



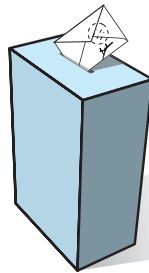
Dominican Republic

The Legal Framework

National Legislation

Systems and Concepts	Military Organization
- Organic Act of the Armed Forces (N° 873 - 1978/08/08)	- Code of Justice of the Armed Forces (Act N° 3.483 - 1953/02/13)

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



Political Participation of Military Members

	Retired	On Duty
Are they entitled to vote?	Yes	No
Are they entitled to become candidates for elections	Yes ⁽¹⁾	No ⁽¹⁾

(1) Subsection 50 of the National Constitution establishes, as a requisite to be President, not be in active military service or in the police force, for at least during the year the election takes place. Sections 22 and 25, which refer to the conditions to be Senator or Deputy, do not mention any requisite.

Source: Constitution.

International Treaties

On Hemispheric Security

- Inter-American Treaty of Reciprocal Assistance: Signature: 1947/09/02 Deposit: 1947/11/21
- American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 Deposit: 1950/09/12

On Disarmament

- Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/07/28 Deposit: 1968/06/14
- Treaty on the Non-Proliferation of Nuclear Weapons: Signature: 1968/07/01 Deposit: 1971/07/24
- Convention on the Prohibition of Chemical Weapons: Signature: 1993/01/13 Unratified
- Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/03 Deposit: 2000/06/30
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction: Signature: 1972/04/10 Deposit: 1973/02/23
- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Unratified
- Nuclear-Test-Ban Treaty (CTBT): Signature: 1996/10/03 Deposit: 2007/09/04

On Human Rights and Justice

- Inter-American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1977/09/07 Deposit: 1978/04/19
- Inter-American Convention to Prevent and Punish Torture: Signature: 1986/03/31 Deposit: 1987/01/29
- Protocol to the Convention on Duties and Rights of States in the Event of Civil Strife: Signature: 1957/09/17 Deposit: 1958/05/21
- International Criminal Court: Signature: 2000/09/08 Deposit: 2005/05/12
- Jurisdiction of the International Court of Justice as Compulsory: Deposit: 1924/09/30

On the Hemispheric System

- Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1949/04/22

Source: Compilation based on the information supplied by the web pages of the Secretariat for Legal Affairs of the Organization of American States, and the UN Office for Disarmament Affairs.

The Budget

State Budget 2008

Local currency	300,889,210,552
US\$	8,416,481,414
2008 GDP (in US\$)	37,698,000,000

Defence Budget 2008

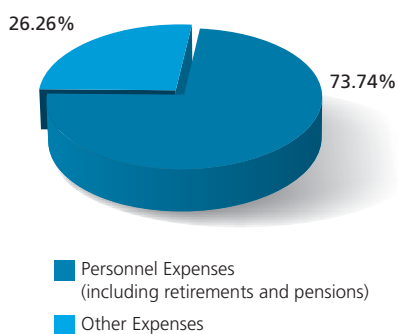
Local currency	9,621,053,328
US\$	269,120,373
GDP's %	0.71
% of the State Budget	3.20

Defence Budget 2008 (in Local Currency)

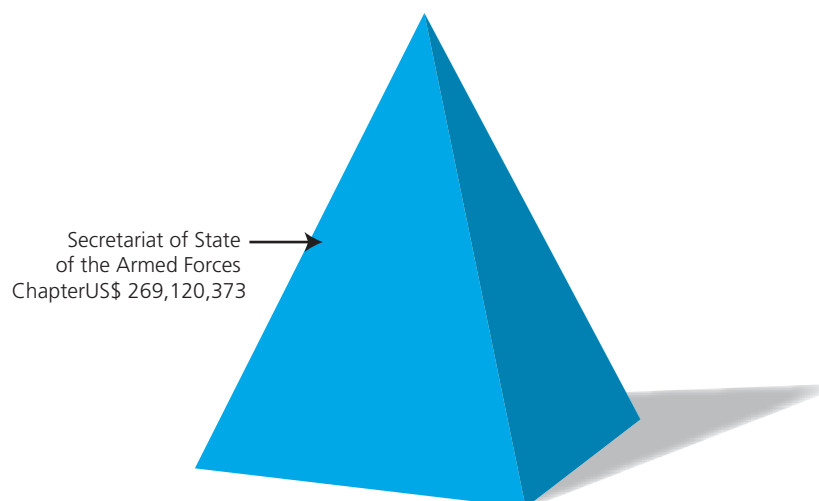
Chapters	Management and Technical Administrative Support	Obligations and Transferences	Production of Goods and Supply of Services	TOTAL
Secretariat of State of the Armed Forces*	854,160,132			
Secretariat of State	0	2,037,458,173	185,901,172	3,077,519,477
National Army	0	0	2,707,037,400	2,707,037,400
Navy of War	0	0	1,429,191,117	1,429,191,117
Dominican Air Force		0	2,407,305,334	2,407,305,334
	854,160,132			
TOTAL		2,037,458,173	6,729,435,023	9,621,053,328

*Expenditure by object classification: Personnel services 5,156,336,993; Non-personal Services 291,708,826; Materials and Supplies 1,208,809,761; Current Transferences 2,129,361,772; Financial Assets 834,835,976.

Defence Budget
2008 Breakdown



Composition of Defence Budget 2008



Source: Compilation based on the Public Incomes and Expenses Act 2008. The State budget passed by the Congress by means of the above mentioned Act is considered herein.

2008 GDP: World Economic Outlook Database Projection, IMF. This source has been taken for comparative purposes. Each country makes the budget based on its own GDP estimation.

The dollar value is the exchange rate considered by the World Economic Outlook Database, IMF. The exchange rate average is RD\$ 33.17, based on the information provided by the Central Bank of Dominican Republic. For further calculations, figures are provided in local currency.

Expressions in Bold Type (Table) make reference to the different items regarding defence, which can be found in a sectorial or institutional classification of the budgetary Act.

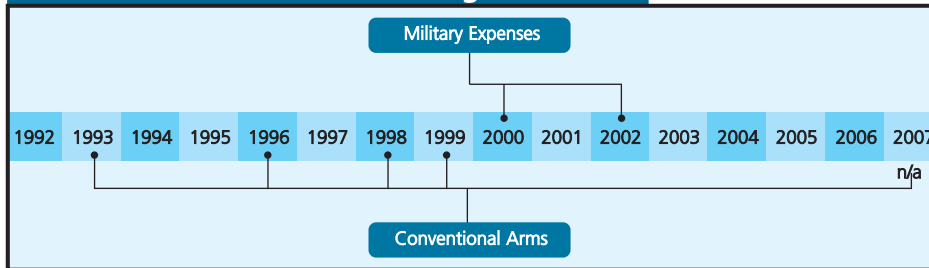


Political Definitions

Concepts

What is Defence?	What is Security?
<p>For the development of the security and defence policy at the national scope, the following guidelines have been established:</p> <ul style="list-style-type: none"> -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 the Armed Forces transformation. -Develop a new institutionalization and professionalization model. -Reform the military career. -Improve the equipment. -Foster research, development and innovation in order to maintain a proper technological level. <p>(Directiva de Seguridad y Defensa Nacional, Decree Nº 189-07 - 2007/04/03, Sec. 3)</p>	

Submissions to the UN Registers



Source: Compilation based on reports submitted to the UN Register of Conventional Arms and the UN Instrument for Reporting Military Expenditures from 1992 to 2008. The publication of information from the Register of Conventional Arms corresponding to the year 2007 is expected by August 2008.

Defence and/or Military Attaché Office in:



Source: Information supplied by the Secretariat of the Armed Forces. The country to which the Attaché is posted is considered here as the Office, beyond other cross accreditations to one or many countries.

Constitutional Powers of the Congress

Related to War and Peace

- Can it declare war?: No
- Is a congressional authorization required to declare war?: Yes ⁽¹⁾
- Can it make peace?: No
- Is a congressional authorization necessary to make peace?: Yes
- Is a congressional authorization necessary for the entry of foreign troops to the national territory?: Yes ⁽²⁾
- Is a congressional authorization necessary for the deployment of national troops outside the country?: Yes ⁽²⁾

Related to Control

- Is its approval required to appoint senior officers of the Armed Forces?: No
- Can it accuse officers of the Armed Forces?: No
- Can it try officers?: Yes
- Does it participate in the election of officials for institutions of external control?: Yes
- Can it modify the national budget?: Yes

States of Exception

Name: State of siege
Cause: Disturbance of the peace
Public calamity
Participation of the Legislative Power: Declared by the Congress and by the President if the latter were not in session (with a subsequent report).

Name: State of emergency
Cause: State of national emergency
Participation of the Legislative Power: Declared by the Congress and by the President if the latter were not in session (with a subsequent report).

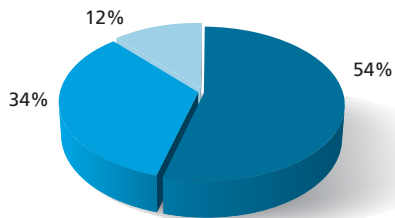
(1) The Congress can declare the national state of emergency in case the national sovereignty is exposed to a grave and imminent danger.

(2) It is the Legislative Power itself which has the referred power.

Source: Compilation based on the Constitution.

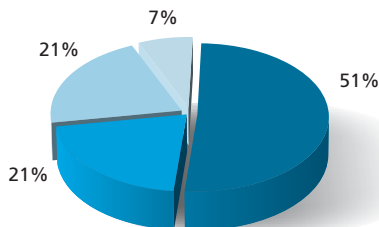
Breakdown of Parties

Chamber of Deputies

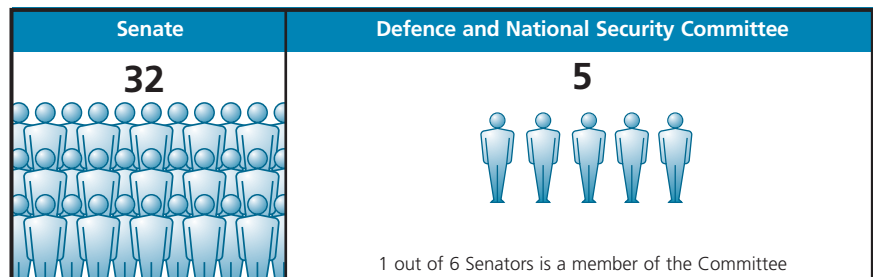
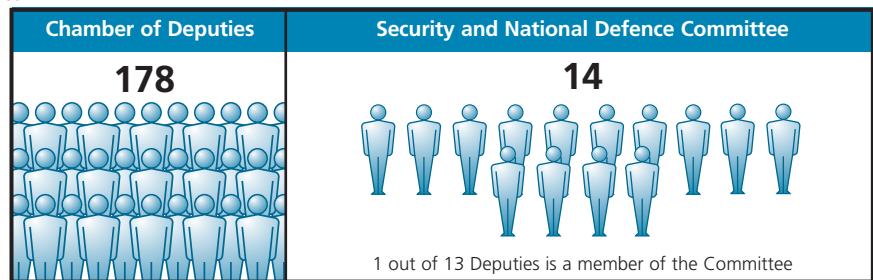


- PARTIDO DE LA LIBERACION DOMINICANO (PLD)
- PARTIDO REVOLUCIONARIO DOMINICANO (PRD)
- PARTIDO REFORMISTA SOCIAL CRISTIANO (PRSC)

Security and National Defence Committee

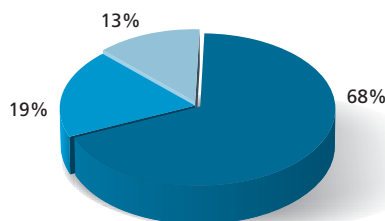


- PARTIDO DE LA LIBERACION DOMINICANO (PLD)
- PARTIDO REVOLUCIONARIO DOMINICANO (PRD)
- PARTIDO REFORMISTA SOCIAL CRISTIANO (PRSC)
- PARTIDO DE LA LIBERACION DOMINICANO (PLD) - I



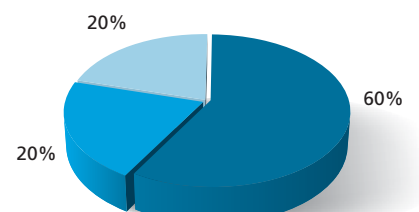
Breakdown of Parties

Senate



- PARTIDO DE LA LIBERACION DOMINICANO (PLD)
- PARTIDO REVOLUCIONARIO DOMINICANO (PRD)
- PARTIDO REFORMISTA SOCIAL CRISTIANO (PRSC)

Defence and National Security Committee



- PARTIDO DE LA LIBERACION DOMINICANO (PLD)
- PARTIDO REVOLUCIONARIO DOMINICANO (PRD)
- PARTIDO REFORMISTA SOCIAL CRISTIANO (PRSC)

Source: Compilation based on information provided by the Legislative Power.



System Organization

Functions

State Powers Sphere

The President of the Republic is the supreme commander of all the Armed Forces and of the police corps. The National Congress exercises the faculties conferred by the Constitution of the Republic and permanently monitors those issues related to the defence, through the defence committees in both chambers.

Ministerial Sphere

The Secretariat of the Armed Forces is the highest military authority body; it works closely along with the President in all the questions related to command, organization, training and administration of the armed corps. The General Staff of the Armed Forces - which depends directly from the Secretary of State of the Armed Forces - is the advisory body on all those fundamental matters that call for prior scrutiny, and is conformed as follows: the Chief of the General Staff of the Armed Forces - who will preside it -, the Undersecretary of State of the Army, the Undersecretary of State of the Navy, the Undersecretary of State of the Dominican Air Force, the General Staff of the National Army, the General Staff of the Navy of War, the General Staff of the Dominican Air Force and the Inspector General of the Armed Forces.

Military Sphere

The Chiefs of Staff of the National Army, the Navy and the Dominican Air Force will hold the immediate command of each of their Forces and be responsible for their integral preparation.

Source: Compilation based on the Constitution and *Ley Orgánica de las Fuerzas Armadas* (Nº 873 - 1978/08/08).

Date of Foundation
1930

Current Secretary (August 2008)
Ramón Antonio Aquino García

Can the military members be Secretaries?
Yes

Number of military members who were Secretaries
34

Number of civilians who were Secretaries
3

Have there been any women in charge of the Secretariat?
No

[The Secretary currently in charge is not considered]

The Secretariat of the Armed Forces

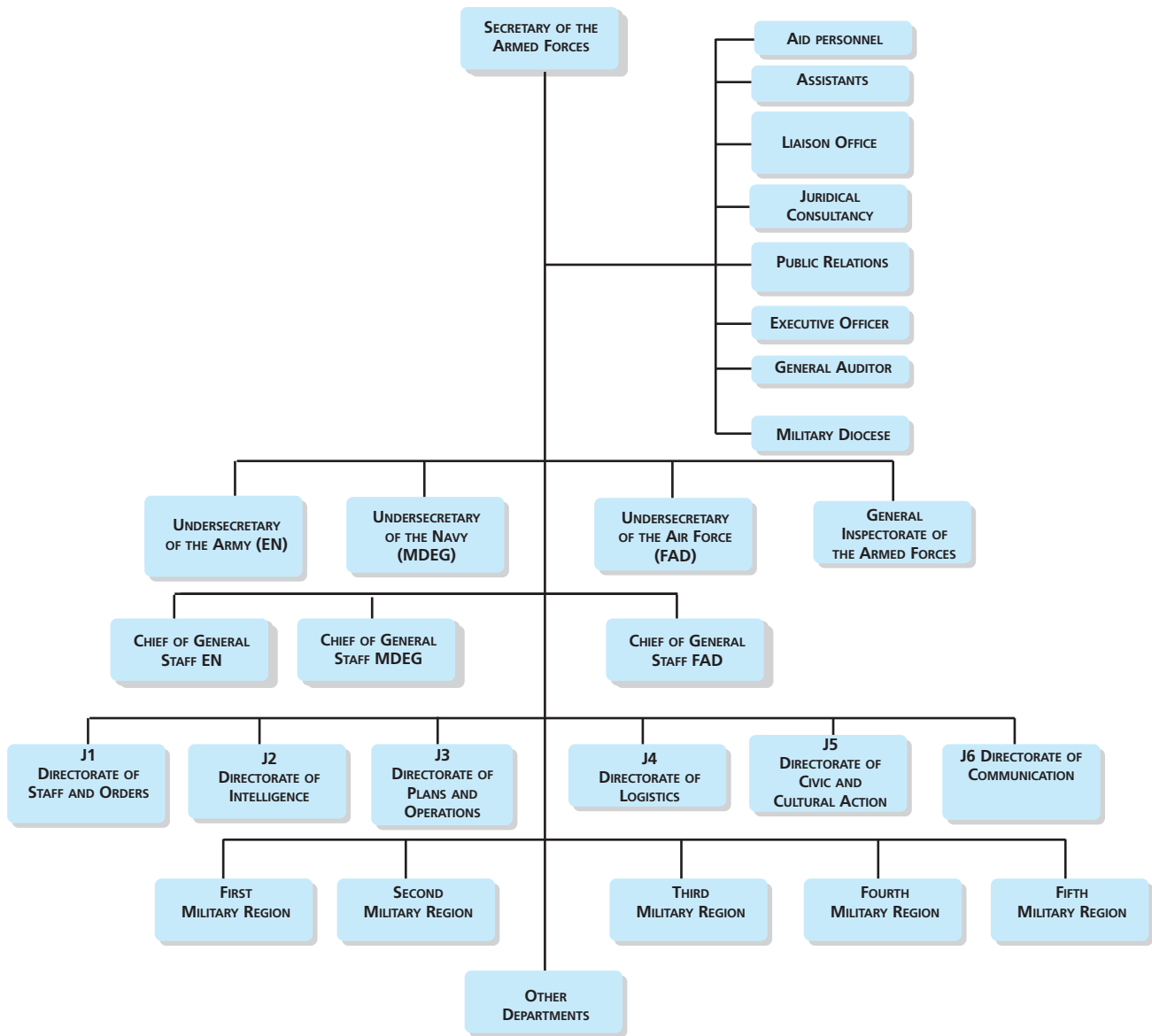
Mission:
Manage the Nation's Armed Forces.

- Specific Responsibilities:**
- Fulfill and enforce orders from the President of the Republic.
 - Issue rules for the creation of tactical, administrative and technical organic rules and regulations which are necessary for the proper work of the Armed Forces and submit them to the President of the Republic who shall be in charge of their publishing.
 - Is responsible for the correct application of the Armed Forces budget.
 - Commission the analysis of records that might affect law and rules collection and reforms for their update.
 - Be responsible for proper communication bodies maintenance in order to inform and supplement the general and professional culture of the Armed Forces personnel.
 - Oversee and control all matters related to war material in possession of the police bodies and other regular armed institutions attached to the Armed Forces.

■ Average permanence in the Secretary of the Armed Forces position
2 years and 1 month

Source: Compilation based on the *Ley Orgánica de las Fuerzas Armadas* (Nº 873 - 1978/08/08) and information provided by the web page of the Secretariat of the Armed Forces.

ORGANIZATION CHART



Source: Secretariat of the Armed Forces.

Defence Education

Main Training Courses of Specialization in the Area

Training Course	Institution
- Masters on Defence and National Security	Institute of High Studies for Security and Defence (IADESEN)
- Superior Course of Human Rights and Humanitarian International Law	Military Institute of Human Rights and Humanitarian International Law (IESFA)
- Intermediate Course on Human Rights and Humanitarian International Law	
- Women and Armed Conflicts	
- Post-graduate on Specialization of Human Rights and Humanitarian International Law	

Source: Compilation based on the information supplied by web page of the above mentioned institutions.



Military Career

ARMY

Military Academy

Duration: 4 years

Graduation Title: Graduate in Military Sciences

Graduation Rank: Second Lieutenant

Academies of Intermediate Education

First Lieutenant

Captain

Staff College

Military Institute of Superior Education

Major

Lieutenant-Colonel

Colonel

Brigade General

Major General

Lieutenant-General

Entry to the Military Academy - 2008 -

Candidates

222

Admitted Candidates

62

2 out of 7 candidates were admitted

NAVY

Naval Academy

Duration: 4 years

Graduation Title: Graduate in Naval Sciences

Graduation Rank: Midshipman

Academies of Intermediate Education

Second Lieutenant

First Lieutenant

Staff College

Naval Education Superior School

Corvette Captain

Frigate Captain

Navy-Captain

Rear-Admiral

Vice-Admiral

Admiral

Entry to the Naval Academy - 2007-

Candidates

55

Admitted Candidates

20

1 out of 3 candidates was admitted

AIR FORCE

Aviation Academy

Duration: 4 years

Graduation Title: Graduate in Military Sciences, mention aviation

Graduation Rank: Second Lieutenant

Academies of Intermediate Education

First Lieutenant

Captain

Staff College

Institute of Superior Aeronautical Studies

Major

Lieutenant-Colonel

Colonel

Brigade General

Major General

Lieutenant-General

Entry to the Aviation Academy - 2008-

Admitted

59

Source: Compilation based on information supplied by the above mentioned institutions and *Ley Orgánica de las Fuerzas Armadas* (Nº 873 - 1978/08/08). Entry to Academies: Secretariat of the Armed Forces and Military Academy. The table strictly follows the order and hierarchy of the ranks shown on each country.

The Armed Forces

General Mission

The purpose of creating the Armed Forces is to defend the independence and integrity of the Republic, maintain the public order and respect the Constitution and the laws. They shall intervene, when the Executive Power requires so, in programs of civic action and plans devoted to promoting the social and economic development of the country. (Constitution, Sec. 93)

- Support the authorities, legally constituted officers, in accordance with the laws and military regulations.
- Protect the people and their assets.
- Perform the tasks of military service assigned by the President of the Republic. (Organic Act of the Armed Force, Sec. 6, 7 and 8)

Specific Missions

Army

- Maintain the public order.
- Protect the traffic, industries and legal trade.

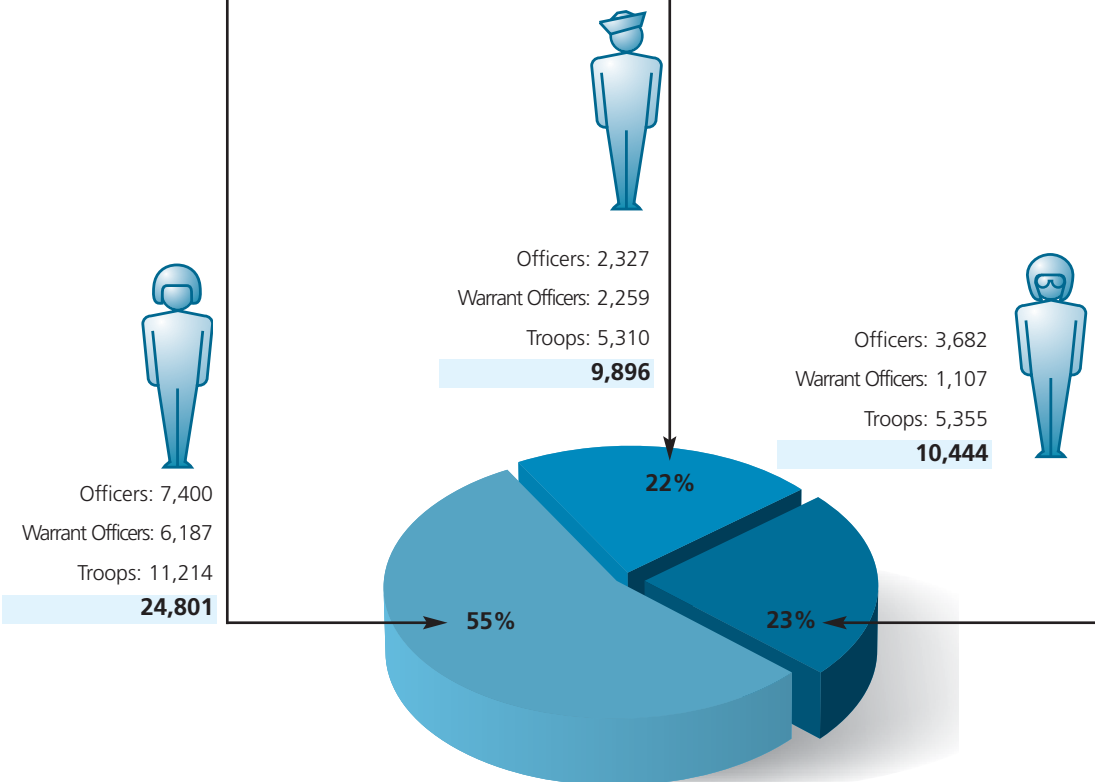
Navy

- Maintain the public order in the coasts and territorial waters of the Republic.
- Protect the traffic and legal maritime industries, enforcing their interests and institutions.
- Combat acts of piracy, the violation of the laws, regulations on navigation, trade, fishing and international treaties.

Air Force

- Maintain the public order in the air space of the Republic.
- Protect legal air traffic and trade enforcing its interests and institutions.
- Combat acts of piracy, the violations of the laws and regulations on navigation, air trade and international treaties.

Total Armed Forces: 44,841



Source: Ley Orgánica de las Fuerzas Armadas (N° 873 - 1978/08/08) (missions); Secretariat of the Armed Forces (Regular Forces).



Analysis

The Armed Forces of the Dominican Republic

■ Lilian Bobea*

■ The institutional history of the Dominican Armed Forces intersect the conformation processes of the State and the Caribbean Nation, characterized by political instability times, dictatorships and autocratic governments, which came along with several undemocratic attempts of modernization.

As it happened with most of Caribbean armies – configured as constabulary forces – the Dominican Army assumed since its very creation – conceptually and pragmatically speaking -, the aim of guaranteeing territorial integrity, as a response to the fears - mainly from political and ruling elite groups - of possible divisions, stemming from the frequent intestine strives. Later on, they became clash and counter-insurgency forces in the face of social movements, strikes and opposing movements that were assumed to attempt against the State¹. From the beginning, all of those elements emphasized their role as a control mechanism towards the interior of the Republic.

During the course of over a century and a half of independence, the Dominican Nation has outlined a zigzagging history, marked by the alternating authoritarian processes until the 60's and, by an agitated democratic transition from the late 70's to its unhurried current reinforcement. Internal and external dynamics have conditioned the development of structures and state political and administrative guidelines. Among the external, the influx of the Cuban Revolution into the political opposition national movements – which competed with the concerns and interventions of the United States -; the ubiquitous “Haitian question”, traditionally seen as a challenge for national security, and more recently, the growing challenge of transnational threats. In the national sphere, the military reconfiguration processes were boosted by political ruptures and social crises, rather than by institutional constraints.

That is confirmed by the long-lasting absence of an explicit defence policy, the inexistence of a civil bureaucracy within the institution, and the sluggish updating of the military doctrine.

■ As from the middle 90's, there has been a drive towards the reform of the defence sector.

* Profesor and researcher, FLACSO, Newlinkcorp Consultant.

¹ Figures vary from one author to another, but an estimated 2,000 to 3,000 opponents to Balaguer's administrations - over the twelve consecutive years of his mandate - were physically eliminated through military or paramilitary mechanisms.

Today, with approximately 9 million inhabitants, the Dominican Nation Armed Forces are fairly sizeable if compared to the rest of the Caribbean: between 40,000 and 45,000 active and uniformed men and women, distributed among the three Forces, under the command of the Secretariat of State of the Armed Forces². The direction of the whole Force is delegated by the President to the Secretary of State of the Armed Forces; thus, there is no civil Ministry of Defence yet, or a civil bureaucracy involved with the policy planning structure - except for that within the Executive Branch. Decisions are made by a General Staff, who follows the Executive's directions; its functions being indicated in the Armed Forces Organic Law, currently under revision.

Despite the multiple hindrances in the bosom of institutions, the middle 90's provided a rush of impetus in favour of the sectorial reforms, partly under the sway of the reconfigurations amidst the hemispheric and regional spheres – mostly in Central America but also in the southern cone – and partly by the necessity (admitted by the Dominican security forces) of making articulations with their international equals, thus achieving for the first time their insertion - in more global terms - into new security scenarios. This sets off a change within the insular viewpoint, the sector being subject to an unprecedented revisionist dynamics and openness within its institutional history.

A Reform Permanent Commission was created in 1996 and endorsed by Decree 605/05 of November 2, 2005. Towards the late 90's, and by the initiative of academic and political institutions and non-governmental organizations, debates arose among civilians and military about the questions of the missions, roles and duties of the Armed Forces. In this context, the necessity to develop a Strategic Plan was posed, within a two-decade time frame, whose specific aims were:

- To design policies and strategies enabling the adjustment of the Armed Forces to the Dominican social changes, and to the national development process.
- To generate an institutional enforcement culture within the different levels of the Forces.
- To establish a juridical framework for the institutional competencies and new roles.
- To reorganize, simplify and improve the institution through the incorporation of innovative administrative procedures and computer technologies.
- To improve the national security and defence systems, in proportion to the posed threats.

The initiative lasted for two years and originated the White Book on Dominican National Defence (pending publication), which laid the foundations for subsequent debates. That was the outcome of many discussion boards and the exchange of viewpoints among military and civilians. They introduced, for the first time, a collective reflection upon the elements and parameters suggested by the security and defence policies, and their corresponding systems and structures. Without a doubt, the White Book constituted an important watershed in the democratization of the sector. However, the central idea of keeping transparent

■ The 2007 Presidential Directive on Security and Defence established the parameters for the development of the sector's policy.

² At the beginning of 2004, the recently elected President Leonel Fernández Reyna carried out an important purge (especially at high levels of the military hierarchy) and forced the retirement of around one hundred Generals.



public security policies is still lagging behind and confined to military spheres, due – to some extent - to the lack of civilian counterparts who actively participate and advance the formulation, conceptualization and operationalization of policies.

Reform Initiatives

Recently, within the framework of a national debate on the constitutional reform fostered by the Executive Branch, some sector related issues were dealt with again. The recent Presidential Regulation for the National Directive on Security and Defence³ has been an important step towards this direction.

The Directive established in Article 3, the parameters for the development of the security and defence policy, based upon the “passing of the National Security and Defence Law. This law will redefine the missions and objectives of the Armed Forces and of public security organisms, as well as the inclusion of new figures, such as the National Security Advisor. Likewise, it will lay the foundations for the national mobilization and, set the limits of the security zones within our territory (...), highlighting in turn the preventive character of our doctrine”. It also suggests “the active participation of civil society in the debate on the important security and defence policy issues, as well as the participation of the Armed Forces in the national development planning”.

In response to this mandate, the military institutions performed, for the first time since their creation, a revision of their fundamental regulations. Between 2007 and today, a National Military Strategy has been elaborated. It advocates “disciplined and motivated Armed Forces, who effectively guarantee the sovereignty, integrity and public order of the Dominican Republic, bearing a high sense of loyalty to the legally constituted civil power, and able to deter, neutralize, stop or destroy any kind of threat against the National Security and Defence”.⁴ Similarly, the Code of Conduct and the Military Organic Law have been modernized, as a result of the doctrinal framework updating. Currently, the military justice regulations are under revision.

Aside from the development of joint doctrines, the mandate of the executive advocates the establishment of more integrated intelligence systems, the development of inter-institutional coordination mechanisms (especially in emergency situations and national crises) and the articulation with international military cooperation initiatives, military diplomacy, and the development and promotion of mutual confidence among regional and hemispheric States. In that sense, the missions have been redefined on the basis of a glossary of security challenges and threats, among which the following stand out: drug-trafficking; social and street violence; organized delinquency; environmental degradation; natural disasters; illegal immigration, illegal fishing and piracy, arms and human trafficking and terrorism.

In recent times, as part of the adaptations in the defence sector in the face of the alleged non-conventional threats, the Armed Forces have become a key factor in the sometimes undefined regional strategy against the organized crime and there-

■ The military institutions performed, for the first time since their creation, a revision of their fundamental regulations.

³ Decreto Presidencial n° 189-07, *Directiva de Seguridad y Defensa Nacional*, Santo Domingo de Guzmán, Dominican Republic, April 3rd, 2007.

⁴ *Estrategia Militar Dominicana*, Santo Domingo, Dominican Republic, November 25th, 2007

fore in the struggle – at the domestic level – against drug-trafficking. Many of these areas transcend the defence and therefore, the military institution's field of action. Thus, its intervention in crisis conditions has to be regulated and sanctioned by civil powers, which are in charge of deliberating its jurisdictional sphere.

Another increasingly controversial aspect is the ever-growing relevant role of the military in the public order control; both strategy and politics have to start from establishing the distinction among national security, domestic defence and (citizen) security and their connections. In this fashion, it is sought to undo the constabulary character that initially characterized the Armed Forces, which clashes with the current professionalization and modernization trends.

Beyond the institutional sphere, a good reason to review the recurrent involvement of the Forces as regards citizen security is the way this involvement affects the democratic system, as it establishes a civic-military-police triangle that is hard to harmonize for the sake of a wide civil control. Therefore, without ignoring the unlimited pressures that governments face due to the challenges posed by national security, it is paramount to establish the delimitation of functions and missions within the security forces, as well as the corresponding coordination between public order spheres and national security.

Challenges and Forecast

Defence management is still a conflicting field in the Dominican Republic, especially due to the very recent incorporation of civilians to the debate on defence and security matters, and to the lack of theoretical knowledge of strategic issues by those who hold responsibilities in this field. Some areas needing quick responses are:

- 1 The development of civilian counterparts, as for instance, the strengthening of parliamentary defence and security commissions, the external audits, and the creation of civil bureaucracies, as crucial elements in the management of defence.
- 2 The establishment of binding and interstate coordination protocols, consistent with the limitation of functions and the administrative subordination. That includes the development of administrative parameters in the strategic link between the military element and the Dominican State foreign policy.
- 3 The implementation of a less introspective view of security (which focuses fundamentally on national and insular questions), through the development and implementation of the cooperative dimension of security. In this sense, the involvement in peace operations is a still unexplored scenario, which offers many professionalization and internationalization opportunities to the military Forces.
- 4 Finally, the Dominican Armed Forces are compelled to mainstream the view, dimension and gender and human rights policies, at the level of structures, regulations, principles, culture and practices that direct and enhance its modernization process and their merging into the Dominican democratic system.

■ It is paramount to establish the delimitation of functions and missions within the security forces.