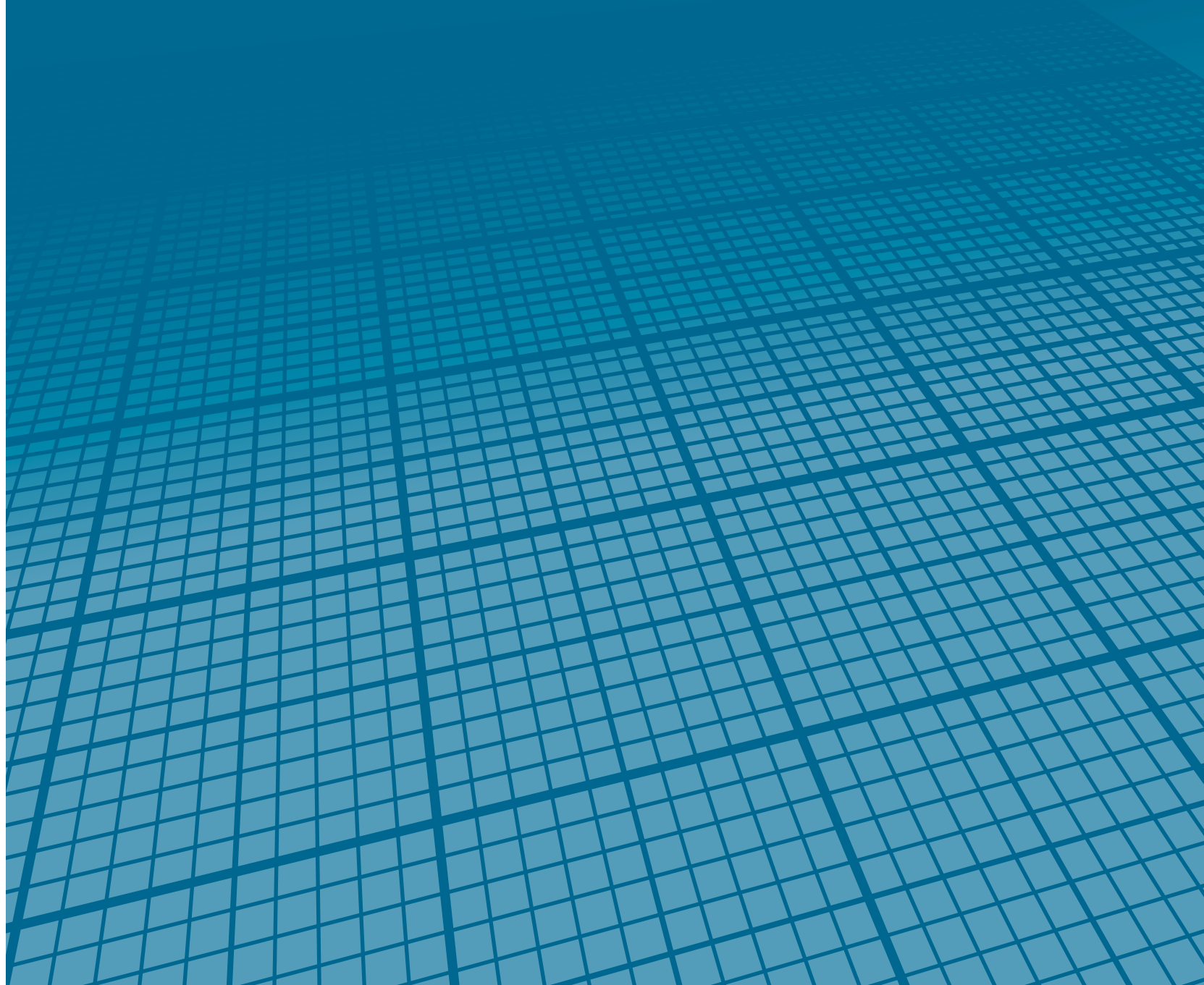


Chapter 4:

Political Definitions





Security and Defence Concepts

Country	What does Defence mean?	What does Security mean?
Argentina	National defence is the integration and coordinated action of all the Nation's forces to solve conflicts requiring the use of the Armed Forces in a deterrent or active way in order to face external aggression. Its purpose is to guarantee the sovereignty and independence of the Argentine Nation on a permanent basis, as well as its territorial integrity and capacity for self-determination, and to protect the life and freedom of its inhabitants. (<i>Ley de defensa nacional</i> , N° 23.554 – 1988/05/05, Sec. 2)	Internal security is an actual state of rule-of-law in which are safeguarded the freedom, life and assets of the country's inhabitants, their rights and guarantees, and the full strength of the institutions of the national representative, republican and federal system, as established by the National Constitution. (<i>Ley de seguridad Interior</i> , N° 24.059 - 1992/01/17, Sec. 2).
Bolivia	Defence is a fundamental responsibility of the State, it is integrated, multifaceted, dynamic, permanent and fully articulated with security and development, based on the close union of the civil-military society (people and Armed Forces) with its efforts directed to the protection of the State, the society and its interests. It implies active participation of the Armed Forces in integrated development, where this entity does not design or manage social policy but whose participation is indispensable for the operation of the State's social policies. The concept of defence encompasses the set of measures that the State employs to counter any external or internal aggression, in order to attain certain security conditions, knowing that it covers all the country's activities and, therefore, it is not the exclusive task and responsibility of the Armed Forces, but of all the organizations and physical and artificial persons. (<i>Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia</i> , 2010).	The concept of "Integrated Security" of the Plurinational State of Bolivia is attributed the following characteristics: - It is a political, economic, cultural, social, environmental and military condition - It appears as a continuous and enduring process. - It has its own dynamics - It is born with the organization of the State. - It is closely related to the sovereignty and independence of the State. - It is based on the objectives and the interests of the State. - It is privileged in the sense that it is related to the preservation and survival of the State. (<i>Bases para la Discusión de la Doctrina de Seguridad y Defensa del Estado Plurinacional de Bolivia</i> , 2010). Citizen security is an essential public good of national priority for the free exercise of individual and collective rights and guarantees of all residents and inhabitants of the Plurinational State of Bolivia, and a basic condition for peaceful co-existence and development of the Bolivian society. (<i>Ley del Sistema Nacional de Seguridad Ciudadana "Para una vida segura"</i> , N° 264 - 2012/08/01, Sec. 3).
Brazil	National defence is the set of State's measures and actions that focuses on the military sphere, aimed at defending the territory, sovereignty and national interests against threats mainly arising from external, potential or evident sources. (<i>Política Nacional de Defesa</i> , 2012) The national defence strategy may not be separated from the national development strategy. It is the linkage between the concept and policy of national independence, on one hand, and the Armed Forces to protect that independence, on the other. The foundation of national defence is the identification of the Nation with the Armed Forces and vice versa. (<i>Estratégia Nacional de Defesa</i> , 2012)	Security is a condition that allows the country to maintain its sovereignty and territorial integrity, the realization of its national interests, free of any pressures and threats of any nature, and guarantees to the citizens their constitutional rights and duties. (<i>Política Nacional de Defesa</i> , 2012)
Chile	National defence is the set of material, human and moral resources available to a nation to counteract the threats of an adversary's willingness to disrupt its national interests, in particular its sovereignty and territorial integrity. Its purpose is to attain an external security condition to enable the country to reach its objectives free from all external interference. Defence is a State's untransferable function. It contributes to the nation's security through the legitimate use of force, deterrence and international cooperation. (<i>Libro de la Defensa Nacional de Chile</i> , 2010)	Security consists in a desirable condition for the realization of the purposes of the State and the Nation, particularly those related to social and economic development. (<i>Libro de la Defensa Nacional de Chile</i> , 2010).
Colombia	The Integral Security and Defence Policy for Prosperity (PISDP) is aimed at addressing the security challenges that have threatened Colombia since the beginning of the second decade of the XXI Century. For the National government, consolidating peace means to guarantee the prevalence of the Rule of Law, security, full observance of human rights and the efficient operation of justice all over the national territory. This policy has defined a series of objectives and strategies, focused on the achievement of a higher purpose. It also defines pillars which bring political development to life and sustain it. PISDP has defined six strategic objectives that aim at neutralizing any threat from the four main risk factors: outlaw armed groups, crimes against citizens, external threats and natural disasters. It sets forth the following strategic objectives: • To reduce the national drug production to its historical minimum. • To break up the outlaw groups and create enough security conditions for consolidation. • To create security conditions for citizens' peaceful co-existence. • To move towards a system of credible, integrated and interoperable deterrence capacities. • To contribute to timely respond to natural disasters and catastrophes. • To strengthen the Institutionalality and welfare of the national security and defence sector. (<i>Política Integral de Seguridad y Defensa para la Prosperidad</i> , 2011)	
Cuba	The Republic of Cuba bases its national defence policy in its aspiration for a dignified, true and valid peace for all States, founded on the respect for independence, sovereignty and self-determination of its people, as well as its commitment towards all other principles consecrated in the United Nations Charter and other international treaties the country is a party to. The Cuban military doctrine is the set of ideas and concepts, adopted on a scientific basis, by the State, on the essence, objectives, character, special nature and consequences of war; the preparation of the country for the successful conduct of war in order to avert it; and the methods for its execution and conduct to face a military aggression. Such doctrine is based on the concept of War of All the People. This defensive strategic concept, which summarizes the historical experience accumulated by the nation, is based on the deployment of the territorial defensive system to support its military power, and in the wider use of all the forces and resources of society and the State. (<i>Ley de defensa nacional</i> , N° 75 – 1994/12/21, Preamble and Sec. 3)	
Dominican Republic	For the development of security and defence policy at the national level, the following directives have been established: - Definition and identification of national objectives. - The approval of a National Security Act. - Modification of the Organic Law of the Armed Forces. - Publication of the White Book of Defence and the Manual of the Joint Doctrine of the Armed Forces. - Creation of the National Intelligence System. - Strengthening of the Permanent Committee of Reform and Modernization of the Armed Forces. - Definition of the Armed Forces model.	- Foster Armed Forces transformation. - Develop a new institutionalization and professionalization model. - Reform the military career. - Improve equipment. - Foster research, development and innovation. (<i>Directiva de Seguridad y Defensa Nacional</i> , Decree N° 189-07 - 2007/04/03, Sec. 3)

Country	What does Defence mean?	What does Security mean?
Ecuador	Defence is an inalienable and permanent duty of the State. It is a component of integral security and guarantees sovereignty and territorial integrity. It protects the rights, guarantees and freedom of all citizens, and actively participates in regional integration. It is a public good. It demands a degree of culture of security and defence at all levels of society, and implies its democratic conduct from an integral point of view of security, development and building of internal, regional and global peace, under conditions of defence of national sovereignty and in search of peaceful solutions for present and possible interstate disputes. Concurrently, keeping internal peace requires a multidimensional approach to threats and organized transnational crime. On the other hand, democratic conduct of defence requires the development and maintenance of appropriate political and civil-military relations fully aware of the prevalence of the political power over the military as a significant factor for deepening the democratic system. (<i>Agenda Política de la Defensa Nacional</i> , 2011)	Public security will be integral for human security for all Ecuador's inhabitants, communities, peoples, nationalities, collective groups, and society as a whole, state and private institutions, and shall entail shared actions in prevention, protection, and defence and punishment. Thus, risks and threats to the peaceful coexistence, security of its people and State and the country's development can be averted; protecting citizen coexistence and security, defending sovereignty and territorial integrity; punishing actions and lack thereof that may threaten public and national security. (<i>Ley de seguridad pública y del Estado</i> , N° 35 – 2009/09/28, Art. 4) Security with an integral approach is the condition that aims at guaranteeing and protecting human rights and freedoms of Ecuadorians, governance, administration of justice, the exercise of democracy, solidarity, the reduction of vulnerabilities, prevention, protection and response vis-à-vis risks and threats. (<i>Plan Nacional de Seguridad Integral</i> , 2011)
El Salvador	National defence: set of resources and activities that the State develops on a permanent basis, in all fields of action, through coordinated actions, in order to face threats to national sovereignty and integrity of the territory. (<i>Ley de defensa nacional</i> , DL N° 948, 2002/10/03, Sec. 4)	National security: set of permanent actions promoted by the State in order to create conditions to overcome international conflicts, disturbances of public order, natural catastrophes and those vulnerabilities which may limit national development and endanger the achievement of national goals. (<i>Ley de defensa nacional</i> , DL N° 948, 2002/10/03, Sec. 4)
Guatemala	The external security field belongs to the defence of independency and sovereignty, territorial integrity, peace, and the maintenance and strengthening of international relations. It works under the responsibility of the President through the ministries of Foreign Affairs and Defence. In the functioning and coordination of the external security field, the content of the international treaties and agreements to which Guatemala belongs shall be considered. Regarding foreign policy, it is aimed at preventing and counteracting threats and risks which could affect politically the country and are produced by external factors. As regards national defence, it develops the Nation's defence policy and guarantees the calling up and mobilization of civil defence. (<i>Ley marco del sistema nacional de seguridad</i> , N° 18-2008, 2008/04/15, Sec. 20)	The internal security field includes, in a preventive and direct manner, the set of risks and threats from organized crime and common delinquency, in defence of the democratic State under the rule of law. It works under the responsibility of the President through the Ministry of Government. (<i>Ley marco del sistema nacional de seguridad</i> , N° 18-2008 - 2008/04/15, Sec. 19)
Honduras	Defence is defined as a set of actions and capacities aimed at guaranteeing the territorial integrity, sovereignty and independence of the country. National defence is focussed on preventing and neutralizing external threats which jeopardize national interests. (<i>Libro de la Defensa Nacional</i> , 2005)	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 involvement of society in defence and the maintenance of mutual security. (<i>Libro de la Defensa Nacional</i> , 2005)
Mexico	In accordance with the provisions of the [National Security] Act, Art. 3, national security shall be understood as the immediate and direct actions destined to maintain the integrity, stability and permanence of the Mexican State, involving: I. The protection of the Mexican nation against threats and risks faced by our country; II. The preservation of national sovereignty and independence and territorial defence; III. The maintenance of constitutional order and the strengthening of the government's democratic institutions; IV. The upholding of the unity of integral components of the Federation, referred to in article 43 of the Political Constitution of the United Mexican States; V. The legitimate defence of the Mexican State with respect to other States or subjects of International Law, and VI. The preservation of democracy, based on the economic, social and political development of the country and its people. (<i>Programa para la Seguridad Nacional</i> , 2009-2012)	
Nicaragua	Security is a condition to be achieved, and defence is a means to attain security. Therefore, security entails defence, since the latter covers all fields of action and the diplomatic, economic, legal, political, military, environmental and social scopes. (<i>Ley de la defensa nacional de la República de Nicaragua</i> , N° 748 – 2010/12/22, Sec. 3). It is the means the Nicaraguan Nation has to guarantee sovereignty, self-determination and national independence as well as territorial integrity and the inviolability thereof, through the implementation of measures and actions intended to prevent and overcome threats, risks or aggressions. (<i>Ley de la defensa nacional de la República de Nicaragua</i> , N° 748 – 2010/12/22, Sec. 3).	It is understood by National Security as the permanent condition of sovereignty, independence, territorial integrity, social peace and justice, aimed at preserving integrity, stability and sustainability of the State of Nicaragua, its institutions, democratic order, Rule of Law, common good, protection of persons and properties, vis-à-vis any threat, risk or aggression, in accordance with the Political Constitution of the Republic of Nicaragua, respect for human rights, agreements and treaties to which Nicaragua is party to regarding this subject-matter. (<i>Ley de la defensa nacional de la República de Nicaragua</i> , N° 748 – 2010/12/22, Sec. 3).
Paraguay	National defence is the system of policies, procedures and actions exclusively developed by the State in order to fight any form of external aggression that could jeopardize the sovereignty, the independence and the territorial integrity of the Republic, or the constitutional, democratic order in force. (<i>Ley de defensa nacional y de seguridad interna</i> , N° 1.337 - 1999/04/14, Sec. 2)	Internal security is the state of affairs in which public order is safeguarded, as well as the life, freedom and rights of people and entities, as well as their assets, in a framework of the full functioning of the institutions established in the National Constitution. (<i>Ley de defensa nacional y de seguridad interna</i> , N° 1.337 - 1999/04/14, Sec. 37)
Peru	The national defence and security system is the set of interrelated elements of the State whose functions are aimed at guaranteeing national security by means of the conception, planning, management, preparation, execution and oversight of national defence. (<i>Ley del sistema de seguridad y defensa nacional</i> , N° 28.478 - 2005/03/23, Sec. 3) National defence is the set of measures, plans and actions created, adopted and executed by the State on an integral and permanent basis, both internally and externally. (<i>Libro de la Defensa Nacional</i> , 2005)	Security is the situation in which the State has guaranteed its independence, sovereignty and integrity, as well as the inhabitants their fundamental rights established in the Constitution. This situation contributes to the consolidation of peace, integral development and social justice, based on democratic values and respect for human rights. (<i>Libro de la Defensa Nacional</i> , 2005)



Country	What does Defence mean?	What does Security mean?
Uruguay	National defence refers to the set of civil and military activities aimed at preserving our country's sovereignty and independence, protecting its territorial integrity and strategic resources, as well as the peace of the Republic, within the framework of the law and the Constitution; contributing to create the conditions necessary for the present and future social well-being of the people. National defence constitutes both a right and an obligation of the citizens. It is a public asset, thus a vital, permanent, untransferable and integral responsibility of the State. (<i>Ley marco de defensa nacional</i> , N°18.650 - 2010/03/08, Sec. 1 and 2).	Security is the condition necessary for the institutional legal order in the national territory. It involves all actions aimed at ensuring the preservation of such order, such as keeping internal and social peace, the required cultural level, and the conditions necessary for the normal development of economic activities and the maintenance of the Nation's sovereignty and independence. (<i>Bases para una Política de Defensa Nacional</i> , 1999).
Venezuela	Integral defence: the set of defence systems, methods, measures and actions, whatever their nature and intensity, actively formulated, coordinated and executed by the State, with the participation of public and private institutions and natural and legal persons, national or foreign, aimed at protecting independence, freedom, democracy, sovereignty, territorial integrity and the integral development of the Nation. (<i>Ley orgánica de seguridad de la Nación</i> , GO N° 37.594 - 2002/12/18, Sec. 3).	Security of the Nation: It is founded on integral development and it is the condition, state or situation which guarantees the full exercise of the rights and guarantees in the economic, social, political, cultural, geographical, environmental and military areas of the constitutional principles and values of the inhabitants, the institutions and each one of the persons who are part of the State and the society, with a generational approach, within a democratic, participatory and proactive system, free of threats to its survival, sovereignty and the integrity of its territory and other geographical spaces. (<i>Ley orgánica de seguridad de la Nación</i> , GO N° 37.594 - 2002/12/18, Sec. 2).

Source: Compilation based on the legislation and documents mentioned above.

Analysis:

Fundamentals to approach the Distinction between "Defence" and "Security"

Héctor Saint-Pierre

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Some philosophical anthropologies consider man as a social being by nature and society as his intrinsic and defining characteristic. For others, society is an artificial construct resulting from an agreement among men. For this perspective, in the beginning there was a pact, before which the gods had not been created and therefore there was no good or evil. Without laws or regulations, nothing was a crime. Without moral containment or regulatory limits, force was imposed as the way to establish relations among men. Each practiced a regime of self-defence that Hobbes described with the image of a fearful "state of nature".

It was not love but fear that led men to the pact. Under this, everybody waived their will and capability, force and self-protection instruments, and vested them monopolistically in someone who, not being a party to the pact, has no commitments or contractual limitations and therefore is sovereign. The others voluntarily transform themselves into subjects.

The sovereign's decision is the material content of its expression, which assumes the grammatical form of the imperative. Thus, its decision produces, by its form, a regulation that limits its own freedom. In fact, with its decision, the sovereign orders the relationship among the subjects and its own relationship with them, generating commitments that limit their freedom. That ordering defines the social aspect as well as the behaviour that is considered acceptable for that order. In other terms, the legitimate monopoly of the force makes it possible to impose a legal univocality for a human community

within a given territory: the terms that define, according to Max Weber, the political unit, in our times, the State.

A single condition limits the sovereign will in its regulatory restrictions. Even when the pact does not bind the sovereign, its foundation is the protection and security of the subject: tacit, but essential, condition of the pact. In fact, the subjects waive their self-defence expecting an effective protection from the sovereign. The predictability of a society with a legal order offers a security that did not exist in the "state of nature".

Therefore, the first characteristic of the monopoly is that the nature of the decision and of the violence with the subjects is ordering and protective. The purpose of its employment is to guarantee security and internal order, that is, to depoliticize and dissolve the concept of "internal enemy" (*there are no enemy compatriots*), because the essential objective of the sovereign is the protection of the subjects. That is why the internal exercise of sovereignty consists, essentially, in neutralizing conflicts. For the interior – Schmitt said – the sovereign is the police, and in the strict sense of the word, will only make politics for the exterior. The institutional structure applied to this objective is the judiciary and its instrument is the police system. The police, prepared, trained, educated, armed and instructed to maintain order and repress the "outlaws", constitutes the sociological content of that instrument.

The univocal expression of an organized community is known as "decisive unit"; in the strict sense,

“political unit”. And this political unit shares the world with other political units that claim sovereignty within their territorial space. In that unpredictable environment, without a monopoly of violence that imposes a normative, the political units must be prepared to defend their existence against any threat. Therefore each political unit must develop a strategic sensitivity that allows them to clearly identify the political units that may increase their potential for cooperation and particularly those that threaten their existence. Based on that perception, it will distinguish friends from enemies as the basis for their foreign policy.

For Carl Schmitt, the existence of that plurality of decisive units, with various values, principles and interests, for which they may go to war, turns the external environment into a *pluriverse*, rather than a universe. In that pluriverse, each political unit will try to preserve their sovereignty and gain the recognition of the other units. Given the lack of an order that regulates and makes relations predictable, each unit will project their perceptive sensitivity as well as an image of their power capability. Thus, they will try to recognize and determine the strategic standing of the other political units, and determine and obtain the recognition of the borders to their sovereignty. *If internally the force is imposed monopolistically, then the employment of the force externally will be under a free concurrence*, and thus it demands calculation and strategic planning. The external projection of the political units constitutes the corps of force relations in the mutual recognition and delimitation of the respective strategic standings. That is the empirical matter of international security. And the legal materialization of the force relation constitutes the “international law”, which defines and regulates peace and war, conflict and cooperation, the centre of international politics. The institutional structure of the use of the monopoly of violence in this external projection is the defence, the armed forces being its specific instrument. The military officer, trained, prepared, instructed, and armed to eliminate the enemy, is the sociological content of this instrument.

The energy to maintain the internal order (security) and to guarantee external sovereignty (defence) emanates from the same legitimate monopoly of violence. However, the difference in the employment (monopolistically in the interior and free concurrence for the exterior) defines and distinguishes the internal environment from the external environment of the political unit. But the same phenomenon clearly shows the different nature of the force employed in each case: ordering and protective internally, defensive and lethal externally. Internally, the State must guarantee the life even of the most dangerous and hated “outlaw”; externally, even a “saint” may be killed in combat on the other side of the

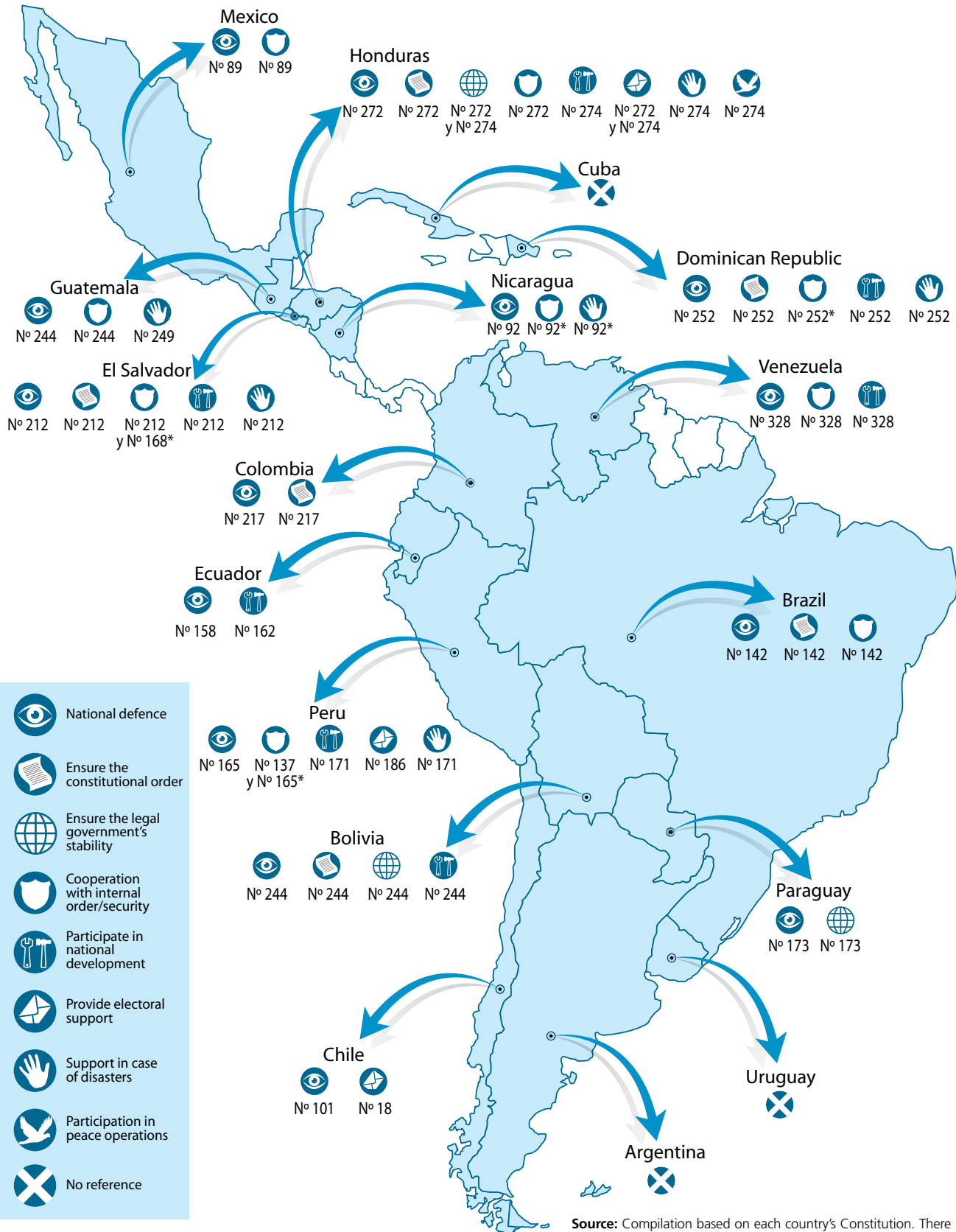
border without this constituting a crime.

The permanent challenge of the sovereign is, on the one hand, to guarantee the security of the citizens and maintain regulatory order and, on the other, to defend that regulatory and social order from eventual threats in the unpredictable pluriverse. The nature of the force in its monopolistic internal employment is protective of the citizen and preserving of the order. It promotes what is known as “public security”, “domestic security”, “citizen security”. It is normally administered by the ministries of the interior, of justice and the more recently created ministries of security, promoted by the increase in the types of threat that hover citizens in general. On the other hand, with a defensive lethality nature, the monopoly of force is used externally to deter, remove or eliminate the potential sources of hostility to promote peace. That dual employment of the legitimate monopoly of violence, given its dual nature, since both are permanent, demands the creation of a case law that legitimizes and regulates the conditions and limits for each employment, that univocally defines the chain of responsibilities to file legal proceedings in those cases where those limits and conditions are not respected by the executors, both internally and externally. Most of the constitutional charters of the countries deal with the regulation of the use of force in each of those two natures in specific and different chapters.

With reference to that regulation and with the aim of achieving efficiency, each of those destinations has a specific doctrine for the general aspects and for its employment. And to comply with those doctrines, each employment is provided with a specific preparation and armament that is specific for each. The specificity of the dual nature of force in its two expressions and its functional permanence requires functional bureaucracies that are also permanent and specific, with education and professional training, specific statutes and preparation to fully comply with the role defined in the Constitution and conduct the assigned missions with efficiency. Maintaining both institutional structures in correct operation demands a specific and appropriate budget, because they are vital for the sovereign operation of the political unit. The direct obligations of the government include providing the necessary proper resources for the correct operation of those armed institutions. If one of them is inadequate or insufficient, the government is responsible for ensuring their recovery. Substituting one with the other (an increasingly frequent trend in Latin America) may be unconstitutional in some cases or, in most cases, result in instrumental inappropriateness, inefficacy of the results and/or loss of the specific function (due to the deviation), thus perpetuating the deficiencies of the institutional structure that is being substituted.



Constitutional Missions of the Armed Forces



- National defence
- Ensure the constitutional order
- Ensure the legal government's stability
- Cooperation with internal order/security
- Participate in national development
- Provide electoral support
- Support in case of disasters
- Participation in peace operations
- No reference

*Only in exceptional cases.

Source: Compilation based on each country's Constitution. There are other national supplementary regulations in addition to those included in this chart regarding the Armed Forces missions. For further information, refer to section "Countries" of this publication.

Additional References - Legislation*

Country	Guarantee of constitutional order/ stability of legal government	Cooperation with internal order/security **	National development/ environment	Electoral support	Support in the event of disaster	Participation in peace operations
Argentina						
Bolivia						
Brazil						
Chile					****	
Colombia						
Cuba						
Dominican Rep.						
Ecuador					****	
El Salvador						
Guatemala						
Honduras						
Mexico						
Nicaragua						
Paraguay						
Peru						
Uruguay			***	***	***	
Venezuela						

* In addition to the defence of sovereignty.

** Argentina, Ecuador and Paraguay only under state of exception.

*** In times of peace and with the explicit authorization of the National Defence Ministry, they may render services or cooperate with activities required on account of their specialization, social relevance or public convenience and without this being to the detriment of their fundamental mission (*Ley marco de defensa nacional*, Sec. 20).

**** Under state of emergency or disaster.

Ensure the constitutional order / Ensure the legal government's stability:

- Guarantee the institutional order at the Republic (*Ley orgánica constitucional de las Fuerzas Armadas*, Sec. 1 – Chile).
- Guarantee the legal and democratic order of the social rule of law (*Ley orgánica de defensa nacional*, Sec. 2 –Ecuador).
- Cooperate in the maintenance of the State's constitutional order (*Ley orgánica de la Armada de México*, Sec. 2 – México).
- Defend the legally instituted authorities (*Ley de organización general de las Fuerzas Armadas de la Nación*, Sec. 6 – Paraguay).
- Guarantee the Rule of Law, constitutional order and democratic form of government consecrated in the Political Constitution (*Ley de la defensa nacional*, Sec. 5 and 16 • Nicaragua).

Cooperation with internal order/security:

- Cooperate, if necessary, in the maintenance of public order, upon request of the Executive Branch and according to the Political Constitution of the State (*Ley orgánica de las Fuerzas Armadas*, Sec. 6, inc. G – Bolivia).
- Military Assistance when the National Police cannot, on its own, contain severe disorders or face a disaster or public calamity (Decree 1.512, Art. 79 – Colombia).
- The President of the State Council may decide the use of the armed forces to maintain internal order and protect the citizenry, even though a state of emergency has not been declared (*Ley de la defensa nacional*, Sec. 35 – Cuba).

Participation in national development / environment protection:

- Cooperate with national development as subsidiary function (*Lei complementar 136*, Sec. 16 – Brazil).
- Take care over the whole national territory of the protection and defence of the environment and renewable natural resources (*Ley por la cual se organiza el Sistema Nacional Ambiental*, Sec. 103 – Colombia).
- Possessing a structure that allows the use of its members in activities contributing to the country's economic and social development and environment protection (*Ley de la defensa nacional*, Sec. 34 – Cuba).
- Perform civil actions and social work fostering the country's development (*Ley orgánica del Ejército y Fuerza Aérea*, Sec. 1 – Mexico).
- Contribute to the country's development and support its health plans, education, environmental preservation and renewal of its natural resources, including the required environmental balance (*Ley de la defensa nacional*, Sec. 16 – Nicaragua).

Support to elections:

- Contribute, support, take care and supervise the Election Power facilities and assets (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 42, sub. 6 – Venezuela).

Support in the event of disaster:

- Operations supporting the national community or friendly countries (*Ley de reestructuración de las Fuerzas Armadas*, Sec. 6 – Argentina).
- Cooperate with civil defence (*Lei complementar 136*, Sec. 16 – Brazil).
- The President of the State Council may decide the use of the armed institutions to face and remove the consequences of natural disasters or other types of disasters (*Ley de la defensa nacional*, Sec. 35 – Cuba).
- Assist the population in cases and zones of disaster or emergency (*Ley orgánica de la Armada*, Sec. 2, sub. VII). In the event of disaster, help in the maintenance of public order, protection to people and their property and reconstruction of areas affected (*Ley orgánica del Ejército y Fuerza Aérea*, Sec. 1 – Mexico).
- Contribute to strengthening the risk management policy, based on the prevention, mitigation and management of natural disasters (*Ley de la defensa nacional*, Sec. 16 – Nicaragua).
- Cooperate in civil defence (*Ley de organización general de las Fuerzas Armadas*, Sec. 7, sub. D – Paraguay).
- Participate in civil protection operations in disaster situations. Support communities in case of disaster, public calamities and similar events (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 4, sub. 6 and 15; Sec. 42, sub. 6 – Venezuela).

Participation in peace operations:

- Operations sponsored by the United Nations (*Ley de reestructuración de las Fuerzas Armadas*, Sec. 6 – Argentina).
- The employment of the Armed Forces in peace operations is a responsibility of the President (*Lei complementar 136*, Sec. 15 – Brazil).
- Departure of national troops from the territory of the Republic in order to participate in peace operations organized under the Charter of the United Nations (*Ley que establece normas para la participación de tropas chilenas en operaciones de paz*, Sec. 7 – Chile).
- They may participate in peace keeping and humanitarian assistance operations according to the country's foreign policy and United Nations' requirements (*Ley orgánica de defensa nacional*, Sec. 16, sub. O – Ecuador).
- Take part in international peacekeeping and humanitarian aid operations, in accordance with the UN Charter (*Ley de la defensa nacional*, Sec. 16 – Nicaragua).
- Paraguay may participate with its military institutions in peace missions promoted by international organizations of which it is member (*Ley de defensa nacional y seguridad interna*, Sec. 35 – Paraguay).
- Missions abroad that are not directly related to the Republic's defence shall be promoted by international organizations which the State is part of (*Ley marco de defensa nacional*, Sec. 21 and 22 – Uruguay).
- Participate in peace missions (*Ley orgánica de la Fuerza Armada Nacional Bolivariana*, Sec. 4, sub. 5 – Venezuela).

Source: Compilation based on the legislation mentioned. Reference is made to the missions specifically mentioned in the legislation regardless of those referring to subjects referred to in constitutional mandates; this description does not purport to be complete and encompassing the whole set of the missions they are supposed to have.



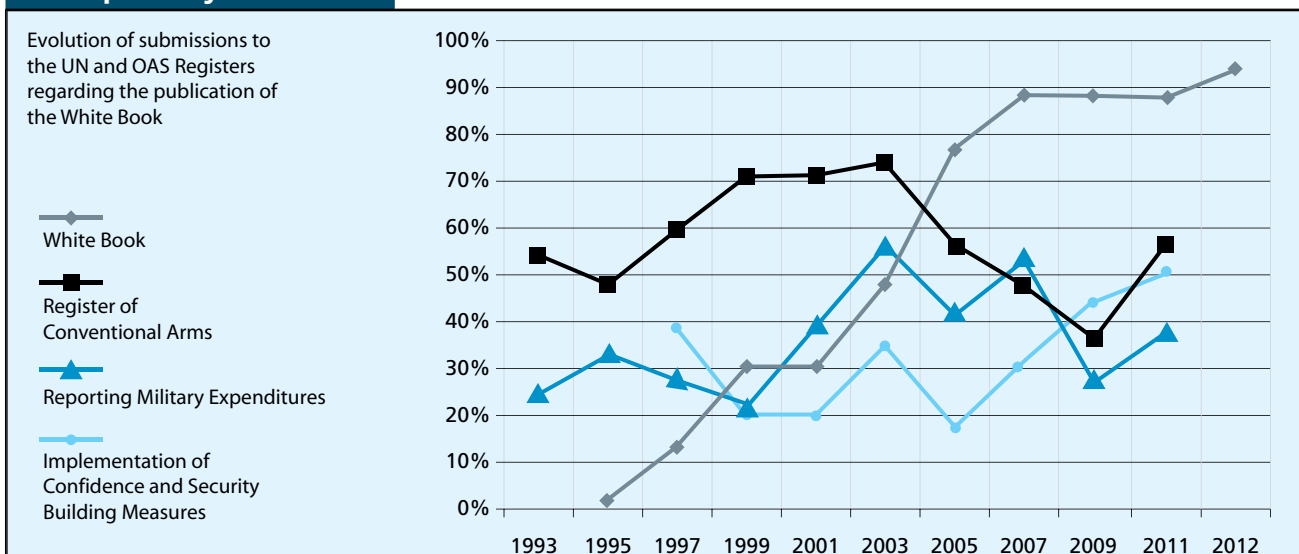
Annual Reports on Ministerial Management

Country	Name	Published by
Argentina	<i>Memoria detallada del estado de la Nación.</i>	Minister's Chief of Staff.
Bolivia	<i>Memoria institucional.</i>	Ministry of Defence.
Brazil	<i>Relatório de avaliação.</i>	Ministry of Defence.
Chile	<i>Cuenta pública.</i>	Government of Chile.
Colombia	<i>Memorias al Congreso de la República.</i>	Ministry of National Defence.
Cuba	<i>n/a</i>	<i>n/a</i>
Dominican Republic	<i>Memoria Anual.</i>	Ministry of the Armed Forces.
Ecuador	<i>Informe de Gestión.</i>	Ministry of National Defence.
El Salvador	<i>Memoria de Labores.</i>	Ministry of National Defence.
Guatemala	<i>Memoria de Labores.</i>	Ministry of National Defence.
Honduras	<i>Evaluación Fiscal Financiera.</i>	Secretariat of National Defence.
Mexico	<i>Informe de Labores.</i>	Secretariat of National Defence. Secretariat of the Navy.
Nicaragua	<i>Memoria Anual.</i>	Army of Nicaragua.
Paraguay	<i>Informe del Gobierno Nacional.</i>	Presidency of the Republic.
Peru	<i>Memoria institucional anual.</i>	Presidency of the Republic
Uruguay	<i>Memoria Anual.</i>	Ministry of Defence.
Venezuela	<i>Memoria y Cuenta.</i>	Ministry of the People's Power for Defence

n/a: no available data.

Source: Compilation based on the information provided by the institutions mentioned above.

Transparency Measures



Register/Instrument: Average number of reports submitted in each period (for the calculation of reports submitted to the OAS, all countries considered in this publication, with the exception of Cuba, have been included) White Books: cumulative frequency of countries which published White Books until 2012.

Source: Compilation based on White Papers and national defence documents of each country along with reports submitted by the States to the United Nations Register of Conventional Arms and the United Nations Instrument for Reporting Military Expenditures from 1992 to 2011 and reports submitted by States to the OAS on the Implementation of Confidence and Security-Building Measures in the 1997-2011 period.

Political Participation of Military Members

	Can they vote?	Can they be candidates for Elections?
Active	Argentina, Bolivia, Brazil, Chile, Cuba, Ecuador, Mexico, Nicaragua, Paraguay, Peru, Uruguay and Venezuela	Cuba, Honduras(1) and Mexico(2)
Retired	In the 17 countries that have been included in this issue, retired military personnel are allowed to vote.	In all the countries included in this issue, the military personnel retired from active service may run as candidates (3).



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

(2) The members of the military on active duty cannot be elected Deputies unless they shall definitely have resigned from their position ninety days prior to the election (Political Constitution, Sec. 55) or Senator (Political Constitution, Sec. 58), or six months in the case of President (Political Constitution, Sec. 82). The law indicates that in order to occupy a post subject to popular elections, the members of the armed forces shall request a special permit for that purpose.

(3) In Bolivia, in order to hold a public office, officers must resign at least three months before Election Day (Political Constitution, Art. 238). In Chile, Colombia and Nicaragua, one year after retiring. In El Salvador they can run for presidential election only three years after retirement. In Guatemala, five years after retirement. In the Dominican Republic, the Constitution establishes as a requirement for President not to be in active military or police duty at least three years prior to presidential elections. Article 77 pertaining to the conditions required to become a congress member does not mention this requirement. In Uruguay, Section 77 subsection 4 of the National Constitution establishes that only the members of the military on active duty cannot perform political activities.

Notes: In Brazil, the military personnel on active duty are not allowed to run as candidates. With less than ten years of service, the individual shall retire; if he/she has had more than ten years of service, he/she shall be separated from full-time duty by his superior authority; if elected, he shall automatically be discharged.

In Uruguay Section 91 subsection 2 of the National Constitution establishes that "Members of the military who resign to their position to enter legislative bodies, shall keep their rank, but as long as their legislative responsibilities last they shall not be promoted. They shall be exempt from all military subordination. The time they remain performing legislative activities will not be counted for seniority for promotion". The Organic Decree-Law for the Armed Forces N° 14.157, in Section 98, says that the military status shall be suspended in the case of a "member of the military elected for a political position".

Source: Compilation based on national legislation. For more detail on such legislation refer to section "Countries" of this publication.

Analysis:

New Doctrinarian Challenges on Security and Defence in Latin America: the Dangers of a Setback

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Great optimism was experienced during the last decade of the twentieth century. In the international arena, the cold war was coming to an end: free trade, democracy and open borders were finally becoming a reality, and this had a direct impact on Latin American security and defence sectors. While political systems were being demilitarized, most countries were rapidly creating civilian ministries of defence. Also, countries afflicted by civil war overcame this with the active involvement of international actors such as the UN and OAS, as in the case of Nicaragua, El Salvador and Guatemala. Military budgets were reduced, border disputes were gradually defused and integration processes gained momentum. However, from the beginning of the twenty-first century, "the negative factors" have had a gradual impact both on security and defence. In some countries, with the emergence of new internal and external threats, the risk of a setback, hindering the progress achieved in civil-military relations, is looming.

The twenty-first century woke to the terrorist attacks on the United States, leading to the securitization of relations between nations and the re-emergence of geopolitics: border security, airport and port security, information and intelligence systems and control of people's movement grew globally in order to respond to the challenges that, as remote as they may seem, are also present in the hemisphere. Terrorism was thought to be a faraway threat, but had internal expressions in the

continent, as in Colombia, leading to challenges that nobody had anticipated before: crime made its way through weak systems of justice and the police inability to act; and in sub-regions such as Central America, it spilled over in an unprecedented manner, with the emergence of gangs known as the "maras". In Mexico, drug-trafficking grew, as did the criminal organizations that support it. The US-Mexican border cities, such as Ciudad Juárez, even entered the Guinness record as some of the most dangerous cities in the world, with almost 200 homicides per 100,000 inhabitants in 2009-2010. Haiti's constitutional government collapsed in 2004. The country has been frequently referred to as a "failed state", and the UN Minustah mission is currently deployed with a large protagonism of nine countries from the sub-continent, as part of an unprecedented multinational and cooperative effort, within the context of an unprecedented government crisis where even the nation's survival is at stake (especially after its tragic earthquake).

Military coups, lack of governance and military activism in politics were believed to be over. However, this has proved to be a relative assumption. High-ranking military officers (retired) are coming to power with the support of people (Venezuela, Peru and Guatemala) and continue as a key pillar of many civilian governments. Regardless of presidents and governments' color, many political regimes give power (either budgetary or politi-



cal) to the armed forces in order to gain their support, whether for their professionalization and modernization, or under the argument that historical and “conventional threats”, such as unsettled border disputes, have yet to be overcome: Argentina-Great Britain (in spite of the negative perception Argentine citizens have about their military); Chile-Peru-Bolivia; Colombia-Venezuela (where a former Colombian president stated that “he did not have sufficient time to deploy his army against his neighbor”), among others. In other countries, when faced with the emergence of new social conflicts –by social groups or sectors (eg. indigenous people) who oppose to investment on open-pit mining or large infrastructure work, the option of effectively using the armed forces to quiet down the new expressions of social protest may also arise.

In the northern region of the sub-continent, namely Mexico and Central America, the focus on civilian-military relations has been placed on solving domestic security issues, even changing the military doctrine and preventing the consolidation, modernization and professionalization of a democratic civil-to-military relationship. As a result of the war on drugs in Mexico and the rapid increase in public insecurity in Honduras, Guatemala and El Salvador, the armed forces have been called to perform a new fundamental role. A doctrine regression or “de-professionalization” is clearly under way. The increased power of criminal organizations and of crime itself has exceeded the police forces’ deterrence and containment capacity. The institutional weaknesses of the police (eg. lack of intelligence and crime investigation capacity); the poor development of scientific investigation capabilities, a poor professionalization, the lack of human and material resources; low salaries and corruption levels explain why they are unable to respond to the problem.

Some governments feel the need to rely on the armed forces and develop “war-like” and “hard line” solutions, with significant implications on civil-military relations, such as human rights issues (NGOs are constantly claiming the non-constitutional role of the armed forces and the rise in human rights violations), military involvement (active or retired personnel) in public security and law-enforcement duties, higher military budgets, new international cooperation (eg., Merida’s Initiative and CARSI), focused on strengthening the armed forces, intelligence and law-enforcement professionalization to face organized crime and combat the “*maras*”. Moreover, the lack of transparency issues persists. These phenomena: 1) hinder the quality of democracy; 2) are producing significant changes in the military doctrine, which is focusing once again on domestic security; 3) at a conceptual level, national security is redirected to domestic issues, with the risk of “de-professionalizing” the armed forces; 4) military elites are granted a renewed

and even “legitimate” and “necessary” political power; and 5) human rights issues rise, affecting military institutions and the administration of justice.

In Venezuela, their politicization has reached a peak, and has revived the cold war doctrine of external “imperialist” enemy, and even the popular armed militias to defend the government’s regime. Also, according to its security doctrine, political opponents are seen as enemies of the State. In Mexico, the departure of the army from the streets in the fight against organized crime is considered unlikely. In Central America, they have returned to law-enforcement responsibilities. In the Andean countries, “subversive” groups have not yet disappeared (Colombia and Peru) and are still the key target of military missions. Even in countries with a significant evolution in civil-military relations, such as Brazil, the armed forces have been used to pacify the favelas of Rio de Janeiro.

For civil-military relations to be “healthy”, in the democratic sense of the word, and to prevent them from failing –or existing just on a piece of paper without any political value—security and defence doctrines, which made their way in the nineties, should be revitalized to recover the momentum in favor of balanced relations between the civilian-political elites and their military counterparts. Democratic elites’ leadership and civilian control on the military and police forces are essential elements to avoid going back to “autonomy” models, such as those implemented during the cold war. New threats have posed a risk to these advancements in many countries, where the military are once again becoming a “vital tool” to confront internal security issues. We should not leave aside neither the politicians (for the conduct of internal security) nor diplomats (for external security and defence).

The achievements made in South America to enhance integration and cooperation, such as the creation of UNASUR and the South American Defense Council, have been remarkable. Countries such as Brazil, Uruguay and Chile have consolidated a democratic balance in civil-military relations. As to military elites, support should continue to be given for their professionalization and modernization, without hindering the power balance reached in the geopolitical (between nations) or democratic (inside each country) spheres. All of the above must also be analyzed in relation to international cooperation. European countries and the United States are “reducing the intensity” –if not fully leaving behind military professionalizing cooperation. In other words, without undermining the importance of the need to confront new threats, we should recover the thrust of the nineties: strengthening the democratic doctrine of civil-military relations, as well as cooperation and integration to face transnational threats.