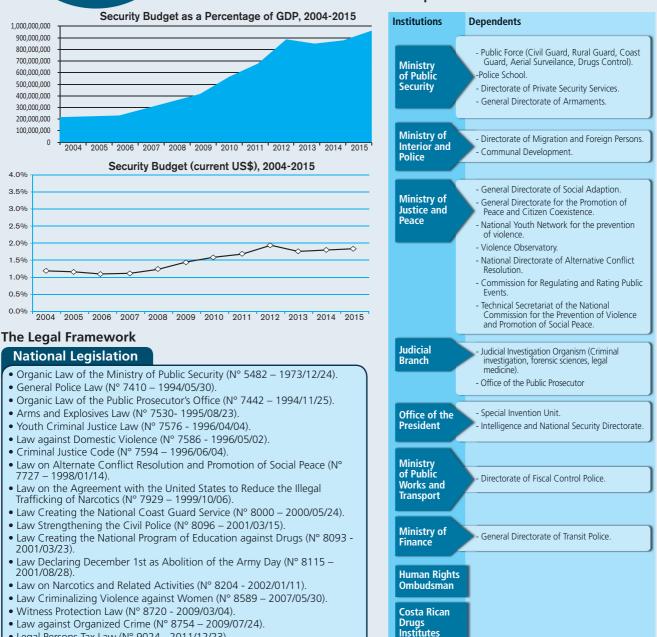
Budaet

The cases of Costa Rica, Haiti and Panama



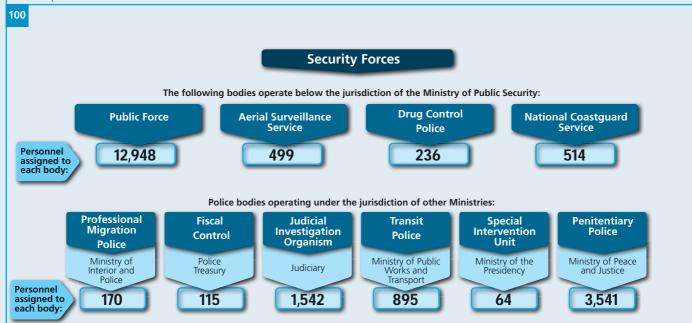
Principal Actors



Source: Anuario Estadístico de América Latina y el Caribe, 2015, CEPAL (territory and population: projection 2016); IMF, World Economic Outlook Database (GDP projection 2016); Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2016; Decreto que Crea la Comisión Nacional para la Prevención de la Violencia y la Promoción de la Paz Social (N° 33.149 - 2006/06/07); Decreto que Determina los Ministerios a que pertenecen diversas fuerzas de policía (N° 23.427 - 1994/07/15); and the websites of the aforementioned institutions

• Legal Persons Tax Law (N° 9024 - 2011/12/23). • Casino Tax Law (N° 9050 – 2012/07/09)

• Law against Human Trafficking (N° 9095 – 2013/02/08).



The Ministry of Publis Security

The Ministry of Public Security is the State institution whose function is to preserve and maintain national sovereignty, assist in strengthening the principle of law, and ensure security, peace and public order in the country. Historically two ministries have developed competences that include police forces: the Ministry of Interior and Police, and the Ministry of Public Security.



The Public Force

The so-called Public Force is the main police force in the country and it has its background in the Civil Guard, which was created following the abolition of the Army as a permanent institution in 1948. The General Police Law places it definitively within the Ministry of Public Security. The reform of this law (strengthening of the civilian police) abandoned the military designation of scales and grades and created spaces of internal control. The practical Ministerial division placed on one side the police body, which is known in the country as the Public Force (which in other countries would be called the national police) and on the other side specialist units (which, given the nature of their functions, have different regulations, situations and challenges).

The main provisions that govern the Public Force are:

General Police Law (N° 7410 -1994/05/26), and reforms Law Strengthening the Civil Police 2001 Regulations for toxicology tests to members of the police forces attached to the Ministry of Public Security 04/04/2002

Ethics Regulations for members of the police forces attached to the Ministry of Public Security 08/27/2003 Service regulations of the police forces attached to the Ministry of Public Security Last amendment 2008

Regulations of Police Grades and the Promotion of Public Force personnel Last amendment 2009

Police –Citizen Manual 05/03/2010

Public Force Reserves It consists of civilians that can be summoned for specific cases. They are given a short induction course for agents, but are called up specifically for their professional skills, such as doctors for example.

Source: Compilation on the basis of the Ley orgánica del Ministerio de Seguridad Pública (N° 5.482 – 1973/12/24), Acuerdo que Adscribe Dependencias de Guardia Civil a Seguridad Pública (N° 57– 1954/06/09), Ley General de Policía (N° 7.410 – 1994/05/26), and website of the Ministry of Public Security.



* Coastguard and Aerial Surveillance units are not included.

Judicial Investigation Organism

In 1974 the Judicial Investigation Organism was created (through Organic Law N° 5.524) as an institution below the authority of the Supreme Court, and as an auxiliary justice organ that functions as an authentic judicial police. It is formed by the Criminal Investigation Department, the Office of Forensic Sciences and the Department of Legal Medicine, and it has 34 regional offices. In terms of its links with other institutions, it works together with prosecutors during the investigation process. They also have a relationship with the Ministry of Public Security although to a lesser degree. They coordinate with the Public Force in particular operations (such as raids).

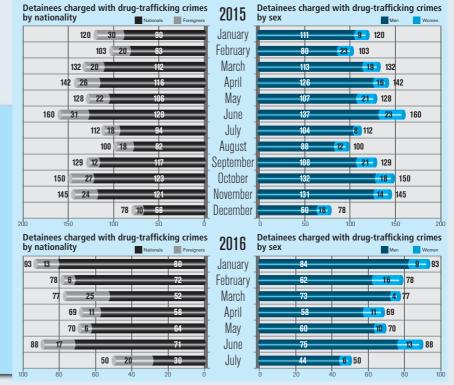
Police investigators amount to 1,542 people. Technical, expert, forensic and administrative staff total 600 people. Dependent of the Judiciary.

While the Public Force constitutes the principal security body, the Ministry of Public Security has other police bodies under its jurisdiction, which are tasked with specific functions:

Drug Control Police

It dates back to 1970, when within the Civil Guard a "Directorate of Narcotics" began to function. In 1992, following the fusion of the anti-drug police bodies that existed at this time in different ministries, the National Directorate of Drug Control was born, which since the 1994 Police Act became known as the Drug Control Police.

It is responsible for the control of unauthorized drugs and connected activities and for cooperating in the repression of crimes in the area. It investigates related illegal acts and elaborated reports, as well as carrying out confiscations and police actions.



Source: Ley general de policía (Nº 7.410 – 1994/05/30, Costa Rican Institute on Drugs, Boletín Estadístico, IV Trimester 2015 and July 2016, website of the Ministry of Public Security and of the Public Force.

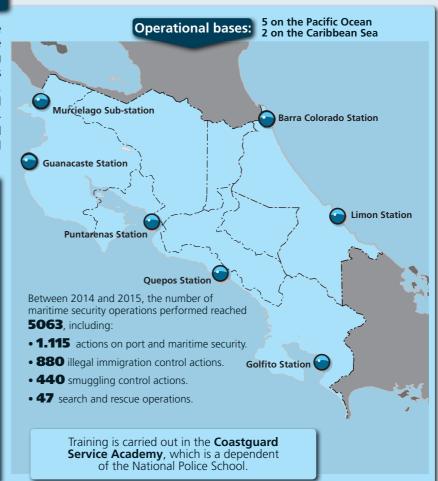
While the Public Force constitutes the principal security body, the Ministry of Public Security has other police bodies under its jurisdiction, which are tasked with specific functions:

National Coastguard Service

In 1976 the Maritime Surveillance Service was created to protect Costa Rican marine resources in both the oceans surrounding its territory. Over time, other functions were added, including search and rescue, anti-smuggling, and drug traffic control were added. In 2000, Act No. 8000 transformed it into the National Coastguard Service, aiming to create a professional police unit.

It is responsible for safeguarding the sovereignty of the State over its territorial waters, natural resources, and human life in strict compliance with law.

- Monitors and protects the country's maritime borders and territorial waters
- Ensures the security of port and maritime traffic.
- Develops the necessary operations to rescue people or to locate lost ships.
- Collaborates in the protection of natural resources and the fight against illicit drug trafficking, illegal migration, arms trafficking and other illicit activities.



Aerial Surveillance Service

Its mission is to monitor the Costa Rican skies, perform rescue missions and air ambulance operations as well as anti-drug operations on land and sea.

- Provides transportation within and outside of the country in cases qualified as exceptions.
- Coordinates and cooperates with the institutions involved in response to national emergencies.

The Directorate of the Air Surveillance Service is located at Juan Santamaria International Airport, located in the capital, San Jose of Costa Rica.

Dependencies

- 1 Department of Aeronautical Operations
- 2 Department of Aeronautical Maintenance
- 3 Airport Security Units

Border Police

The corps was reactivated in 2011, following the conflict with Nicaragua, for the dredging in Portillas Island. It reports to the vice-minister of Regular Units of the Public Force and, since 2013, it has trained its personnel on specialized courses offered by the National Police School. Since 2015, it has had a separate budget from the rest of the police corps. It is staffed by 300 troops.

Source: Compilation on the basis of the *Ley general de policía* (N° 7.410 – 30/05/1994), *Ley de creación del Servicio Nacional de Guardacostas* (N° 8.000 - 24/05/2.000), and website of the Ministry of Public Security.





The State budget for fiscal year 2015-2016 is US\$ 2,321,266,362

*Includes: Ministry of Defence, PNH, PNH Board, Demobilized military personnel bureau and National Palace Security Service.

Comparative increase (percentage variation 2014-2016)

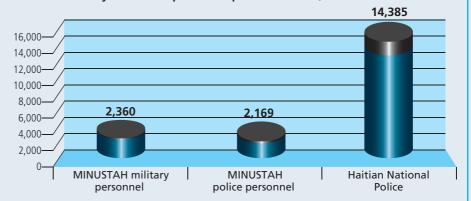


The Legal Framework

National Legislation

- Decree creating the Ministry of Defence (1990/05/30).
- Act creating the Haitian National Police (1994/11/29).
- Act creating a National Anti-Drug Commission (2002/05/31).

Military and Police personnel present in Haiti, 2016



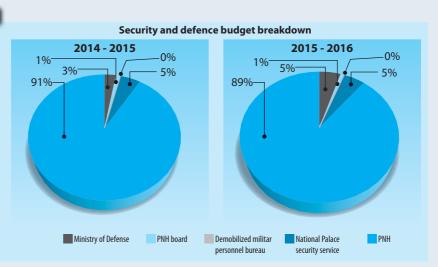




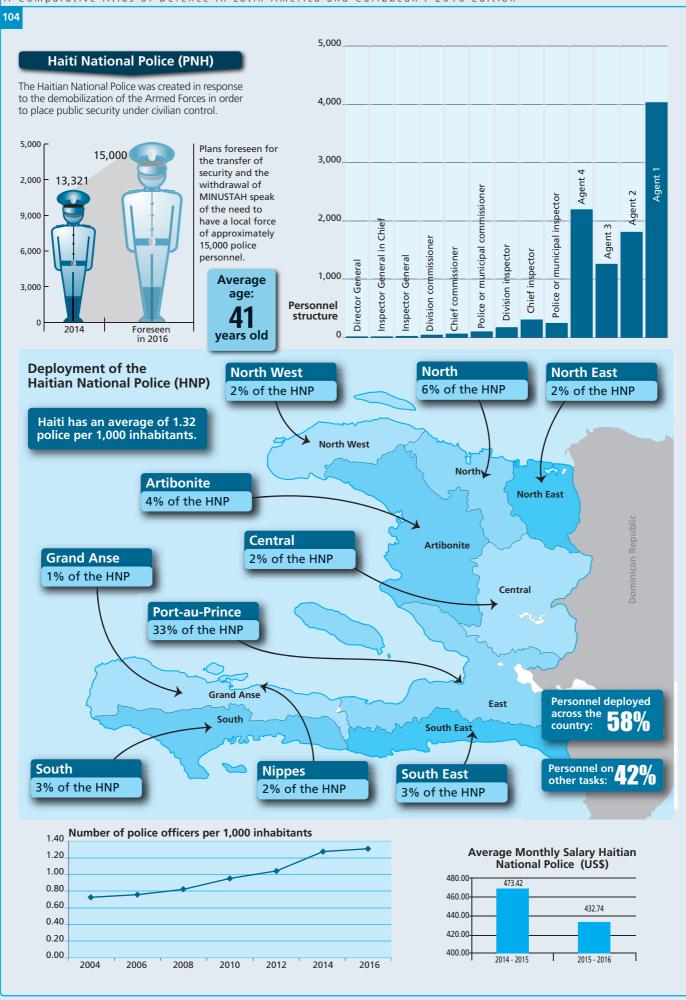
Public Force

According to the Constitution, the security forces are composed of two distinct bodies, the Haitian Armed Forces and the Police Force. The Armed Forces were officially disbanded in 1994. The Haitian National Police (HNP) was created to transfer the maintenance of public security to civilian control in 1995. The United Nations Stabilization Mission in Haiti (MINUSTAH) provides security alongside the National Police, as was established by Resolution 1743 of the United Nations Security Council.

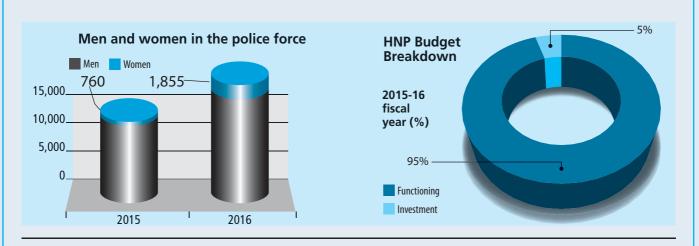
The Police Force is an armed body operating under the Ministry of Justice (Sec. 269). The Commander in Chief is appointed, according to the Constitution, for a period of three years, with the possibility of this term being renewed. The Police are established to ensure law and order and to protect the life and property of citizens (Sec. 269-1 and 270).



Source: Banque de la République d'Haïti, exchange rate. Décret établissant le budget général de la République 2015-2016. Development Plan Haitian National Police 2012-2016 and website United Nations Department of Peacekeeping Operations, statistics are taken from June 2016; Anuario Estadístico de América Latina y el Caribe, 2015, CEPAL (territory and population: projection 2016), FMI, World Economic Outlook Database, (GDP projection 2015).





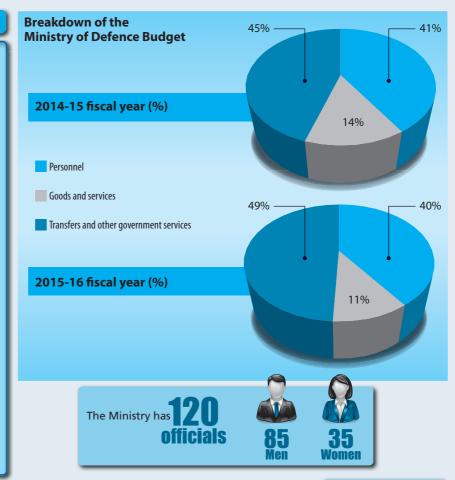


The Ministry of Defence

It was created in 1990, upon separating itself from the Ministry of Interior, and deactivated in 1995 after the dissolution of the Armed Forces. In 2012, the Ministry was reactivated by the government of Michel Martelly. That was accompanied progressively by organizational and personnel development and greater budget allocation.

Principal Powers

- Ensure the defence and security of the State.
- Participate in the maintenance of peace across the entire national territory.
- In conjunction with other responsible agencies, ensure compliance with the law and the measures laid down by the Executive Power aimed at ensuring the internal and external security of the State.
- Ensure physical protection against all forms of internal and external aggression
- Conduct education and training, as well as the operations of the Armed Forces within the country.
- Participate in the development and coordination of measures in case of war, civil disorder or in case of natural disasters.
- Ensure the development, modernization and maintenance of military and strategic infrastructure.
- Ensure security and the physical integrity
 of the country's territory, as well as the
 physical protection of the population, in
 all places, all circumstance and against all
 forms of aggression.



Military Engineers

Environmental Guards

Border Guards

Medical-Health Unit

In the framework of bilateral cooperation and the transfer of skills from MINUSTAH contributing countries, Ecuador and Brazil have collaborated in training future military engineers.

In addition to organizing compulsory mixed civic service for all young people who turn 18 years old in all of the country's departments, in order to train them on disaster response tasks, with training and activities lasting for a period of no more than 3 years.

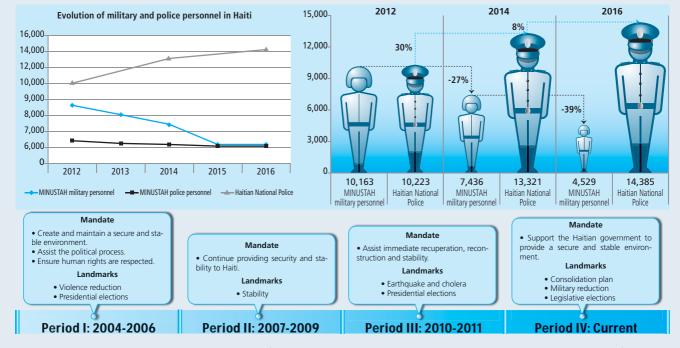
Source: Compilation on the basis of the *Décret établissant le budget général de la République* 2015-2016, Development Plan Haitian National Police 2012-2016, *Plan de Acción* 2013-2016 of the Ministry of National Defence, information provided by MINUSTAH and Reports by the Secretary General on MINUSTAH (2014).



The presence of Formed Police Units, of United Nations police bodies, and of military forces.



Source: Department of Field Support, Geospatial Information Section



Source: Compilation on the basis Statistics on the contribution of military and police personnel to United Nations operations, United Nations Department of Peacekeeping Operations, statistics are taken from June (2012, 2014 and 2016), website of MINUSTAH, and the Décret établissant le budget général de la République 2015-2016.



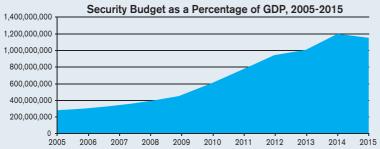


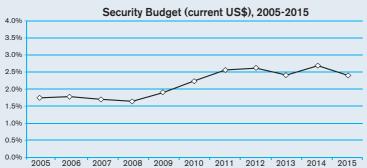
Comparative increase (percentage variation 2008-2016)

Security Budget State Budget

GDP

142% 142% 142%





The Legal Framework

National Legislation

- 1986 that covers drug-related issues (Executive Resolution N° 101 1994/09/22)
- Law creating the Human Rights Ombudsman (N° 7 1997/06/02).
- Organic law of the National Police (N° 18 06/04/1997).
- Protection of victims of crime law (N° 31 –1998/05/28)
- Equal opportunities for women law (N° 4 1999/02/06).
- Special criminal liability for adolescents law (N° 40 -1999/08/28).
- Organic law of the Institutional Protection Service (N° 2 1999/07/10).
- Law that adopts measures to prevent money laundering offenses (N° 42 2000/10/03).
- Law that adopts the judicial code (N° 1 2001/09/10).
- Law reorganizing the penitentiary system (N° 55 –2003/08/01).
- Law covering crimes against sexual liberty and integrity (N° 16 2004/04/05)
- Law that defines the crime of "pandillerismo" (gangs) and the possession and trade of prohibited weapons, and that adopts measures for protecting the identity of witnesses (N° 48 –2004/08/31).
- Law that reorganizes the National Civil Protection System (N° 5 2005/02/14).
 Law adopting the Penal Code (N° 14 –2007/05/22).
- Law creating the Directorate of Judicial Investigation within the National Police and that ascribes Forensic Services to the Institute of Legal Medicine and Forensic Sciences (N° 69 –2007/12/28).
- Law creating the National Migration Service (N° 3 2008/02/26).
- Law creating the National Border Service (N° 8 2008/08/22)
- Law adopting the Criminal Procedure Code (N° 63 –2008/08/29)
- Law repealing the Law that reorganized the National Defense and Public Security Council and creating the National Intelligence and Security Service (N° 11 2010/03/18).
 Law creating the Ministry of Public Security (N° 15 –2010/04/14).
 Law reorganizing the Ministry of Interior (N° 19 2010/05/03).

- Law on human trafficking and related activities (N° 79 2011/11/15).
- Law regulating private security services (N° 56 –2011/05/30)
- General law on firearms, ammunition and related materials (N° 57 -2011/05/30).
- Law that reorganizes the National Aero-Naval Service (N° 93 2013/07/11).

Principal Actors

Institutions Dependents

Ministry of Public **Security**

- National Police (includes the Directorate of Judicial Investigation), National Aero-Naval Service, National Border Service and National Migration Service
- Weapons and Explosives Registrer.
- Private Security.
- Comprehensive Security Program (PROSI).
- Violence and Crime Observatory - Integrated National System of Crime
- Statistics. - Inter-institutional Intervention Network.
- Prevention Security Cabinet

Ministry of

- General Directorate of the Penitentiary System.
- Institute of Interdisciplinary System.
- Fire Service - National System of Civil Protection.

Office of the President

- Institutional Protection Service.
- National Program for the Prevention of Violence an Juvenile Delinquency.
- Darién Development Program (PRODAR).

National Security Council (Office of the President)

- Technical Secretariat.
- Intelligence Service.
- National Crisis Coordination Center.
- National Passenger Investigation Center.

Office of the Public Prosecutor

- Prosecutors
- Institute of Legal Medicine and Forensic
- National Commission for the Study and Prevention of Drug-Related Crimes(CONAPRED).
- National Comission for the Prevention of Sexual Exploitation Crimes (CONAPREDES).
- Center of Victim Attention.

Rights Ombudman

Gender Violence Observatory.

Source: Anuario Estadístico de América Latina y el Caribe, 2015, CEPAL (territory and population: projection 2016), IMF, World Economic Outlook Database, (GDP projection 2016), Ley que dicta el presupuesto general del Estado para la vigencia fiscal de 2015 and information provided by Ministerio de Seguridad Pública (personnnomation provided by Ministerio de Seguridad Publica (person-nel). Decreto de Gabinete que organiza la Fuerza Pública (N° 38 – 1990/02/20), Decreto de Gabinete que crea el Servicio de Protec-ción Institucional (N° 42 – 1990/03/01), Ley orgánica de la Policia Nacional (N° 18 – 1997/06/04), Decreto Ley orgánica del Servicio de Protección Institucional (N° 2 – 1999/07/10), Decreto Ley que crea el Servicio Nacional de Fronteras (N° 8 – 2008/08/22), Ley que deroga el decreto ley que crea el Servicio Nacional de Inteligencia y Seguridad (N° 11 – 2010/03/18), Decreto Ejecutivo que crea el Consejo de Seguridad Nacional (N° 263 – 2010/03/19), Decreto Ejecutivo que crea el Gabinete de Seguridad Preventiva (N° 18 – 2012/01/27), Ley que reorganiza el Servicio Nacional Aeronaval (N° 93 – 2013/11/07). Constitución de la República de Panamá. Websites of the aforementioned institutions.

The Ministry of Public Security

It was created in 2010 as part of the restructuring of the security area. Its function is to maintain and defend national sovereignty, ensure security, peace and order and to protect the lives, honor and property of nationals and foreigners under the jurisdiction of the State. It coordinates its work with the National Security Council.



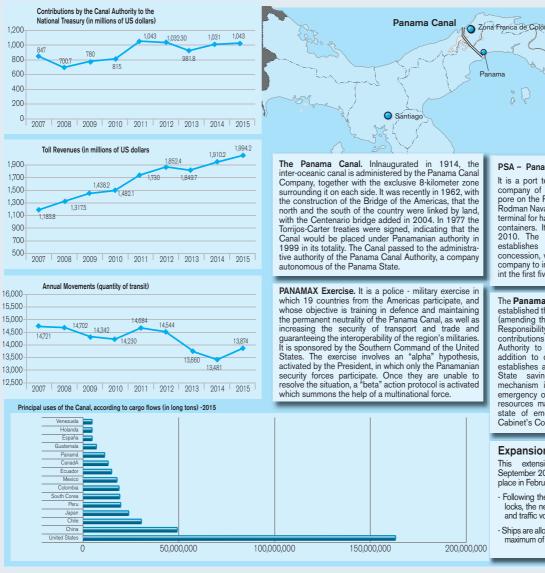
National Security Council

Created in 2010, it is responsible for the security strategy at the national level. It develops the "safe commerce and transport" strategy, with its aim being to convert Panama into the region's safest country, both for its citizens and for investments. It is the only State body that engages in intelligence tasks.

The authority of the Council is its Secretary, which is linked directly with the President of the Republic. Within its structure some 320 officials work, and its dependencies include:

The **National Center of Passenger Research** (located in Tocumen International Airport), has specialized personnel to detect cases that threaten security.

The **National Crisis Coordination Center** establishes alert levels in different areas or the entire country for civil protection during disasters or threats to the population.



PSA - Panama International Terminal

O La Palma

It is a port terminal that was built by a company of the Government of Singapore on the Pacific side, near the former Rodman Naval Base. It is the second port terminal for handling and packing storage containers. It began operations in late 2010. The contract signed in 2007 establishes a renewable 20 year concession, with the commitment of the company to invest at least US\$70 million int the first five years.

The Panama Savings Fund (PAF) was established through Law No 38 of 2012 (amending the 2008 law on Social Tax Responsibility). It is largely made up by contributions from the Panama Canal Authority to the National Treasury, in addition to other smaller revenues. It establishes a mechanism for long-term State savings and a stabilization mechanism in the case of states of emergency or economic slowdown. Its resources may only be used during a state of emergency declared by the Cabinet's Council.

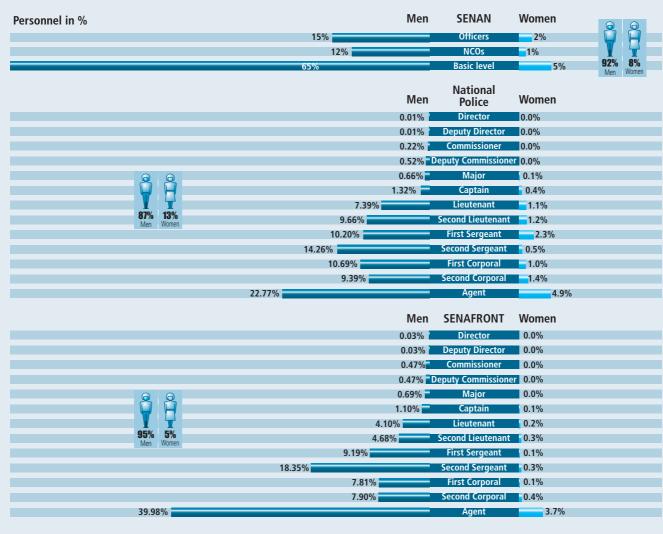
Expansion of the Canal

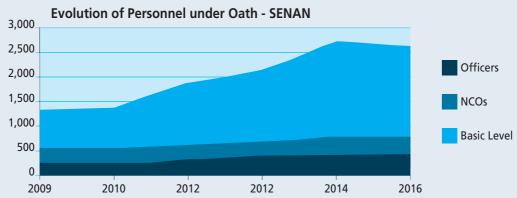
This extension process started in September 2007 and its inauguration took place in February 2016.

- Following the construction of two sets of locks, the new traffic lane doubles cargo and traffic volume capacity.
- Ships are allowed to cross the canal with a maximum of 13,000/14,000 containers.

Sources: Contraloría General de la República, Informe de la Contralora General de la República (2012), Decreto que crea el Consejo de Seguridad Nacional (Executive Decree Nº 263 – 2010/03/19), Informe Anual 2007 to 2015 of the Panama Canal Authority and information provided by the National Security Council and by the Ministry of Public Security.







The National Police

The National Police of Panama is under the jurisdiction of the Ministry of Public Security and its main function is to "safeguard the life, honor, property and other rights and freedoms of those who are under the jurisdiction of the State: to preserve public order, maintain the peace and security of inhabitants as well as perform all the duties and functions that are assigned to it by the President of the Republic".

Valid Legal Framework of the National Police

Organic Law N° 18, 06/03/1997 and reforms (Law N° 74, 11/01/2010) Executive Decree N° 204 that dictates the Disciplinary Regime, 09/03/1997 Executive Decree N° 172 that further elaborates Caps. VI, VII and VIII of Law N° 18, 07/29/1999 Executive Decree N° 246, Uniform Code of Ethics for Public Servants, 12/15/2004

Law N° 69 that creates the Directorate of Judicial Investigation, 12/27/2007

Sources: Web pages of the Ministry of Public Security, SENAFRONT and information provided by the Ministry of Public Security.



The National Aero-Naval Service (SENAN)

The National Aero-Naval Service – SENAN - carries out maritime, aerial, port and airport police functions. It is therefore a police institution, part of the Public Force, and of permanent civil character. It was created in 2008 with the unification of the National Air and National Maritime Services. It has its own professional career and disciplinary regime.

It has different units:

- The Aerial Group
- The Naval Group
- The Marine Infantry
- The Aero-naval Police (for islands and airports)

The Aero-Naval Service Career

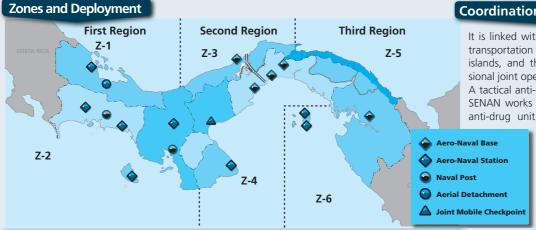
Staff are divided between personnel **under oath** and those **not under oath**. Those under oath perform the National Aero-Naval Service Career, while those not under oath carry out purely administrative and technical functions (non-uniformed, no weapons or institutional badges).

Personnel under oath are divided across scales:

- Basic level: Agent, Second Corporal, First Corporal.
- NCOs level: Second Sergeant, First Sergeant.
- Mid-level officer level: Second Lieutenant, Lieutenant, Captain.
- Senior officer level: Major, Deputy Commissioner, Commissioner.
- Director level: Deputy Director General, Director General.

The training of **officers** and **NCOs** in naval and aviation specialties is carried out within the framework of technical cooperation relations with the Ministries of Defence and the Air Forces of other countries in the region (Argentina, Brazil, Colombia, Chile, Ecuador, Mexico, Peru and United States). The police specialty is taught in the National Police's Doctor Justo Arosemena Centre for Higher Education (CES).

Basic training is conducted at the Aero-Naval Training Center (CEFORENT). As of 2014, 13 promotional classes of naval agents have graduated. Personnel from SENAN, SENAFRONT and the Institutional Protection System (IPS) are trained in the center. They receive theoretical training for a period of approximately three months.



Coordination with other bodies

It is linked with SENAFRONT to assist in transportation along borders or offshore islands, and they also engage in occasional joint operations.

A tactical anti-drug operations unit from SENAN works with the National Police's anti-drug unit. The investigations area

> coordinates with the Directorate of Judicial Investigation Police for operations, raids and arrests. Similarly, SENAN members can be transferred to another police service according to service needs

or at the request of the interested party.

SENAN has executed different operational plans together with the anti-drugs prosecutor of the Office of the Public Prosecutor in order to secure interdictions and inspections of different vessels in the search for bellicose material and the products of drug trafficking.

National Border Service (SENAFRONT)

The National Border Service is a police force specialized in the border area. It is part of the Public Force, and therefore a dependent of the Ministry of Public Security. It was created in 2008 through Decree Law No. 8 as a permanent institution of civil character, with a professional career and a special disciplinary regime. Until then, this body was part of the National Police as a Special Border Service ascribed to the National Border Directorate. Currently, **SENAFRONT** is under the Ministry of Public Security.



The principal deployment is on the border with Colombia, where **70 fixed positions** are located. In the last two years, the number of staff operating these positions decreased by 40% in order to form mobile units in the area. Personnel received special training for deployment to these mobile units, with an emphasis on jungle survival. Specialized equipment has also been invested in.

As in the case of the Aero-Naval Service (the decrees creating them were in fact published the same day), SENAFRONT is comprised of personnel that are, and are not, under oath. Those under oath are members of the National Border Service Career and those that are not fulfill administrative and technical roles.

Training of personnel under oath is carried out in its own Academy, where cadets pass through a 6-month basic course. This is followed by 2 months of specialized classes and from there they are placed on a 2 year trial period.

SENAFRONT performs humanitarian actions together with organizations like the Red Cross and the Ministry of Health, permitting furthermore the presence of the State and other organizations in remote areas of the country. It also conducts activities such as sports, food distribution, and vaccination campaigns, etc. All of these activities are carried out within the budget allocated to the institution.

Sources: Presidency of the Republic, *Informe de la Nación* (July 2013), *Ley que reorganiza el Servicio Nacional Aeronaval* (N° 93 – 2013/11/07), *Decreto Ley que crea el Servicio Nacional de Fronteras* (N° 8 - 2008/08/22) and information provided by the Ministry of Public Security



THE COUNTRIES