



Nicaragua

The Legal Framework and the Defence System

— Advisory and assistance functional relationship
 — Command reporting line

National Legislation

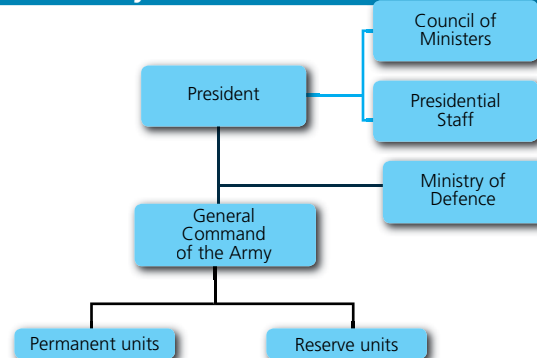
Systems and concepts

- Act on the Organization, Competence and Procedures of the Executive Power (N° 290 - 1998/06/03. Last amendment: Act N° 612 - 2007/01/29).
- National Defence Act (N° 748 – 2010/12/22).
- Law on the legal framework on borders (N° 749 – 2010/12/22).
- Democratic Security Act (N° 750 – 2010/12/22).

Military Organization

- Code of Organization, Jurisdiction and Military Social Benefits (Act N° 181 - 1994/08/23).
- Organic Act of Military Tribunals (N° 523 - 2005/04/05. Last amendment: Law N° 567 – 2005/11/25).
- Military Penal Code (Act N° 566 - 2006/01/05).
- Code of Military Penal Procedures (Act N° 617 - 2007/08/29).

Source: Compilation based on the legislation above mentioned.



National Defence is carried out through the higher military and political bodies. The President is the Supreme Chief of the Army of Nicaragua. The Council of Ministers is the main advisory body on defence and security matters. The Presidential Staff is a consultative body for national defence matters available to the President of the Republic. The Ministry of Defence is the consultative body in matters relating to the creation and implementation of national defence plans and policies, and manages the elaboration of defence policies throughout the national territory on behalf of the President. The High Command structure is under the leadership of the General Command of the Army and is made up of the Commander-in-chief of the Army, the Chief-of-staff and the Inspector General.

The Commander-in-Chief is the senior military advisor to the President as Supreme Chief of the Army of Nicaragua, for the design of security and national defence plans and policies and the coordination of their implementation.

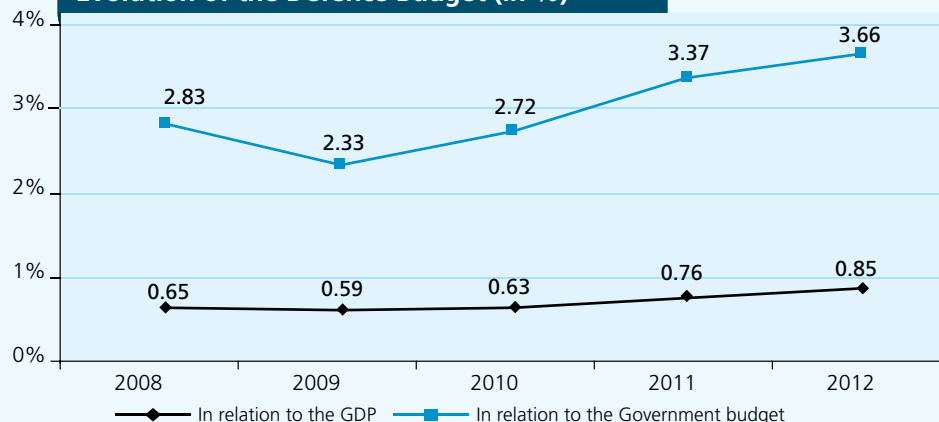
The Assembly exercises the powers granted to it by the Constitution and continuously monitors defence-related matters through the Committee of Peace, Defence, Interior and Human Rights.

Source: Compilation based on the *Ley de organización, competencia y procedimientos del Poder Ejecutivo* (N° 290 -1998/06/03. Last reform: Act N° 612 -2007/01/29) and *Ley de la defensa nacional* (N° 748 -2010/12/22).

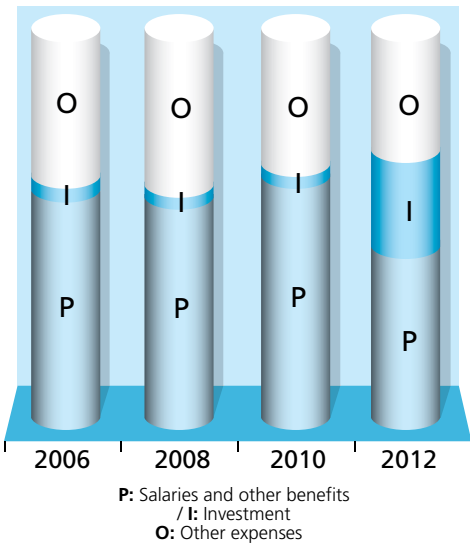
The Budget

Year	Defence Budget (in US\$)	Government Budget (in US\$)	GDP (in US\$)
2008	42,191,833	1,492,080,617	6,523,000,000
2009	37,293,776	1,598,952,131	6,298,000,000
2010	39,644,293	1,455,689,864	6,246,000,000
2011	53,774,224	1,596,112,400	7,078,000,000
2012	65,756,103	1,794,342,438	7,695,000,000

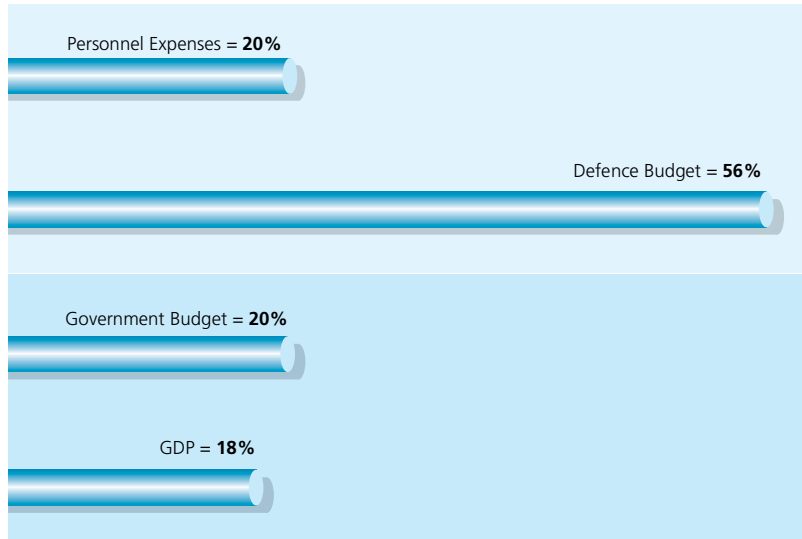
Evolution of the Defence Budget (in %)



Defence Budget Breakdown



Comparative Increase (% variation 2008-2012)

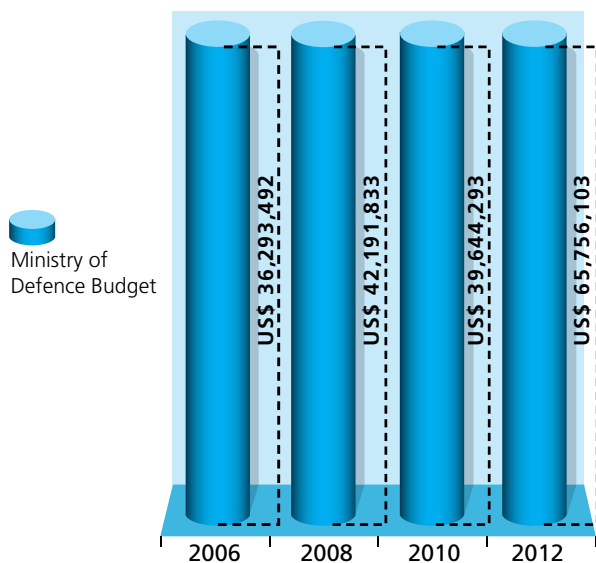


Defence Budget 2012 (in Local Currency)

Item	Personnel Services	Non-personnel Services	Materials, Supplies and Consumer Goods	Current Transfers	TOTAL
Ministry of Defence					
Central Activities*	10,506,631	3,120,755	1,856,614	35,000	15,519,000
National Defence**	679,832,635	131,873,665	717,507,301	3,823,613	1,533,037,214
TOTAL	690,339,266	134,994,420	719,363,915	3,858,613	1,548,556,214

* This program is run by the Ministry of Defence, empowered by the President to lead the creation of policies and plans regarding territorial sovereignty, independence and integrity defence of the Nation and, within these powers, coordinates and approves the plans and actions of the Army of Nicaragua.
 ** This program is run by the Army of Nicaragua, institution in charge of preparing, organizing and directing the armed defence of the Nation, by defending territorial integrity, independence and national sovereignty.

Composition of the Defence Budget



The construction of the new Military Hospital began in 2011 and involved investments exceeding 80 million dollars. It is expected to be functional by 2013.

Source: Compilation based on *Ley anual de presupuesto general de la República 2006, 2007, 2008, 2009, 2010, 2011 and 2012*. 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 expenses/Machinery and equipment".
 GDP: Projection of the World Economic Outlook Database, IMF, from 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 June, the 2012 exchange rate average is 23.26 Córdobas, based on the data provided by the Central Bank of Nicaragua. 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

Date of Foundation:
1979

Current Minister
(September 2012): Vacant
(Secretary General Maritza Membreño Morales in charge as acting minister).

Can military members be Ministers of Defence? Yes
(if they have retired)

Number of military members who were Ministers of Defence:
2

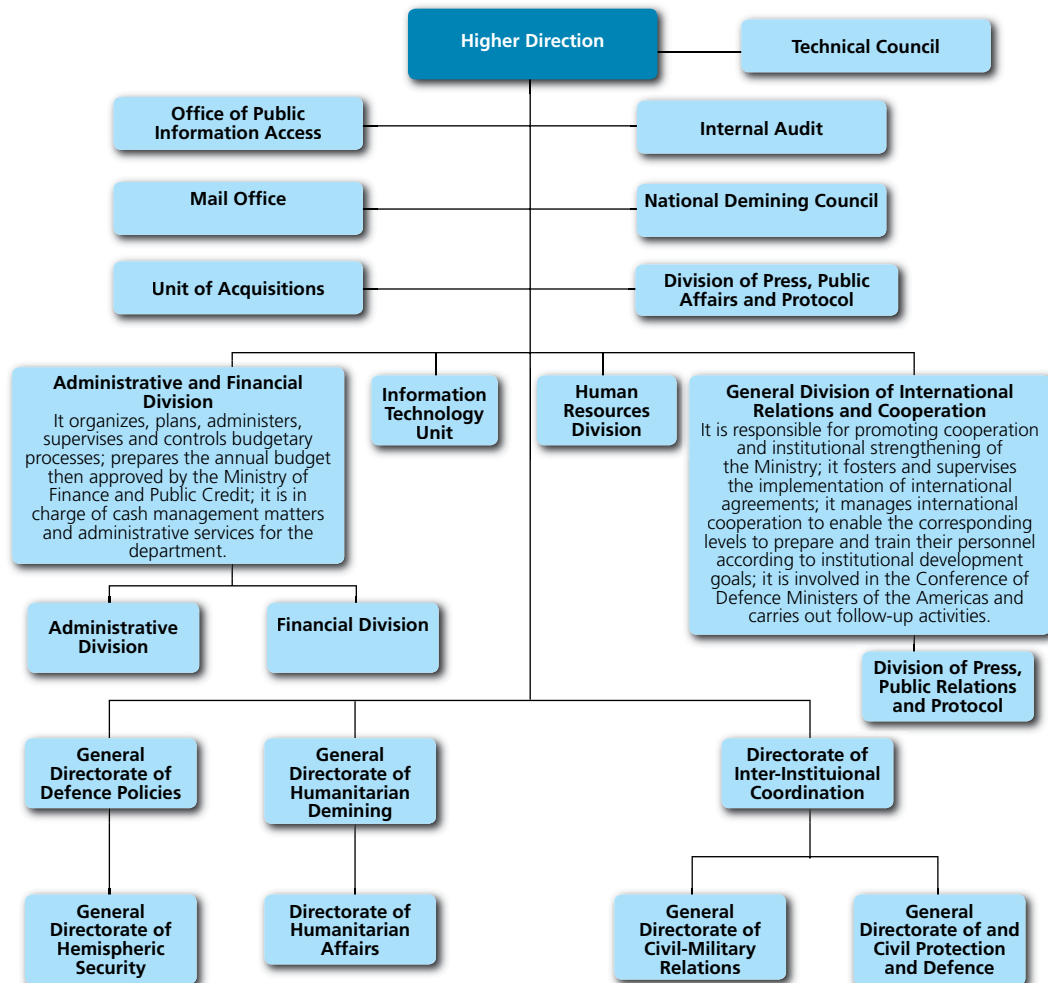
Number of civilians who were Ministers of Defence:
9

Have there been any women in charge of the Ministry of Defence?
Yes (Violeta Chamorro, 1990 - 1997 – while she served as President of the Republic - and Ruth Tapia Roa, 2007-2012, as Secretary General)

Average permanence in the Minister of Defence position
2 years and 5 months

[The creation date is related to the moment in which the term "Defence" becomes part of the Institution's name]

Organization Chart

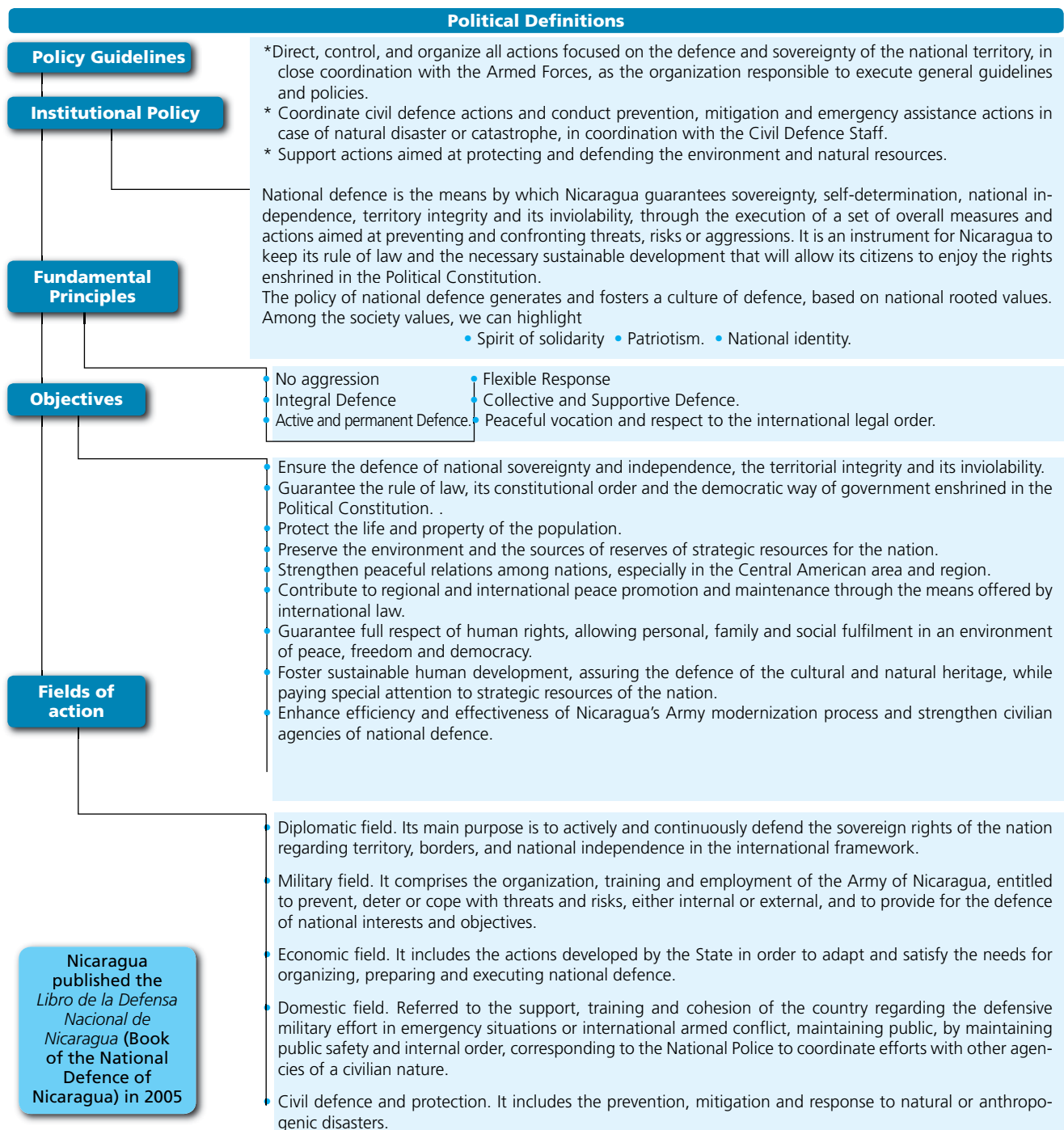


Source: Compilation based on the *Ley de organización, competencia y procedimientos del Poder Ejecutivo* (N° 290 – 1998/06/03. Last amendment: Act N° 612 – 2007/01/29), and information supplied by the Ministry of Defence website.

Bilateral agreements signed between 2010-2012:



Source: Compilation based on *Memoria del Ejército de Nicaragua* (2011) and the website of Nicaraguan Army.



Source: *Ley de la defensa nacional* (N° 748 – 2010/12/22) and *Ley anual de presupuesto general de la República* 2012.

Related actions 2011 – 2012

- Creation of a Humanitarian and Rescue Unit (HRU) of the Army of Nicaragua.
- Creation of the First Ecological Battalion, "Bosawas", with the purpose of contributing to protect and control natural resources.
- Support activities of the Army of Nicaragua for the Supreme Electoral Council; transport of electoral material and officials.
- Regulation of the national defence act, democratic security and border legal framework.

Source: *Memoria del Ejército de Nicaragua* (2011) and the web site of Nicaraguan Army.



The Armed Forces

General Mission

The Army of Nicaragua is the armed institution responsible for defending the country's sovereignty, independence and territorial integrity. Only in exceptional cases, the President, in a Council of Ministers, shall be entitled to order the intervention of the Army of Nicaragua in support of the National Police, if the stability of the Republic were threatened by severe internal disorders, calamity or natural disasters. (Constitution, Sec. 92)

Its mission is to prepare, organize and lead the armed defence of the homeland, and to defend the territorial integrity, independence and sovereignty of the Nation. The missions, their composition and structure are defined according to the scenarios, threats and risks identified by the Nicaraguan State, which will resort to the necessary public means and resources to provide the Army of Nicaragua with the ability required to comply with its missions and tasks in times of peace, with the purpose of preventing and deterring any type of international armed conflict. The Army of Nicaragua shall plan, organize, prepare, manage and execute the national armed defence of the homeland and defend the territorial integrity, the independence and sovereignty of the nation. In turn, it can intervene -in exceptional cases- to support the National Police, under the order of the President of the Republic in the Council of Ministers, where the stability of the Republic is threatened by large internal disorders, calamities or natural disasters and assist in the execution of work that contribute with the country's development.

It shall co-assist in case of extreme need, in maintaining peace and order in the nation, as well as in the fight against drug trafficking, arms trafficking and human trafficking and transnational organized crime. It shall contribute to strengthening the risk management policy, based on preventing, mitigating and managing natural disasters, safeguarding the life and property of the population. It shall participate in international peacekeeping and humanitarian assistance missions, in accordance to the UN Charter, approved by Resolution No. 84 of Nicaragua's Honourable Congress, international treaties or agreements signed and ratified by the State of Nicaragua based on regulations and principles of International Law. (*Ley de la defensa nacional* - Nº 748, Section 16 and 17).

Specific Missions

Army



The Ground Force is the Army's main instrument to perform missions in defence of the country's sovereignty and territorial integrity, acting in coordination with the Armed Forces, the Navy and common bodies.

Navy



The Navy carries out missions to support the Army, and independent missions directed by the High Command of the Army. Ground force units that carry out missions of security and safeguarding of units and facilities fall under the Navy.

Air Force



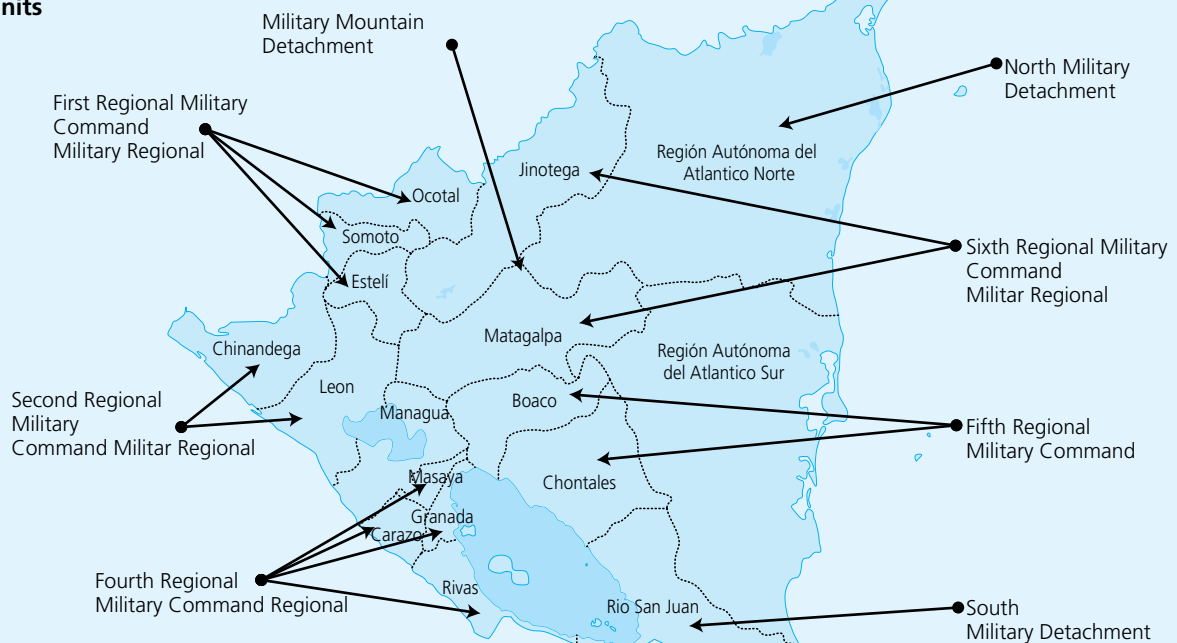
The Air Force carries out missions to support the Army and Navy as well as independent missions directed by the High Command of the Army. The Land Force units which carry out missions of air defence, security and maintenance of the units and facilities fall under the Air Force.

Military Personnel - 2012:

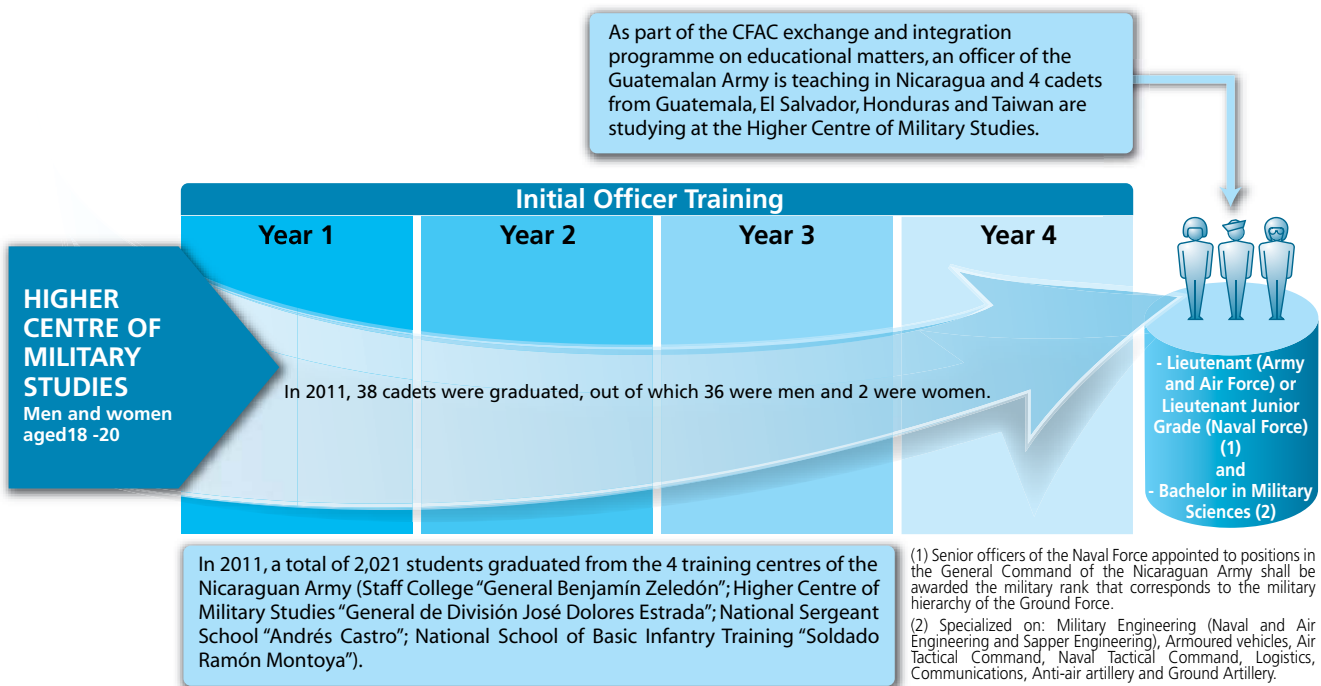
Officers:	1,595
Non-commissioned Officers:	302
Classes:	1,365
Soldiers:	7,142

Total Strength: 10,404

Army Units



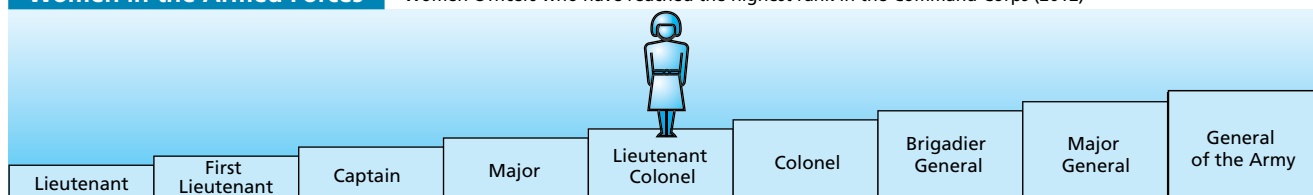
Source: *Ley de la defensa nacional* (Nº 748 – 2010/12/22) and *Código de organización, jurisdicción y previsión social militar* (Nº 181 - 1994/09/02) (missions) and *Ley anual de presupuesto general de la República 2012* (regular forces).



Source: Libro de la Defensa Nacional de Nicaragua (2005), Memoria del Ejército de Nicaragua (2011), and information provided by the Nicaraguan Army.

Women in the Armed Forces

Women Officers who have reached the highest rank in the Command Corps (2012)



Note: These ranks correspond to the Army, as an example. It is considered the highest rank since the National Army was created as the only armed force of the Republic, in 1979. The Command corps includes officers who have been educated at military academies from the beginning of their careers, different to those who develop a career in the civilian sphere and are then incorporated to the military.

Source: Information provided by the Nicaraguan Army.

Military Service

The Political Constitution forbids any type of compulsory recruitment and thus the military service is optional. Men and women are equally allowed to enter the military service, which has a one-year duration and the possibility of contract renewal.

Since 1998, the new soldiers of the Nicaraguan Army have received a 3-month training course at the National School of Basic Infantry Training "Soldado Ramón Montoya" (ENABI). Graduates from this School become temporary military members and can be hired for a 3 to 5-year period, after which they can continue with their active service for 5 additional years or access military courses that allow them to become career military personnel.

The Nicaraguan Army has 7,142 soldiers

Source: Ley anual de presupuesto general de la República 2012, Libro de la Defensa Nacional de Nicaragua and Normativa Interna Militar, 1998.



Defence and National and International Community

Activities in which Defence is related to:

- The Environment and Natural Resources
- Health
- National Police
- Immigration
- Education
- Supreme Electoral Council
- Transport and infrastructure

Support Actions

Seguridad en el campo

The purpose of the Permanent Security Plan in Rural Areas is to neutralize the criminal activity of groups and gangs, allow the free circulation of citizens and transport, and facilitate activities related to commercial agriculture, stockbreeding and coffee plantations. It also aims at reducing insecurity in the cities, through military and police force actions in high-risk areas.

Some figures of the 2011 plan:

- 147,129 operational services.
- Recovery and return to their owners of 1,818 stolen livestock.
- Use of 2,564 military troops in 476 missions, ensuring the safe transport of cash of different banks of the country.

Plan against drug-trafficking and organized crime

- 28,689 operational services (2011).
- 117 drug-traffickers arrested; confiscation of 21 naval vessels and 25 vehicles, seizure of 4,986 kilograms of cocaine, 1,869 crack stones, 392 kilograms of marijuana and 2,145 plants of marijuana (2011).
- “Fortaleza” Operation: in July 2012 in the Caribbean Sea (2012).

Plan to confront rural crime (in coordination with the National Police)

Actions taken in 2011

- 64,408 operational services.
- 28 restricted-use arms and 465 arms for civilian use were seized.
- 2,227 ammunition of all sorts were confiscated.

Protection of natural resources and protected areas

- 21,472 operational services (2011).
- Occupation of 58 naval vessels during illegal fishing activities.
- Marine Turtle Plan: 3,268 military troops, establishing 30 military posts with 70 patrols; 20 km of coasts and 5 maritime miles were protected, enabling 214,000 turtles to nest and 829,212 to be born (2011).
- Launching of the “National Plan for Prevention and Control of Forest Fires”, in San Fernando Municipality.

Plan for the Protection of Coffee Plantations

- 10,000 military troops in successive rounds were involved in this protection plan, developed in coordination with the National Police and the National Coffee Council. A total of 68 vehicles, 3 MI-17 helicopters and 113 means of communication were used. Operational services reached a number of 17,412, the most outstanding being:
- 8,744 infantry patrols.
 - 852 motorized patrols .
 - 840 patrols combined with the National Police.
 - 88 patrol bases.
 - 1,236 independent military and combined posts with the National Police.
 - 680 farms protected.
 - 2,168 missions for producers’ security and protection.
 - 2,804 security missions during transport of cash.

Since January 2012, the Ecological Battalion (BECO) of the Nicaraguan Army has performed the operation “Green Gold” in different parts of the national territory, as part of their mission to protect and preserve the main natural reserves of the country. The operation includes a team of technicians of the Ministry of Environment and Natural Resources, the National Forest Institute (Instituto Nacional Forestal) and the Environmental Prosecutor’s Office with the aim of assessing the current criminal situation in relation to natural resources and the environment, measuring the inspected lots and examining others, in accordance with the administrative and control measures for the defence, protection and restoration of forest resources.

Jointly with the United States Southern Command -within the framework of the “Beyond the Horizon” exercise, conducted in the region by this organization- health care and veterinary services were provided to 23,936 individuals and 1,496 animals. Officials of the Ministry of Education, Ministry of Agriculture and Forestry, General Customs Bureau and General Directorate of Migration and Foreigners, among other senior officials, were involved in these activities.

Humanitarian Demining

After the National Humanitarian Demining Programme (PNDH) concluded in June 2010, the Nicaraguan Army began the conversion process of the “General de Brigada Miguel Ángel Ortez y Guillén” Engineering Corps, contributing to the protection of the population living in areas which were formerly war scenarios and where unexploded ordnance devices are still found, through a plan to process reports on the existence of these devices.

- In 2011, the following figures were reached:
- 514,902 sqm were cleared.
 - 159 mines of all types and 23,225 UXO’s (2,961 of high calibre) were destroyed.
 - 126 reports were submitted by the population.
 - Creation of the proper conditions at the National Maneuver Centre (Poligono Nacional de Maniobras) to destroy these devices.

These actions have been financed with funds of the Nicaraguan Army and the Russian Federation.

Support during 2011 national elections

- 9,504 military operational services.
 - 11,200 military troops.
 - 430 vehicles, 14 aircraft, 68 naval vessels and 460 radio stations.
 - 850 persons transported.
- (In 2012, support has been provided to the electoral verification process).

Support to the Population

- In support of the Ministry of Health, thirty seven national health campaigns were held in 97 days, aimed at the prevention of dengue.
- 38,465 people with leptospirosis received medical care.
- 7,918 drug doses were applied.
- 17.5 km of a road that will link El Tortuguero with El Rama and 6.3 km of a rural road in the same direction were built, benefiting more than 3,000 producers and families in these areas.
- 136.5 tons of solid waste were removed, 6 km of shelf, 38 km of coasts and 27 km of river beds were cleaned. A total of 1,100 military troops and 3,141 civilians were involved.
- An area of 4,252 square was repaired and painted in 8 schools.
- Creation of the First Campaign Hospital, donated by the Russian Federation (2012).

Source: Memoria del Ejército de Nicaragua (2010 and 2011) and website of the Nicaraguan Army.

Support in Disaster Scenarios

Nicaraguan Army's Civil Defence Staff (2011 actions)

- Provided assistance in 249 forest fires, 96 field fires and 8 structural fires.
- Promotion of 14 projects to improve risk management, benefiting 97,530 people through the involvement of 11,184 brigade members.
- Conduction of 111 drills to train on response mechanisms, with 34,193 participants.
- During emergencies caused by rains affecting 6,578 houses, aid was provided by 2,300 military troops and 1,200 voluntary forces (450 Civil Defence brigade members, 100 firefighters, 100 Red Cross members, 150 mayoralty officials and 400 members of the National Police, 41 vehicles, 3 naval vessels and 5 aircraft).

Humanitarian and Rescue Unit (UHR)
"Comandante William Joaquín Ramírez Solórzano"

Created in September 2010, it is made up of 300 permanent troops of the Nicaraguan Army, trained to provide support to the population in case of natural or manmade disasters. Some of the actions taken since its creation are:

- Evacuation of people living in districts I, II, III and IV of the city of Managua and people living in the coastal areas affected by the flooding of Xolotlan lake. One hundred military troops and six heavy vehicles were used in this mission.
- Evacuation of 1,405 people living in districts I, II and VI of Managua, ensuring their transport to the different shelters assigned.
- Transport of 22.5 tons of food for the population affected by rain-triggered floods in Las Mojarras, San Francisco Libre, Tipitapa and the coastal areas of the Managua lake.

The Peacekeeping Operations Training Centre -CAOMPAZ- was created in December 2007 to train personnel according to UN standards. In July 2012, it developed its first course on humanitarian assistance operations management.

Source: *Memoria del Ejército de Nicaragua* (2010 and 2011) and website of the Nicaraguan Army.

Analysis:

The Army and Public Security: an inevitable Cooperation?

Roberto Cajina

Member of RESDAL's Board of Directors

Unlike other countries of the Hemisphere, in which governments and important sectors of society reject military's involvement in public security missions, Nicaragua's small, medium and large farmers welcome the Army's presence in rural areas across the country. The same is true in urban areas and the countryside, where people welcome to their presence in natural disaster situations.

The Military Code establishes that one of the Army's duties is to "Cooperate with the National Police in the fight against drug-trafficking in the national territory, in accordance with standing rules and regulations, and the plans and instructions issued by the President of the Republic". However, the support provided by the Army to the Police goes beyond fighting against drug cartels. It not only includes a Plan against Drug-Trafficking and Organized Crime, but also comprises other plans related to Security in Rural Areas, Fight against Rural Crime in coordination with the National Police, and Protection of Coffee Plantations.

The Army, Navy, Air Force and ground intelligence services (Special Operations Command) are involved in the fight against drug-trafficking. In the last six years, they seized 35 tons of cocaine. In 2011, they frustrated drug-traffickers' attempt to create support operating bases, mainly on the Caribbean coast, arrested 117 drug-traffickers, seized 21 naval vessels and 25 vehicles, and seized 4,986.37 kilograms of cocaine, 1,869 crack units, 392 kilograms and 2,145 plants of marijuana.

The most recent survey conducted by M&R Consultores in June 2012 reveals that 9 out of 10 Nicaraguans think positively of the Army's performance in the fight against organized crime.

The results of the Plan Against Rural Crime, conducted in conjunction with the National Police in 2011, show the

military's contribution to public security: 25 crime organizations were dismantled, 516 criminals were arrested and 6 were killed, 28 restricted-use weapons and 465 weapons for civilian use were seized, as well as 2,227 different kinds of ammunitions, 100 industrial explosives, 321 home-made explosives and 58 supplies and ordnance, and 23 vehicles seized. Out of 100 Nicaraguans, 86 support the Army's actions to ensure security in rural areas.

Nicaragua is essentially an agricultural country. According to figures provided by the Centro de Trámites de las Exportaciones (Cetrex), coffee, beef and cattle, its three main exporting products, amounted to US\$ 878,911,291 in 2011, showing the importance of security in rural areas, particularly in those where coffee is produced and cattle are raised.

Last June, Commissioner Francisco Díaz, Deputy Director of the National Police, highlighted that this force is present in all 153 municipalities of the country. However, the population distribution, especially in areas far from urban centres, is very erratic. The troops posted in these remote areas are usually relatively few and tend to concentrate in municipal centres, thus displaying restricted territorial deployment capacities.

Under these conditions, the Army's plans are key to guarantee farmers' production and security, as well as that protect the rural population in general. The results of operations conducted in 2011, and those of all previous years, are certainly the reason why military's involvement in public security missions is not rejected by the population and is, therefore, not an issue of debate in the country. All of its naval, land and air means and its troops enable the Army not only to support the National Police, but also strengthen its institutional stature and social legitimacy.