# The Legal Framework and the Defence System

Advisory and assistance functional relationship
Command reporting line

# National Legislation

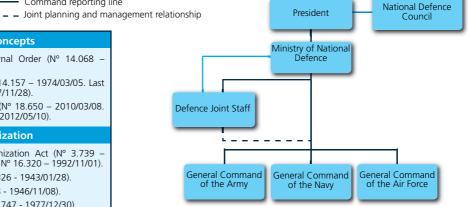
# **Systems and Concepts**

- Act on State Security and Internal Order (N° 14.068 1972/07/12).
- Armed Forces Organic Act (DL N° 14.157 1974/03/05. Last amendment: Act N° 18.198 2007/11/28).
- National Defence Framework Act (N° 18.650 2010/03/08. Last Amendment: Act N° 18.896 - 2012/05/10).

#### **Military Organization**

- Military Retirement Service Organization Act (N° 3.739 1911/02/24. Last amendment: Act N° 16.320 1992/11/01).
- Military Codes (Decree-Law N° 10.326 1943/01/28).
- Organic Act of the Navy (N° 10.808 1946/11/08).
- Organic Act of the Air Force (N° 14.747 1977/12/30).
- Organic Act of the National Army (N° 15.688 1985/01/17. Last amendment: Act N° 17.920 – 2005/11/28).
- Act that grants the Executive the capacity to assign temporary perimeter-security responsibilities to military personnel under the Ministry of National Defence (N° 18.717 - 2011/01/03).
- Restoration Act for crimes committed by state terrorism until March 1st, 1985 (N° 18.831 – 2011/10/27).

**Source:** Compilation based on the legislation above mentioned.

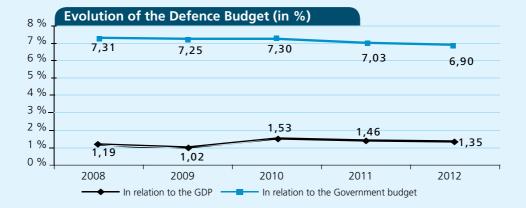


The President may receive the advice of the National Defence Council, composed of the Ministers of Defence, Interior, Foreign Affairs and Economy and Finance. The Minister of Defence leads the defence policy and holds the higher conduction and administration of the Armed Forces. The Defence Joint Staff is the military ministerial advisory body, responsible for the joint military planning and employment. The General Assembly holds the powers granted by the Constitution and permanently monitors defence related issues through the defence committees in both Houses.

**Source:** Compilation based on Ley marco de defensa nacional ( $N^{\circ}$  18.650 - 2010/03/08 Last Amendment: Act  $N^{\circ}$  18.896 - 2012/05/10).

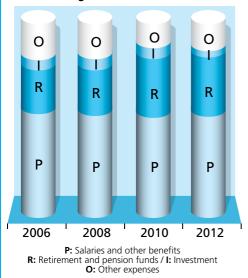
# **The Budget**

Year	Defence Budget (in US\$)	Government Budget (in US\$)	GDP (in US\$)
2008	316,844,107	4,331,809,675	26,607,000,000
2009	322,261,459	4,443,159,356	31,606,000,000
2010	622,039,810	8,523,891,359	40,577,000,000
2011	720,498,530	10,246,206,865	49,423,000,000
2012	705,969,493	10,225,894,607	52,349,000,000

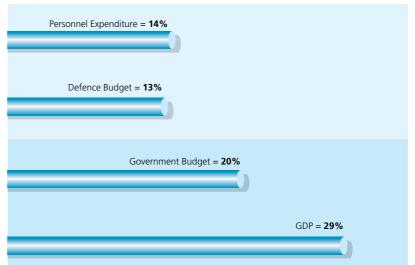


Note: Figures variations are explained by the five year nature of the budget

# **Defence Budget Breakdown**



# Comparative Increase (% variation 2010-2012)

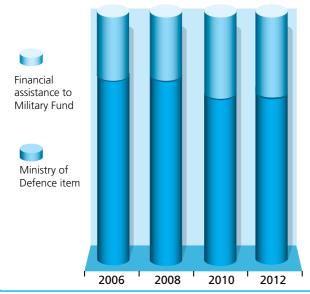


Defence Budget 2012 (in Local Curren

Sections	Current expenditure	Investment	TOTAL
National Ministry of Defence			
Military Justice	17,302,000	580,000	17,882,000
National defence	5,659,034,000	265,335,000	5,924,369,000
Growth value chains	180,507,000	18,854,000	199,361,000
Education and training	476,927,000	3,765,000	480,692,000
Aeronautical policy and infrastructure	431,568,000	77,553,000	509,121,000
Environmental management and territorial organization	23,694,000	0	23,694,000
Assistance and social integration network	161,025,000	807,000	161,832,000
Social security	37,167,000	695,000	37,862,000
Official information and documents of public interest	103,356,000	1,026,000	104,382,000
Territorial information system	33,701,000	2,499,000	36,200,000
Integral health care	1,129,951,000	41,060,000	1,171,011,000
Crime prevention and law-enforcement	331,286,000	2,500,000	333,786,000
Management of deprivation of freedom	96,858,000	0	96,858,000
Prevention and support in fire and disaster scenarios	20,598,000	0	20,598,000
Foreign policy execution	200,673,000	24,229,000	224,902,000
Retiring personnel from previous years	467,000	0	467,000
Financial Transfers of the Social Security Sector			
Financial Aid to the Military Fund *	4,141,000,318	0	4,141,000,318
TOTAL	13,045,114,318	438,903,000	13,484,017,318

<sup>\*</sup> This estimation corresponds to the programme.

# **Composition of the Defence Budget**



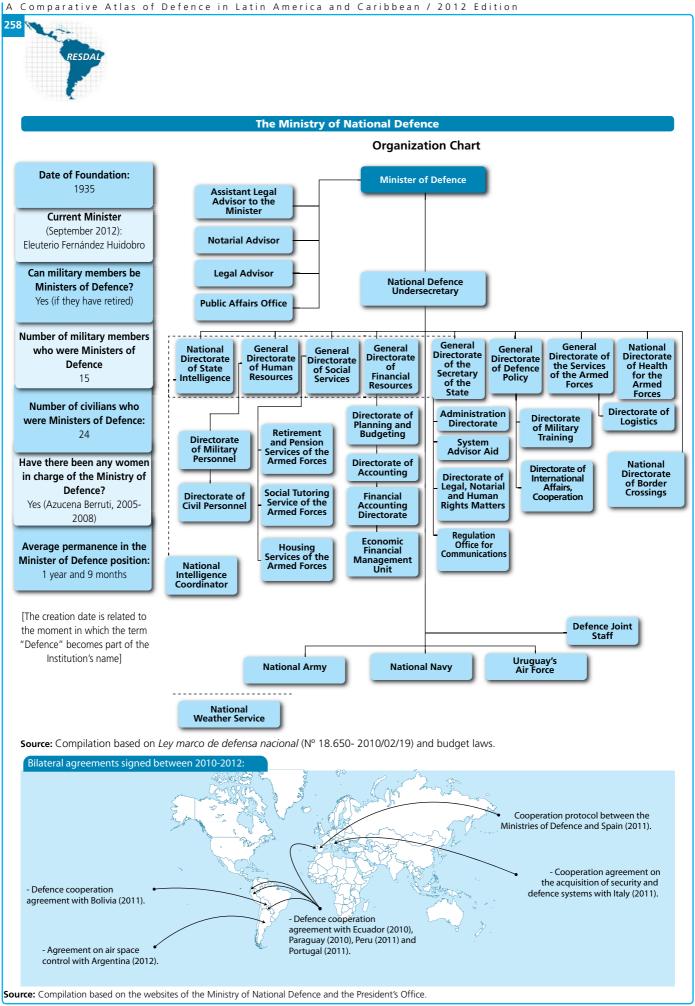
In Uruguay the budget passes through Congress for approval on a five year basis.

Source: Compilation based on Ley de presupuesto nacional during the 2005-2009 and 2010-2014 government periods. The Government Budget is approved by Congress in the above-mentioned Act. Investments are those included under the item "Investment".

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 June, the 2012 exchange rate average is 20.03 Pesos, based on the data provided by the Central Bank of Uruguay. 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.



#### **Political Definitions**

## **Policy Guidelines**

Maintain a sustainable and effective deterrence power, based on the development and sustainment of defence-oriented capabilities.

# Strategic Objectives

Respond to the missions entrusted to the armed forces: peacekeeping missions, perimeter security of prisons, sanitary barrier support, custody of the three government branches and a wide range of support activities provided to society.

#### General Defence Staff

- Elaboration and implementation of the Military defence policy and Modernization of the military defence.

#### **National Army**

- Sustainable and effective deterrence:
- Military industry development.
- Information, updating and registration of weapons in the national weapons registry.
- Perimeter security of prisons.
- Community support in case of fires, disasters and other emergencies, and environmental protection.
- Support foreign policy

# **National Navy**

- Attain the best level of readiness possible for the execution of actions imposed under the Navy's mission by increasing human and material efficiency and effectiveness, as well as operational training.
- Control territorial waters. Deter crimes in territorial waters, including any actions against national interests, enhancing surveillance and appropriate response levels
- Safety of navigation. Minimize the loss of lives and accidents at sea caused by shipping, vessels and maritime facilities in the jurisdictional waters and those of interest for the country.
- Minimize contaminating actions by ships, vessels and maritime facilities in national territorial waters.

# Air Force

- Continue its significant efforts to upgrade the aviation fleet operation.
- Obtain the highest amount of fuel to enable the number of flight hours necessary to increase the operating crews, maintaining a constant flight activity, in accordance with the safety and efficiency standards required to ensure the operating capacity of the Force and maintain an adequate transfer of knowledge and experience among crew members.
- Strengthen initiatives aimed at improving the English language level.

# **Human resources**

- Increase the salaries of the most neglected lowest-paid personnel and develop housing plans.
- Promote anti-migration and focus on the young population as a way of solving recruiting difficulties.
- Provide human rights training to personnel deployed in peacekeeping operations.
- Emphasize budgets with a gender perspective to get the resources needed for mechanisms to work properly.
- Implement mechanisms to handle sexual harassment reports and increase their dissemination.

# Investment-infrastructure

- Provide support to the national health system through the Armed Forces medical service.
- Transfer the public security duties performed by the National Coast Guard in coastal areas (except ports) to the Ministry of the Interior.
- Acquire aircraft to combat forest fires and strengthen the fire fighting capacity with regional agreements.

Uruguay published the Bases para una Política de Defensa Nacional (Basis for a National Defence Policy) in 1999.

Source: Memoria anual 2011, Ministry of National Defence and Ley de presupuesto nacional, período de Gobierno 2010-2014.

# Related actions 2010 - 2012

- In the social sphere, medical equipment was provided to be used in the pediatrics and gynecology services of the general hospital in the city of Mercedes and the military general hospital of the area.
- In relation to the gender issue, a sexual harassment regulation was approved.
- The education systems of the three Forces were discussed in the Military and Police Education Commission to promote a public debate and integrate military education to the National Education System.
- In March and September 2011, meetings were organized among the Ministers of Defence and Foreign Affairs of the countries of the region involved in MINUSTAH.
- Uruguay held the Pro Tempore Secretariat, organizing the Tenth Conference of Defence Ministers of the Americas (CMDA).

Source: Memoria anual 2011, Ministry of National Defence.



# **The Armed Forces**

# **General Mission**

The Armed Forces are the organized, equipped and trained arm responsible for executing military actions imposed by the national defence. Its fundamental mission is to defend the national sovereignty, independence and territorial integrity, as well as to protect strategic resources of the country, as directed by the Executive Branch, while contributing to preserving peace in the Republic under the framework of the Constitution and laws in place.

(Ley marco de la defensa nacional, Nº 18.650 - 2010/03/08, Sec. 18)

The General Defence Staff is an advisory body to the Minister and the National Defence Council. It is responsible for coordinating Armed Forces activities under the guidelines of the military policy, as to doctrine elaboration and planning of joint operations and/or combined efforts by the Armed Forces

# **Specific Missions**

# Army

Its mission is to contribute to internal and external national security, in the framework of the Armed Forces mission, developing its capacity in accordance with specific needs foreseen. Without detriment to their primary mission, the National Army shall support and undertake development plans assigned to it for the conduct of public work.



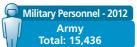
#### Navv

Their essential mission is to defend the territorial integrity of the State, its honour and independence, peace, the Constitution and its laws.



#### **Air Force**

The primary mission of the Air Force is to provide internal and external security, in coordination with the other branches of the Armed Forces. Without detriment to its fundamental mission, the Air Force shall support and undertake development plans assigned to it, carrying out public work; develop its potential in accordance with the specific demands or needs for the fulfilment of its fundamental mission and other missions assigned to it; become the essential consulting body of the Executive Branch in relation to airspace policies of the Republic; and act as the executive body of the Executive Branch regarding measures of conduct, integration and development of the national airspace potential.



Officers: M: 1,435 / W: 144

Non-commissioned officers

M: 11,760 / W: 2,097 Total: 4,253

Officers: 657 Non-commissioned officers: 3.596

> Of the total M: 3,114 / W: 1,139

**Air Force** Total: 2.683

Officers M: 366 / W: 67

Non-commissioned officers M: 1.773 / W: 477

**Total Strength:** 

22.372

M: Men / W: Women

#### **Deployment of the Armed Forces Army Military regions:** Navv The National Navy of Uruguay is as follows: Ø General Staff of the Navy (ESMAY) Fleet Command (COMFLO): X X Sea Forces (FUEMA) Naval Aviation (COMAN) Naval Riflemen Corps D.E. Navy Personnel Directorate (DIPER): $\bowtie$ National Coast Guard (PRENA): ছ • Command of Rio Negro District (JECRO).

X

 $\boxtimes$ 

· Command of the Atlantic Ocean District (JECOA). (Coast Guard of Maldonado Port, Coast Guard of La Paloma Port, Coast Guard of Río Branco)

(Coast Guard of Mercedes Port and

Coast Guard of Nueva Palmira Port)

 Command of the Río de la Plata District (JECRI). (Coast Guard of Colonia Port, Coast Guard of Trouville

Command of the Río Uruguay District (JECUR). (Coast Guard D.EL

Salto Port, Coast Guard of Paysandu Port, Coast Guard of Fray Bentos Port) Coast Guard of the Port of Montevideo (PREMO)

General Directorate of Naval Material (DIMAT).

 $\mathbb{X}$ D.E. • 囡  $\boxtimes$ D.E. Ξ  $\boxtimes$  $\bowtie$  $\bowtie$ Air Force ØØ 🕶 l Air Brigade Air Base C.G.E • II Air Brigade

International Airport of Carrasco - Canelones

Air Brigade International Airport of Santa Bernardina - Durazno • III Air Brigade

N° 1 South

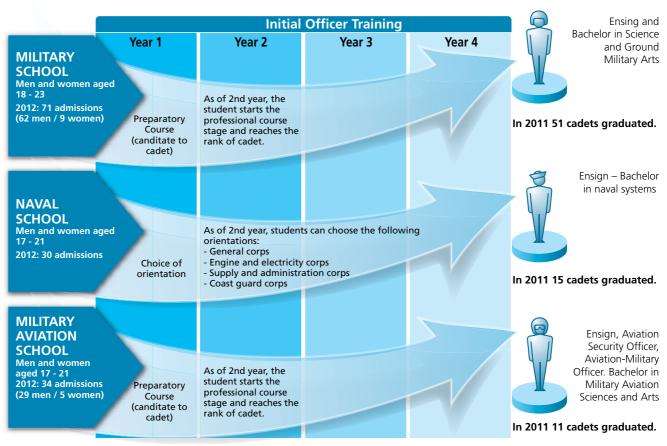
Nº 2 West

N° 3 North

N° 4 East

Air Base - Montevideo

**Source:** Ley orgánica del Ejército Nacional (N° 15.688 - 1985/01/17), Ley orgánica de la Marina (N° 10.808 - 1946/11/08) and Ley orgánica de la Fuerza Aérea (N° 14.747 -1977/12/30) Last amendment: Act N° 18.896 - 2012/05/10) (missions). Information provided by the National Army, the National Navy and the Air Force (regular forces). Web sites of the National Army, Navy and Air Force of Uruguay.



Source: web site of the Air Force, Navy and Ministry of Defence

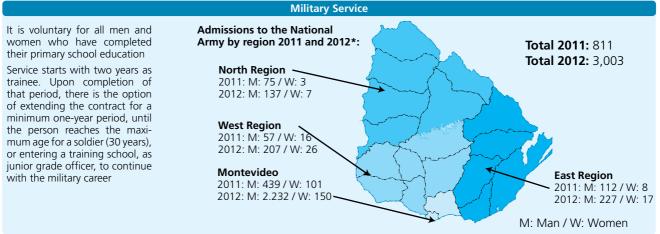
Women in the Armed Forces Officers who have reached the highest rank in the Command Corps (2012)



**Note:** These ranks correspond to the Army, as an example. The equivalent rank for Captain is Lieutenant (Navy) and Captain (Air Force). 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 Armed Forces.

# 18% (3,924) of the Armed Forces are women



\* As of August.

**Source:** Information provided by the National Army and *Ley orgánica de las Fuerzas Armadas* (DL № 14.157 – 1974/03/05. Last amendment: Act №18.198 – 2007/11/28).



#### **Defence and National and International Community**

In the area of community support, the Army acts in three main areas: contributing to environmental conservation, performing or supporting community action (health, education, food supply, information and recreation, national parks, public works), and conducting defence and civil protection operations in the framework of the national emergency systems.

#### Activities in which Defence is related to:

Environmental protection

Education Health

Foreign Affairs

Public Security Emergency System

# Environment

Administration, conservation, operation, and improvement of national parks and protected areas under the Force's custody – Jurisdiction of the Army's Park Service in Santa Teresa, Rocha Department.

Cleaning and reforestation activities, in addition to campaigns aimed at promoting environmental preservation.

#### **Emergency Operations**

Assistance and rescue in case of flood and other emergencies.

During the flood in Rocha (2012), Uruguay provided 2 armoured vehicles for the transport of personnel, 3 Ural trucks, 1 light vehicle and 51 troops.

## **Community Action**

- Maintenance work at the Hospital of Rio Branco city.
- Collaboration in bread making for the Hospital of San Jose city and support to a soup kitchen where 270 children have lunch every week. Cleaning and maintenance tasks in San Jose Mayoralty. Cutting of trees at risk of falling.
- "Drought Plan" (2012): in coordination with the Department Emergency Committees, over 33,000 litres of water for human consumption were distributed to a total of 20 families living in rural areas, affected by the water deficit.

# **National Navy**

The Navy is responsible for performing several community-related activities, the most important of which are, to name a few:

- Continuation of the "Uruguay Marítimo" Project (2010): this project is aimed at familiarizing young people with the sea, port activities in general, the importance of protected areas and the protection of the environment, so as to promote awareness of Maritime and Natural Uruguay. These activities are performed together with various schools of the country. In 2011, thirty three 6th-year students of different schools and the "Cristo Rey" Foster Home, which is under the jurisdiction of the Instituto del Niño y Adolescente del Uruguay (INAU) of Cerro Largo department, visited the Naval Museum and "Capitán Miranda" Sailing School Vessel.
- Sailing therapy: This therapy has been developed by the Navy since 2006 and its aim is to increase the interaction capacity of young people with different mental and /or physical capacities, improving both their interaction with peers and the environment, through the practice of sailing sports.
- Other actions during 2011:

Control of hydrocarbon spills in maritime jurisdiction areas or to provide support to ANCAP.

Support to Montevideo city's health conditions through the collection of garbage during extended municipal strikes.

Support to Naval divers in the maintenance and operation of hydroelectric plants and hydrocarbon transfer buoys. Support to social public health plans by cooperating in rescuing homeless people from the harshness of winter, making more shelters available to meet the demand of necessary facilities.

In August 2012, the Executive Power, at the Council of Ministers, sent a bill to Congress under which the State would assume the control and regulation of all activities related to the import, production, acquisition for any reason, storage, commercialization and distribution of marijuana and its derivatives. Such activities shall be performed exclusively in the framework of a damage-reduction policy which warns the population of the consequences and effects of marijuana consumption.

# Support activities - Army - 2012 Educational Centres: 401 Townhalls, local boards: 153 Police, Firefighters: 25 Hospitals: 73 Social Organizations: 490 Total assistance works: 1.142 Personnel involved: 4.456

The Army conducts perimeter security services in the following prisons: Libertad, Compen, Las Rosas, Canelones and Domingo Arena. In 2011, the number of guard troops was increased when the prison facility located in Rivera department was added to the list.

Moreover, the Air Force collaborated with the security services at Canelones Penitentiary Facilities in 2011.

During 2011, the Air Force conducted search and rescue missions, provided support to the National Emergency System (SNE) in the surveillance of forests and combat of forest fires, search and rescue tasks at sea in support of the National Navy, humanitarian aid actions, medical evacuations and human organ transport missions.

**Source**: Web site of the National Army and National Navy, *Memoria Anual* 2011, Ministry of National Defence.

# National Navy Actions - 2011 Search and rescue operations at sea:

# In support of Public and Private Institutions

The following were seized:

- 100 blocks of cocaine paste ......in Colonia District

- 4.34 Kg of coca leaves .....in Fray Bentos District

- 9.48 Kg of cocaine .....in Fray Bentos District

# **Defence and National and International Community**

# **Participation in Peace Operations**

	Military Component			
Current Missions	MEM		MC	
	Men	Women	Men	Women
MINURSO (Western Sahara)		1	-	-
MINUSTAH (Haiti)	-	-	899	37
MONUSCO (Dem. Rep. of the Congo)	31	-	1,126	42
UNISFA (Abyei)		-	1	-
UNMOGIP (India and Pakistan)	2	-	-	-
UNOCI (Ivory Coast)	2	-	-	-

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

Uruguay contributes 2,141 military troops to the UN peacekeeping operations, which represents 29.96% of the total Latin American contribution.

#### Multinational Peace Force and Observers (MFO)

Since 1982, Uruguay has been part of the MFO in Sinai. This mission is independent from the United Nations, as it was created as a result of the Peace Treaty signed between Egypt and Israel in 1979. Committed with 35 military troops.

Uruguay has been among the fifteen largest troop-contributing countries to UN PKO's in the last ten years. It is remarkable for its participation in MINUSTAH (936) in the regional arena, and has taken part in Congo with one of its largest contingents (1,168).

Uruguay also has the "Escuela de Operaciones de Paz de Uruguay" (ENOPU), a PKO training school created in 2008 based on PKO centres of the three

services. Such education centre has the mission to train senior armed forces, national police, university professors and civilians assigned to a peace mission.

**Source**: Statistics of military and police contribution to UN peace operations, UN DPKO, July 2012.

# **Analysis:**

# Uruguay 2012, Two International Credentials: Host of the 10th Conference of Defence Ministers of the Americas and Contribution to Peacekeeping Missions

# Julián González Guyer

Universidad de la República

The organization of the 10th Conference of Defence Ministers of the Americas in Punta del Este and its role as Pro-Tempore Secretariat of the Conference during the 2010-2012 period, coupled with the country's contribution with military troops to UN peacekeeping missions, are the main defence-related actions that have recently given Uruguay both regional and international prominence.

From the First Conference of Defence Ministers of the Americas (CDMA), held in Williamsburg (1995), these biannual events have given way to negotiation processes with the purpose of reaching multilateral agreements within the framework of a regional agenda that comprises issues, approaches and needs not always shared by all countries and sub-regions.

The conference in Punta del Este will build on the work developed in 2010 during the Conference of Santa Cruz de la Sierra, Bolivia. The Ministers of Defence have based regional cooperation on two key topics: "Natural Disasters, Environmental Protection and Biodiversity" and "Security and Defence and the Effectiveness of the Inter-American Defence System". A third topic was proposed by Uruguay: Peace Missions, with an emphasis on the region's involvement in the UN Stabilization Mission in Haiti (MINUSTAH).

It is only natural that when Montevideo organized the 10th CDMA, it proposed to include this item in the agenda, as Uruguay's contribution to UN peace missions is an almost natural consequence of its track record in the promotion of multilateral relations and active endorsement to the UN system, reflecting a foreign policy based on two central principles: upholding international

law and promoting peace. Moreover, the peacekeeping mission in Haiti has called for the active involvement of Latin American countries, thus justifying the inclusion of this topic in the agenda of the Tenth Conference of Defence Ministers.

In relation to its foreign policy, the country's cooperation in peace missions is one of Uruguay's political assets that support its aspiration to become a non-permanent member of the UN Security Council in 2016-2017.

In fact, though no longer among the 10 major troop contributors to the United Nations, as it was for almost a decade (2002-2010), Uruguay has kept a strong commitment during 2012. Uruguay's troop contribution is the highest in the world in relation to its population. Few governments contribute to the UN with such a high percentage of troops -almost 10% of the country's total military personnel. Moreover, Uruguay is the country with the highest number of military members in relation to its population in the region.

According to UN DPKO, Uruguay's overall contribution in June 2012 reached 2,157 military troops deployed in eight different peacekeeping missions, focusing mostly in Haiti, MINUSTAH (940), and in the United Nations Organization Stabilization Mission in the Democratic Republic of Congo, MONUSCO (1,211).

Uruguay's contribution policy is expected to continue in the next years, accompanied by a tendency to moderate its intensity, which began in 2011 and was consolidated in 2012, which can be explained by the gradual resizing of its armed forces, reflecting the new approach derived from the Framework Law on National Defence, effective as of 2010.