	671,272,761
TOTAL	1,954,135,257	94,021,759	338,958,411	877,685,234	3,264,800,661

* Includes goods subject to capitalization, transferences, financial assets and public debt service.

** Since 2007, policemen and firefighters are being incorporated as members of the IPM (Military Prevision Institute). No budget allocation breakdowns are available on this subject. The IPM's financial assets are not included in the breakdown. The Defence Secretariat's contribution to the IPM is deducted from "Others".

Composition of Defence Budget 2010



Between 2007 and 2009, military acquisition contracts signed with the United States amounted to US\$ 15,917,975. Such amount represents 4.74% of the allocated defence budget for those years.

Source: Compilation based on Decreto-Ley de presupuesto de ingresos y egresos de la República, para el ejercicio fiscal 2006, 2007, 2008, 2009 and 2010. 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 "Capital assets acquisition". Acquisitions: Just the Facts (Center for International Policy, Latin American Working Group Education Fund and Washington Office on Latin America).
 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 19.03 Lempiras, based on the data 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 various defence budget items, which can be found in a sector-based or institutional classification of the Budget Act.

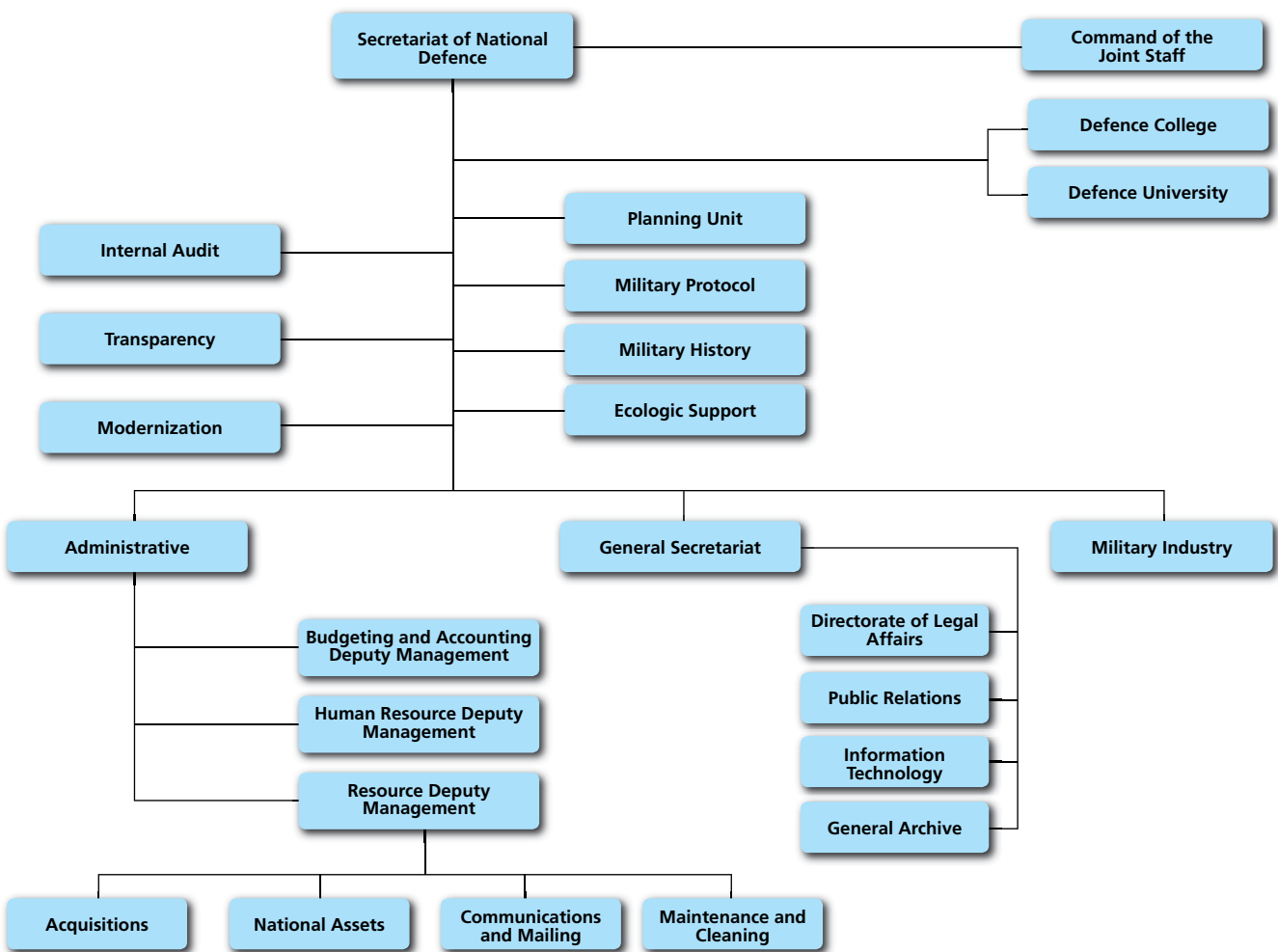


The Secretary of National Defence

Responsibility:

It ensures that the national defence policy is duly executed by the Armed Forces; it represents Honduras at international defence bodies; and it authorizes, regulates and controls all matters related to weapons, ammunitions and explosives. In relation to military matters, it is the administrative organization of the Armed Forces; it countersigns decrees, agreements, orders and decisions; it secures the preparation and implementation of plans and programs, and orders their elaboration or update; it recommends officer promotions to the President; and supervises, inspects and exerts control over the organization and performance of the Armed Forces. (Ley constitutiva de las Fuerzas Armadas, Decree N° 39-2001 – 2001/10/29, Sec.

Organization Chart



Date of Foundation: 1954
Current Minister (September 2010): Marlon Pascua Cerrato
Can military members be Ministers of Defence?: Yes (if they have retired)
Number of military members who were Ministers of Defence: None (since 1998, year of the constitutional reform)
Number of civilians who were Ministers of Defence: 4 (since 1998, year of the constitutional reform)
Have there been any women in charge of the Ministry of Defence?: No
Average permanence in the Minister of Defence position: 2 years and 9 months

[The Minister 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 websites of the Government of Honduras and the Secretary of National Defence.

Political Definitions

Policy Guidelines

Country Vision

The second national objective of the Country Vision's four tenets (*Visión País*) is as follows:
 "A Honduras developed in democracy, with security and free of violence."

Scenario

By 2038, Honduras will continue growing as a representative and participative democracy, making use of plebiscites and referendums as a means for citizen involvement in the country's most relevant matters. Its population and rights shall be effectively acknowledged and shall be entitled to an integrated, effective and expedite justice system and a secure environment with low levels of criminality. The system of property rights shall be consolidated and all land-dwellers shall be granted an ownership deed. The State shall have modern security corps supported by intelligence and integral systems, and by solid and coordinated institutions. The Armed Forces shall be guarantors of the Constitution and the defence of our sovereignty. The preservation and defence of freedom of expression, and individual and economic freedoms shall be an essential duty of the State.

Goals

1. Seven continuous and transparent democratic electoral processes since 2009.
2. Reduce criminal activity to levels below the international average.
3. Lower the social conflict index to less than 6.
4. Decrease the index of illegal land occupation to less than 5%.
5. Improve border protection as a condition for external deterrence and increase of internal confidence.

"Security as a Requirement for Development" Strategic Guideline

Honduras forms part of an insecurity landscape which includes Mexico and Central America, produced by organized crime and its transnational networks. This reality obliges the country not only to enter into international alliances with the aim of increasing the effectiveness of its actions to combat these crimes, but also to improve the protection of national borders and areas of the national territory used by criminal gangs with relative impunity. The protection of national borders is considered as a condition necessary to strengthen the deterrence of external attacks against national security and, at the same time, a requirement to increase and reinforce internal confidence in the effective fight against insecurity.

Some of the major challenges are:

- Reinforce the protection of national borders, as well as the presence of the armed forces and national police in the areas of the country where criminal gangs linked to organized crime and drug trafficking operate.
- Adhere to, and involve the country in, international initiatives aimed at combating this scourge to domestic security.

Budget Objectives for the Defence Sector

- Protected forests and nature.
- Ensure the efficient use of resources to support forest protection.
- Keep peace in the Republic and defend territorial integrity.
- Logistics advice in the fight against drug trafficking.
- Transformed Armed Forces.
- National Police supported by intelligence operations.
- Train young people through the educational military service.
- Train military elements in emergency management caused by natural disasters.
- Train military elements in debris removal, repair of communication routes and public service installation.

Source: Decreto Ley 286- 009 para el Establecimiento de una Visión de País y la Adopción de un Plan de Nación para Honduras and Decreto-Ley de presupuesto de ingresos y egresos de la República para el ejercicio fiscal 2010.

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

Reports submitted to the United Nation and the OAS

1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
	✘	✘	✘	✘	✘	✘						
					◊			◊				
				●	●							

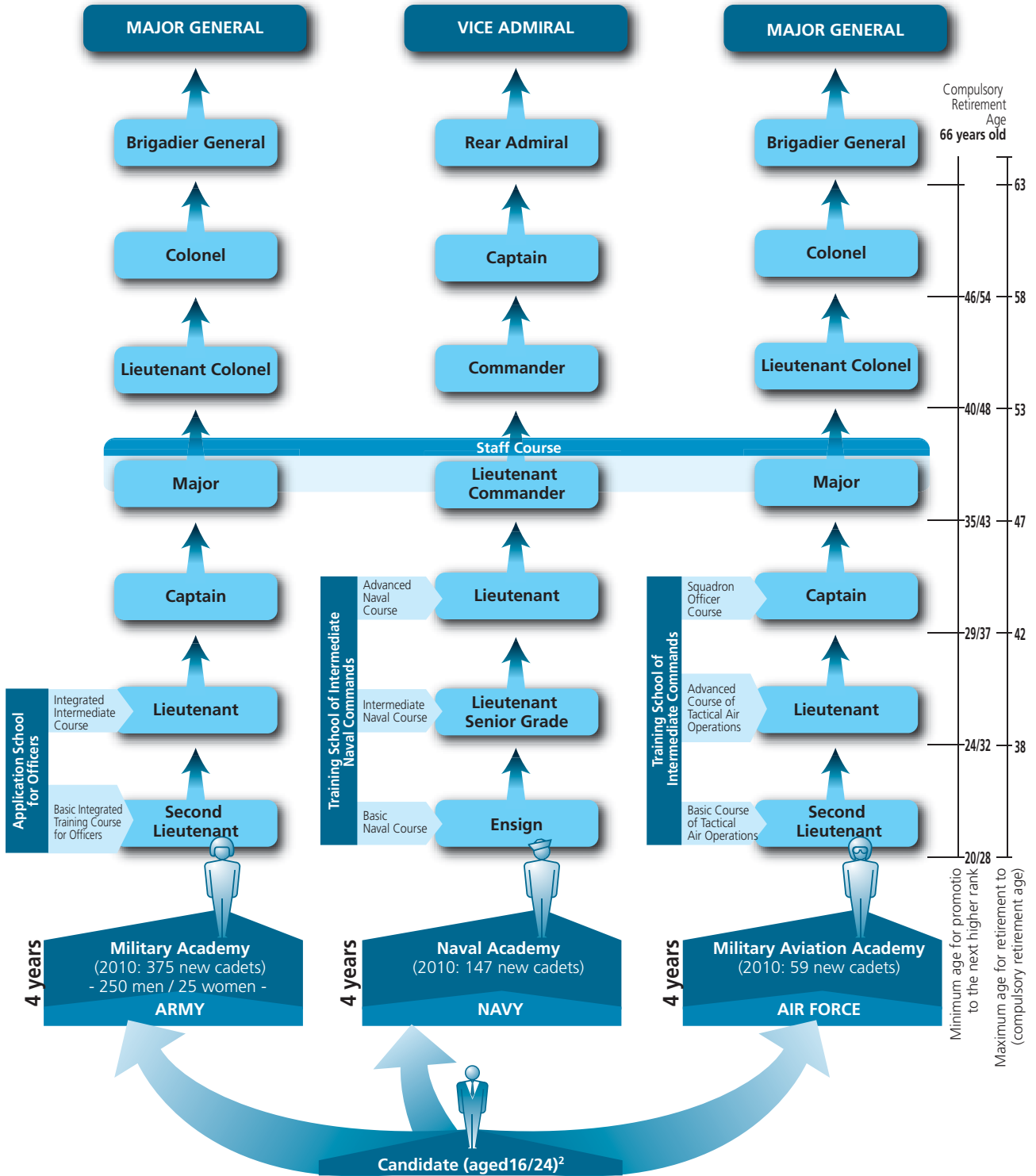
Register of Conventional Arms: ✘ Register of Military Expenditures: ◊ Implementation of Confidence and Security Building Measures: ●

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.



Military Career

Commissioned Officers' Career Path¹



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.

² Ages 16-24 years have been considered for comparative purposes. Entry age varies depending on the service: Army up to 22 years old, Air Force, from 16 to 24 years of age. The minimum age for promotion will depend on the age of graduation from the military institution.

Source: Compilation based on *Ley de personal para los miembros de las Fuerzas Armadas* (N° 231-2005 - 2005/10/11) - New cadets: Armed Forces of Honduras.

The Armed Forces

General Mission

The Armed Forces are formed to defend territorial integrity and sovereignty of the Republic, maintain peace, public order and the respect for the Constitution, the principles of free vote and rotation of the Presidents of the Republic. They shall cooperate with the National Police to keep public order. They shall cooperate with the Secretaries of the State and other institutions, at their request, in tasks related to literacy, education, agriculture, protection of the environment, road systems, communications, health and agriculture reform. They shall participate in international peace missions, based on international treaties; provide logistic support on technical advice, communications and transportation in the fight against drug trafficking. They shall cooperate with personnel and means to face natural disasters and emergency situations which impact 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 public law-enforcement agencies, at the request of the Secretary of Security, to fight terrorism, arms trafficking and organized crime, as well as in the protection of the powers of the State and Elections Court, at the request of these, in their installation and operation. (Constitution, Sec. 272 and 274)

Specific Missions

Army

The Army is the Service responsible for defending the territorial integrity and 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 lacustrian space and in the insular territory, maintaining the security and control of the sea coasts and borders and preserving maritime resources in territorial waters, in adjacent areas, exclusive economic zone and in the continental shelf.


Air Force

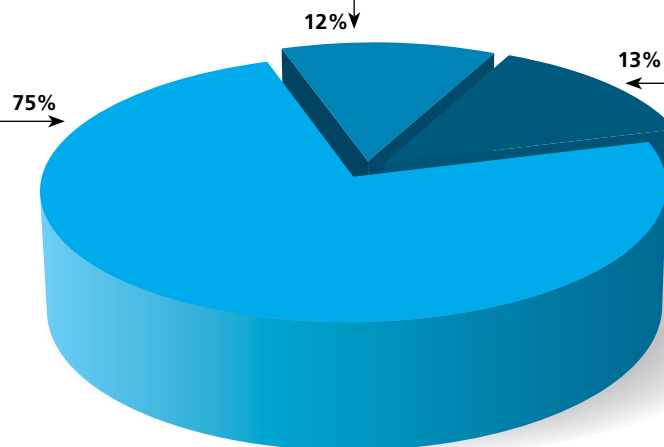
The Air Force contributes to defending the territorial integrity and sovereignty of the Republic especially regarding the air space.

Total Strength: 8,566*

	Officers:	M 488	38 W
	Non-commissioned Officers:	M 104	5 W
	Troops:	M 5,338	494 W
		M 91.70 %	8.30 % W
	Total	6,467	

	Officers:	M 150	13 W
	Non-commissioned Officers:	M 50	4 W
	Troops:	M 718	59 W
		M 92.35 %	7.65 % W
	Total	994	

	Officers:	M 200	14 W
	Non-commissioned Officers:	M 300	23 W
	Troops:	M 566	2 W
		M 96.47 %	3.53 % W
	Total	1,105	



M: Men / W: Women

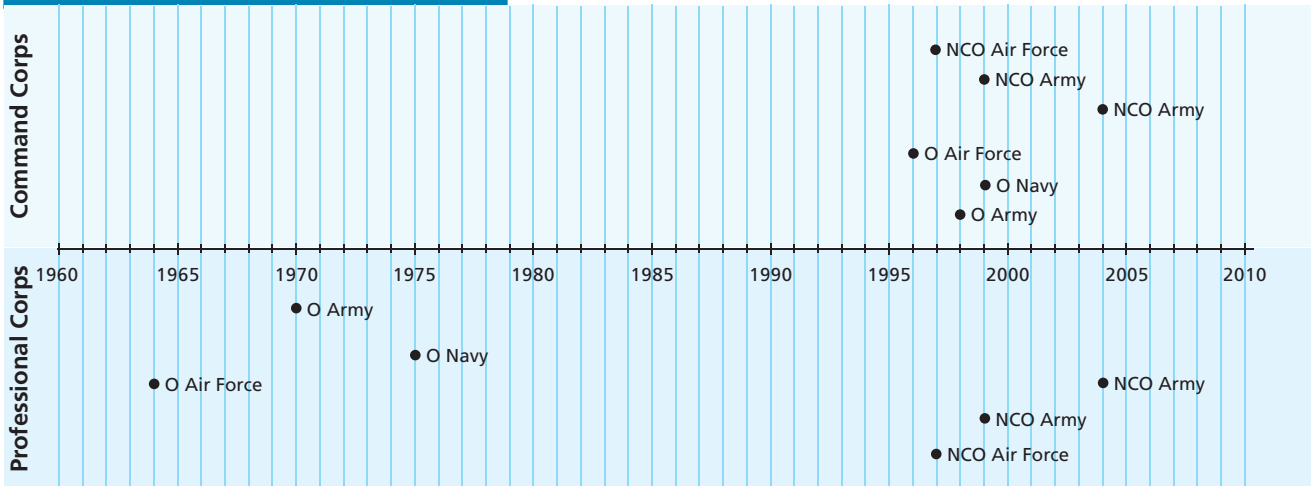
* 2009 data.

Source: Ley constitutiva de las Fuerzas Armadas (Decree N° 39-2001 – 2001/10/29) (missions) and information provided by the Joint Staff of the Armed Forces: C-I Human Resources (regular force).



Women in the Armed Forces

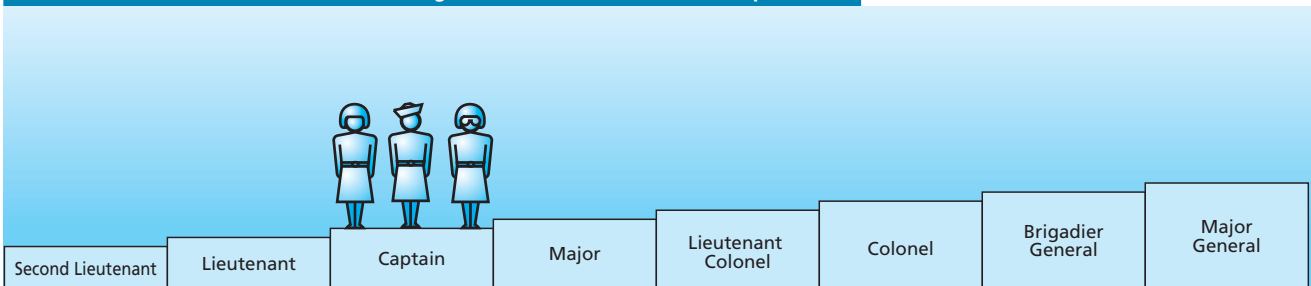
Women's Admission to the Armed Forces (year)



O: Officers - NCO: Non-commissioned Officers

Note: 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)



Nota: These ranks correspond to the Army, as an example. The equivalent rank for Captain is the same in the Air Force and Lieutenant in the Navy.

7.61 % (652) of the total Armed Forces are women.*

* Data for 2009

Source: Information provided by the Air Force Headquarters, Navy Headquarters, and the Joint Staff and Project 07-184 Global Peace and Security Fund-Resdal.

Military Service

According to the Constitution, it is voluntary in times of peace, under a social, humanitarian and democratic education system. The State can summon the troops, in accordance with the Military Service Law. In case of international war, all Honduran citizens capable of defending and service the Fatherland shall be soldiers.

Military service duration is 2 years. Entrance requirements are as follows:

- Register with the Military Register
- Pass the entrance examination.
- Pass the medical examination.

Pursuant to Military Service Decree No. 98, the provision of military service in times of peace may be compared or partially compared to certain professions, including some professions involving social service practices, which are under the Armed Forces' control and command.

Source: Constitution and *Ley del servicio militar* (Decree N° 98-85 – 1985/08/22).

Defence and National and International Community

Participation in Peace Operations

Current Missions	Military Component			
	MEM		MC	
	Men	Women	Men	Women
MINURSO (Western Sahara)	12	-	-	-

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

The Regional Peacekeeping Training Centre (CREOMPAZ), based in Guatemala, was created in June 8, 2005.

Troops from Honduras participating in UN peacekeeping missions receive training in the regional centre.

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

Honduras contributes 12 military troops to the United Nations peacekeeping missions, which represents 0.16% of the total contribution of Latin America.



Support Actions

Fight Against Drug Trafficking

The Armed Forces of Honduras cooperate with the National Security Secretariat in the fight against drug trafficking, gangs or *maras*, regular crime, terrorism, organized crime and weapon and human trafficking.

Forest Protection Programme

This programme is aimed at reducing forest fire rates; deforestation levels; improve the country's forest cover; support sustainable natural resource management projects; and increase efforts on environmental education programmes.

Results:

Fire fighting action in 239 forest fires; 15 clandestine sawmills dismantled; 500 meters dredged benefiting 2,000 families; 831 hours of support flights for Forest Protection operations, reforestation of 2,667 hectares with 83,625 different plant species planted.

Education

The Armed Forces cooperate with the Education Secretariat in literacy, education, student census, school text and furniture distribution, education facility security campaigns, among others.

Likewise, based on the importance of enhancing training level on defence subjects in the different areas of the national education system, with special focus on graduate, postgraduate, training and updating courses for civil and military personnel, over 500 professionals have graduated from the National Defence College.

Infrastructure

- The Armed Forces, together with the Public Works, Transport and Housing Secretariat, is in charge of opening and maintaining roads and highways, reconstructing public works, and supporting low income communities.
- (September 2010) Strength (officers, troops, and an entire engineering module) carried out cleaning and clearing works in market streets affected by heavy rains in San Isidro, Colon, Álvarez and Las Américas areas.

Natural Resources

- The Armed Forces cooperate with the State Secretariat of Natural Resources and the Environment (SERNA) in the fields of protected areas, illegal wood cutting, wildlife protection, forest firefighting and reforestation, considering these tasks as one of the institution's priorities.
- Air, land and water patrolling in the Biosphere Reserve Area of the Plátano, Tahuaca and Patuca Rivers.

Health

- (October 2010) Health Fair: The Armed Forces help those in need through medical brigades especially focused on the following areas: general medicine, pediatrics, gynecology, and dental care. Medicine delivery to patients, as required.
- (July 2010) The Armed Forces actively participated in fumigation campaigns, abatization and cleaning activities in population areas with the highest risk of getting dengue (Francisco Morazán, Atlántida, El Paraíso, and Choluteca.) The entire population was invited to participate in the activities aimed at raising awareness and engaging them in the fight against the disease by maintaining their houses clean, not leaving water-filled containers in their back yards, and keeping the entire community in clean conditions to help prevent the reproduction of the dengue transmitting vector.
- (July 2010) Activity coordinated by the Directorate of Civil Affairs, with cooperation of personnel from the Directorate of Military Healthcare, Military Hospital, Army, Air Force and Navy troops, as well as auxiliary personnel from the Joint Staff. Nuevo Tiempo community residents received general medical assistance, pediatrics, gynecological, dermatological, and dental care, and the pertinent medication was given to those requiring it.
- (May 2010) Army's Infantry Brigade 120 launched the Vaccination Campaign at Santa Rosa de Copán Daycare Center, as part of the National Child Vaccination Day. The purpose of this campaign was to control, eliminate and eradicate preventable diseases by the application of vaccines to high risk groups. The vaccines applied included TB, polio, measles, and hepatitis B.

Source: *Libro de la Defensa Nacional de Honduras*, 2005, website of the Armed Forces and *Informe de Evaluación Física Financiera*, Secretary of National Defence, 2008.



Analysis:

Political System, Armed Forces and Interruption of Constitutional Order

Leticia Salomón

Researcher of the Honduras Documentation Center (CEDOH)

■ On June 28, 2009, a coup d'état in Honduras interrupted the constitutional order and introduced a crack in the democratic construction process that had commenced in the early 1980s and acquired momentum in the 1990s, when a set of reforms eliminated mandatory military service, set the Police out of military jurisdiction and reinstated civilian control over key institutions which the military had taken hold of during the preceding decade under arguments of national security, including Hondutel --the national telecommunications company--, the Merchant Marine, the Migrations Directorate and the National Geography Institute.

The current Constitution of the Republic, approved in 1982, quite accurately reflects the historical context in which it was approved, with armed forces deformed by the cold war and reaffirmed in their condition as arbitrators of political and social conflict, with multiple functions that went far beyond defence. The reformation process driven during the government of the Liberal President Carlos Roberto Reina (1994-1998), promoted the return of the military to quarters detaching them from the other State institutions

and civilian society, with which they had confronted through coups d'état, forced and arbitrary recruitment and human rights violations.

The Honduran armed forces always blamed the Liberal Party and, more specifically, President Reina, for the deprivation of their privileges, which they had become much too accustomed during the preceding decades when they had operated as the center of the country's political system. However, their discontent notwithstanding, this process allowed the armed forces to recover their prestige with society since, step by step, their essential role as defenders of the territory's sovereignty and integrity, and their support to the population in the event of natural disasters was steadily being acknowledged. Even against their own wishes, staying away from the State and the society allowed them to acquire legitimacy and to cease being perceived as a threat to the country's social and political stability.

On June 28, 2009, the Honduran armed forces, after violating their constitutional mandate of being a professional, law abiding, apolitical and non-deliberating institution, decided to support, through the use of

arms, a group of business, professional, media and religious elements who took to overruling the citizenry's decision to elect a President to govern for a four-year term. And they did it willingly, knowing that they would thus regain lost privileges and obtain, from the politicians involved in the coup d'état, a portion of the spoils of the State they were ready to pillage. Honduran military received millions-worth funds before, during and after the coup, of which they have rendered no account to anybody and have recovered control over certain civilian institutions that had been 'taken away' from them as a result of the reforms of the 1990s.

Motivated by their own particular interests and egged on by politicians and businessmen with cold-war mentalities and an instrumental vision of the armed forces, they decided to dump the legitimacy acquired and implemented their vision of the enemy, associating it to social protest and obtaining "successes" they had been unable to attain in their natural functions for territorial integrity defence, over unarmed civilians that were exercising their constitutional right to demonstrate their opposition to the coup d'état.

The business, political, media, religious and military alliance that perpetrated the coup d'état, revived the cold-war ghosts, argued that it was protecting an endangered democracy, defended itself with the aged arguments of threats to the Occidental and Christian way of life, and set itself to persecute civilians under the pretence of saving the Motherland. A continuous repetition of messages justifying the coup, from most of the media involved in it, manipulated public opinion and the national conscience of a number of candid analysts 'informed' by the media duly aligned with the most conservative elements of the Catholic and Evangelic churches, who justified the coup from the pulpit, spurring citizens' fear of the apocalypses they themselves had created to attain their objectives.

The June 2009 coup d'état revealed the weaknesses of the restitution process for civilian control over the military, which was also evinced in the imprisonment order against the constitutional president by the Supreme Court of Justice sent directly to the Chief of the Armed Forces; the request of the president of the Legislative to that same Chief for him to "comply with his duty" to give the coup d'état; the show of force of retired and active military men in open deliberation over the behaviour of their Commander-in-Chief;

the public appearance of the chief of the institution by the side of the *de facto* president on public settings where the coup d'état was purportedly being legitimated; and, finally, the lack of transparency and no rendering of accounts of the use of public moneys employed by the armed forces to fund the coup d'état and the speed with which they recovered civil key institutions and called the then president elect to quarters, who rushed to give signs of good behaviour according to the new rules of the political game.

What happened in Honduras in 2009 brought to the surface the weakness of State institutions manipulated by political leaders imposing their particular interest as though they were the interests of society at large. But it also showed that the armed forces will continue to be a threat to political and social stability, as long as their role is not clearly defined and the process of subordinating them to constitutionally elected authorities has not been completed. To this end, the following pending issues have to be addressed:

- Review and reform the constitutional articles that assign arbitration roles to the armed forces.
- Ensure military submission to elected democratic governments.
- Reaffirm the State and society demilitarization process
- Ensure legal punishment to the military men who broke the constitutional order and could break it again.
- Start legal actions against military men for human right violations since the coup d'état of June 2009.
- Develop programs for civilian education on defence at civilian universities.
- Review and re-express the study plans at the University for Defence and other educational instances, to ensure military education and training within the framework of civilian rule.
- Ensure transparency and account rendering in budgetary execution by the armed forces.
- Initiate politician training on civilian conduct of defence.