



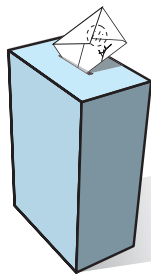
# Guatemala

## The Legal Framework

### National Legislation

Systems and Concepts	Military Organization
<ul style="list-style-type: none"> <li>- Constitutive Act of the Guatemalan Army (Decree N° 72-90 - 1991/01/17)</li> <li>- Executive Body Act (Decree N° 114-97 - 1997/11/13)</li> <li>- General Bureau of Civil Intelligence Act (Decree N° 71-2005 - 2005/10/12)</li> <li>- Framework Act on the National Security System (Decree N° 18-2008 -2008/04/15)</li> </ul>	<ul style="list-style-type: none"> <li>- Military Code (Decree N° 214 - 1878/09/15. Last Reform: Decree N° 41-96 - 1996/07/10)</li> <li>- Act on the Support to Civil Security Forces (Decree N° 40-2000 - 2000/06/16)</li> <li>- Civil Service Act (Decree N° 20-2003 - 2003/06/17)</li> </ul>

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 <sup>(1)</sup>	No

(1) Five years after retiring.

Source: Constitution.

## International Treaties

On Hemispheric Security	On Disarmament	On Human Rights and Justice	On the Hemispheric System
<ul style="list-style-type: none"> <li>- Inter-American Treaty of Reciprocal Assistance: Signature: 1947/09/02 Deposit: 1955/04/06</li> <li>- American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 Unratified</li> <li>- Framework Treaty on Democratic Security in Central America: Signature: 1995/12/15 Deposit: 1999/10/28</li> </ul>	<ul style="list-style-type: none"> <li>- Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/02/14 Deposit: 1970/02/06</li> <li>- Treaty on the Non-Proliferation of Nuclear Weapons: Signature: 1968/07/26 Deposit: 1970/09/22</li> <li>- Convention on the Prohibition of Chemical Weapons: Signature: 1993/01/14 Deposit: 2003/02/12</li> <li>- Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/03 Deposit: 1999/03/26</li> <li>- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction: Signature: 1972/05/09 Deposit: 1973/09/19</li> <li>- Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques: Accession: 1988/03/21</li> <li>- Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons: Accession: 1983/07/21</li> <li>- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Deposit: 2003/02/05</li> <li>- Inter-American Convention on Transparency in Conventional Weapons Acquisitions: Signature: 1999/06/07 Deposit: 2001/07/03</li> <li>- Nuclear-Test-Ban Treaty (CTBT): Accession: 1999/09/20</li> </ul>	<ul style="list-style-type: none"> <li>- Inter- American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1969/11/22 Deposit: 1978/05/25</li> <li>- Inter-American Convention on Forced Disappearance of Persons: Signature: 1994/06/24 Deposit: 2000/02/25</li> <li>- Inter-American Convention to Prevent and Punish Torture: Signature: 1986/10/27 Deposit: 1987/01/29</li> </ul>	<ul style="list-style-type: none"> <li>- Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1955/04/06</li> <li>- Antarctic Treaty: Accession: 1991/07/31</li> </ul>

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		Defence Budget 2008	
Local currency	42,535,455,246	Local currency	1,265,303,130
US\$	5,251,290,771	US\$	156,210,263
		GDP's %	0.44
2008 GDP (in US\$)	35,729,000,000	% of the State Budget	2.97

### Defence Budget 2008 (in Local Currency)

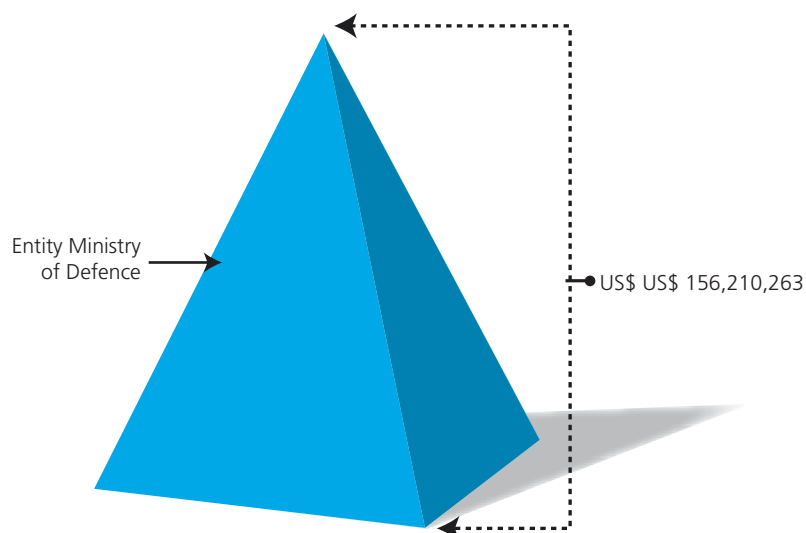
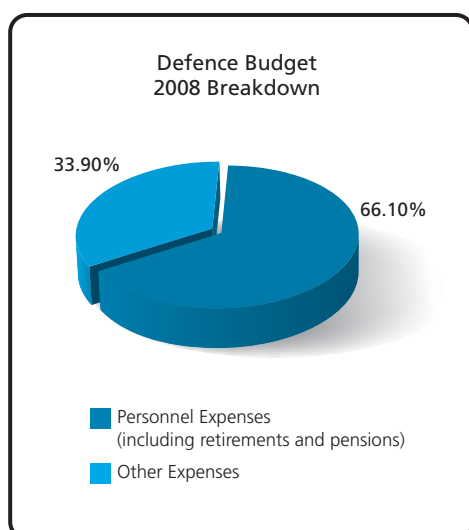
Programs	Personnel Services	Non-Personnel Services	Materials and Supplies	Others*	TOTAL
<b>Ministry of the National Defence</b>					
Central Activities	177,431,971	15,353,630	45,590,541	21,565,681	259,941,823
Independence, Sovereignty and Integrity of the Territory**	301,318,620	10,562,686	203,841,381	1,679,270	517,401,957
Military Education	128,661,002	6,284,969	15,492,502	9,734,556	160,173,029
Military Health and Social Service	39,439,263	78,647	12,179,388	122,190	51,819,488
Construction and Cartography	30,187,332	787,648	12,925,762	863,754	44,764,496
Military Missions Abroad	23,497,244	27,515,645	17,521,170	5,011,088	73,545,147
Regulation of National Water Spaces	5,799,221	1,121,976	2,087,655	244,739	9,253,591
Items non-assignable to programs***	0	0	0	148,403,599	148,403,599
<b>TOTAL</b>	<b>706,334,653</b>	<b>61,705,201</b>	<b>309,638,399</b>	<b>187,624,877</b>	<b>1,265,303,130</b>

\* Includes Property, Plant, Equipment, Intangible Items and Current Transferences.

\*\* Ground Defence: Q 252,011,611; Air Space Defence: Q 61,258,527; Defence of Territorial Waters: Q 45,183,275; Reserves: Q 20,131,444, Military Modernization and Equipment: Q 138,817,100.

\*\*\* Contribution to the Assistance Center for the Handicapped Members of the Army: Q 9,500,000; Contribution to the Foundation for the Institutional Development of Guatemala: Q 1,800,000; Contribution to the Military Veterans Association of Guatemala: Q 5,000,000; Contribution to the Institute of Social Services: Q 131,652,013; Contribution to the International Hydrographic Organization: Q 266,306, and Contribution to the CFAC: Q 185,280.

### Composition of Defence Budget 2008



Source: Compilation based on the General Budgetary Law for Incomes and Outcomes/Expenses of the State for 2008 Fiscal Year. 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 seller's exchange rate average is 7.70 Quetzales, based on the information provided by the Bank of Guatemala. 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>The external security field belongs to the defence of independency and sovereignty, integrity of the territory, peace, and the maintenance and strengthening of international relations.</p> <p>It works under the responsibility of the President through the Ministries of Foreign Affairs and Defence. Within the performance and coordination of the external security field, the content of the international treaties and agreements to which Guatemala belongs shall be considered.</p> <p>Regarding foreign policy, it is aimed at preventing and counteracting threats and risks which could politically affect the country and are produced by external factors.</p> <p>As regards national defence, it develops the Nation's defence policy and guarantees the summon and mobilization of civil defence.</p> <p>(Ley Marco del Sistema Nacional de Seguridad, Decree N° 18-2008, 2008/04/15, Sec. 20)</p>	<p>The internal security field includes, in a preventive and direct manner, the set of risks and threats from organized crime and common delinquency, in defence of the democratic State under the rule of law. It works under the responsibility of the President through the Ministry of Government.</p> <p>(Ley Marco del Sistema Nacional de Seguridad, Decree N° 18-2008, 2008/04/15, Sec. 19)</p>

### Participation in Peace Operations

Missions	Military Component	
	MO	CT
MINUSTAH (Haiti)	—	118
MONUC (Dem. Rep. of Congo)	4	105
UNAMID (Darfur)	—	2
UNIFIL (Lebanon)	—	1
UNMEE (Ethiopia and Eritrea)	1	—
UNMIN (Nepal)	2	—
UNMIS (Sudan)	2	1
UNOCI (Ivory Coast)	5	—

■ The Regional Training Centre for UN Peacekeeping Operations (CREOMPAZ), headquartered in Guatemala, was founded on June 8, 2005.

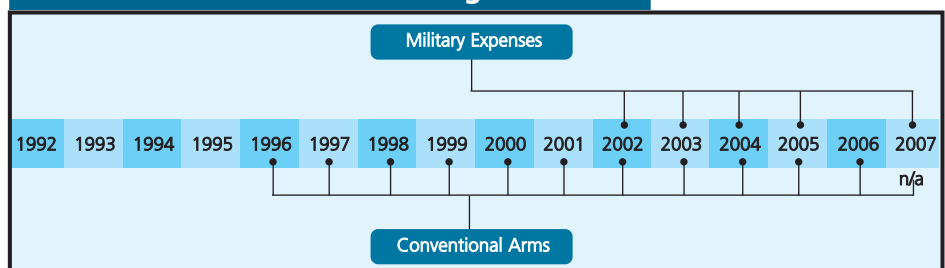


MO: Military Observers - CT: Contingent Troop.

Source: Compilation based on the information supplied by the UN Department of Peacekeeping Operations (<http://www.un.org/Depts/dpko/dpko/contributors/>). Information as of June 30, 2008.

■ Guatemala provides 241 military members to UN peace operations, which represents a 3.79% of the total amount of the Latin American contribution and a 0.31% of the world total.

### 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

■ Guatemala published the *Libro de la Defensa Nacional de la República de Guatemala* (National Defence Book of the Republic of Guatemala) in 2003 and the *Política de la Defensa Nacional* (National Defence Policy) in 2005.

### Constitutional Powers of the Congress

#### Related to War and Peace

- Can it declare war?: Yes
- Is a congressional authorization required to declare war?: Yes<sup>(1)</sup>
- 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
- Is a congressional authorization necessary for the deployment of national troops outside the country?: N/R

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

N/R: No reference.

#### Related to Control

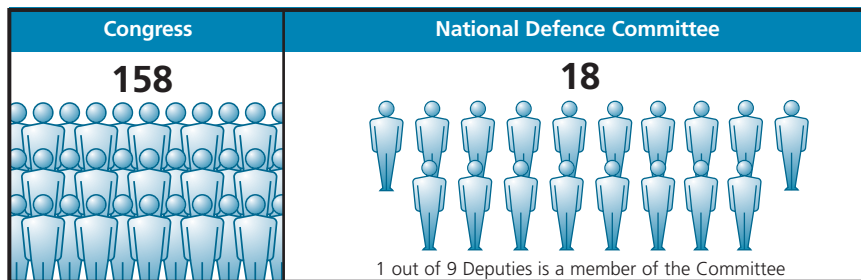
- Is its approval required to appoint senior officers of the Armed Forces?: No
- Can it accuse officers of the Armed Forces?: No
- Can it try officers?: N/R
- Does it participate in the election of officials for institutions of external control?: Yes
- Can it modify the national budget?: Yes

N/R: No reference.

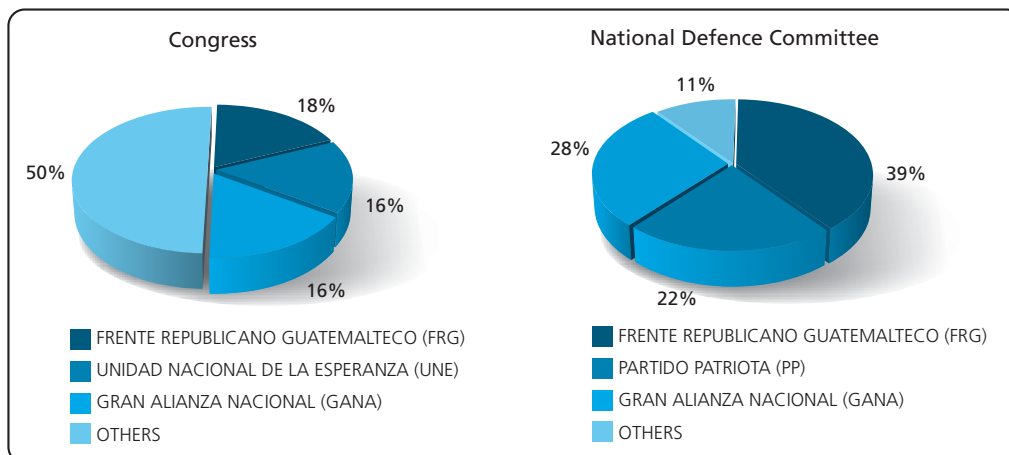
#### States of Exception

- Name: State of prevention
- State of alarm
- State of public calamity
- State of siege
- State of war
- Cause: Invasion of the territory
- Grave disturbance of the peace
- Activities against the security of the State
- Public calamity
- Participation of the Legislative Power: The Congress can ratify, modify or dismiss it.

Source: Compilation based on the Constitution.



### Breakdown of Parties



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



**System Organization**

**Functions**

**State Powers Sphere**

The President of the Republic is part of the High Command of the Army and governs it in the role of Commander General. It is within its competence to maintain the territorial integrity and the dignity of the Nation, as well as to provide for the defence and security.

The National Security Council advises the President on the decision-making process, as to security matters and, defines security policies and strategies. It is composed of the Vice-President of the Republic, the Ministers of Foreign Affairs, Government and National Defence, the Secretary of Strategic Intelligence of the State and the Attorney-General.

The National Congress exercises the faculties conferred by the Constitution of the Republic and permanently overviews those issues related to the defence through the Commission for the National Defence.

**Ministerial Sphere**

The Ministry of Defence – also part of the High Command of the Army – is the governing body in charge of formulating the policies or guidelines that enforce the fulfillment of the defence related legal regime. Besides, it is the linking body between the Army and the other State bodies, and holds operative, administrative, and political-strategic attributions. The Ministry of Defence exercises the operational command (under the orders of the President) of the armed institution, and counts on the technical and advisory support from the General Staff of the National Defence – third and last partner of the High Command of the Army.

**Military Sphere**

The Chief of the General Staff of the National Defence is accountable to the Minister of Defence of the Nation for the command, organization, training, education, discipline, conduct, and the tactical and strategic use of the Ground, Air and Sea Forces.

Source: Compilation based on the Constitution, *Ley Marco del Sistema Nacional de Seguridad* (Decree N° 18-2008 – 2008/04/15) and *Libro de la Defensa Nacional* (2003).

**Date of Foundation**  
1945

**Current Minister (August 2008)**  
Marco Tulio García Franco

**Can the military members be Ministers of Defence?**  
Yes. According to the Constitution of the Republic, civilians cannot be Ministers of Defence

**Number of military members who were Ministers of Defence**  
11 (since 1996, year of the Lasting and Consistent Peace Agreements)

**Number of civilians who were Ministers of Defence**  
None

**Have there been any women in charge of the Ministry of Defence?**  
No

[The Minister currently in charge is not considered. The creation date is related to the moment in which the term "Defence" becomes part of the Institution's name]

**Average permanence in the Minister of Defence position**  
**1 year**

**The Ministry of National Defence**

**Mission:**

The Ministry of National Defence is the body acting in the communication between the Army of Guatemala and the other State bodies.

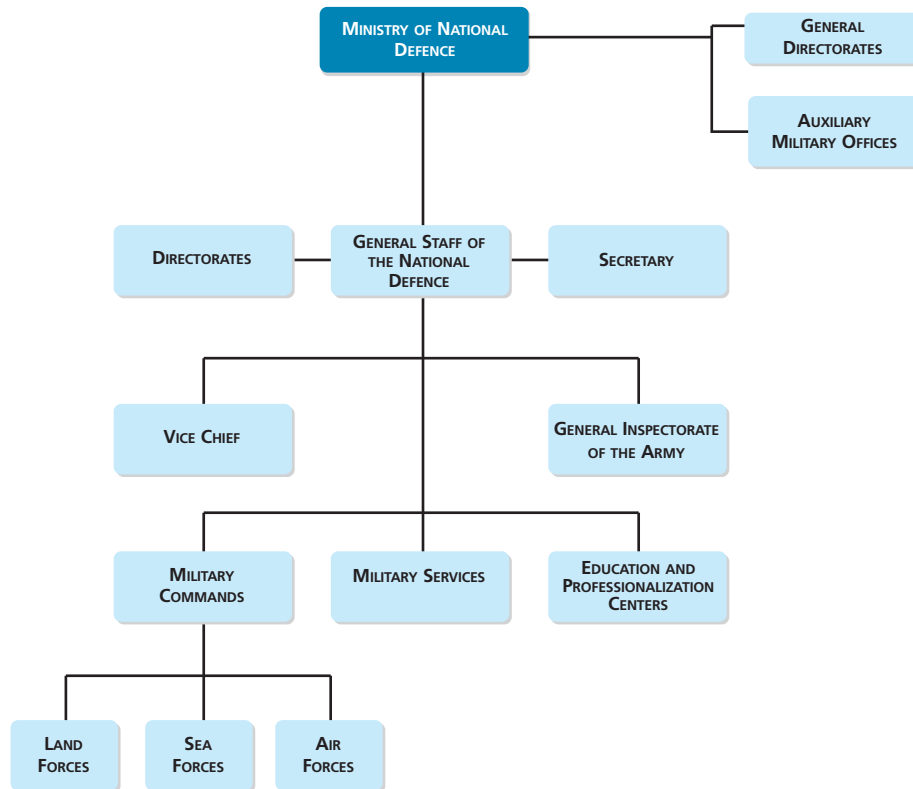
The Minister of National Defence, by orders of the President, shall manage and administer the Army of Guatemala.

**Functions:**

- Approve plans submitted by the National Defence Staff, regarding tactical and strategic use of the Army.
- Fulfill and enforce military rules and regulations.
- Oversight and control of public and private bodies and institutions which pursuant to law are authorized to hold licences of war weapons, equipment and supplies.
- Manage the acquisition, production, maintenance and improvement of weapons, equipment, ammunitions, livestock, outfit and other combat tools.
- Be responsible for the acquisition, maintenance and recovery of goods, rights and shares assigned to the Ministry of National Defence.
- Manage the acquisition, maintenance and conditioning of buildings, fortifications, aerodromes, naval facilities and other military facilities.
- Establish rules and oversee production, importation, exportation, consumption, storage, shipment, the lending of, transformation, transport, use, sale, acquisition, possession, preservation and carrying of any kind of firearms, ammunitions, explosives, flammable and other similar material.
- In cases in which Public Law is applicable, enforce the powers that the law grants to the Army of Guatemala.
- Perform, by publishing on the Army General Orders, the appointments and removals for military positions and put forward for the President of the Republic acting as the Commander-in-Chief, the government arrangements for the appointment of military members required by law.
- Fill military position vacancies, giving priority to military rank, competence and years of service of the candidates.
- Approve the general training plan and the syllabus of military professionalization and vocational education.
- Foster military studies for the members of the Army of Guatemala.

Source: Compilation based on *Ley Constitutiva del Ejército de Guatemala* (Decree N° 72-90 – 1991/01/17) and information supplied by the Ministry of National Defence.

ORGANIZATION CHART



Source: Ministry of National Defence.

Defence Education

Main Training Courses of Specialization in the Area

Training Course	Institution
- Degree of National Strategic Studies	ESTNA Centre (Foundation for the Institutional Development of Guatemala)
- Degree on Security and Regional Defence	Ministry of Defence (with the guarantee of San Carlos University, University Francisco Marroquín and Panamerican University)
- Basic Course on Democratic Security	Security in Democracy (SEDEM)
- Course of High Strategic Studies	Superior Command of Education of the Army

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



**Military Career**

**ARMY**

**Polytechnic School**

Duration: 4 years  
 Graduation Title: Graduate in Military Sciences and Technology  
 Graduation Rank: Second Lieutenant

**Academies of Intermediate Education**

Lieutenant  
 Second Captain  
 First Captain

**Staff College**

**Command and General Staff School**

Major  
 Lieutenant-Colonel  
 Colonel  
 Brigade General  
 Division General

**NAVY**

**Polytechnic School / Naval School**

Duration: 4 years  
 Graduation Title: Graduate in Military Sciences and Technology  
 Graduation Rank: Second Lieutenant

**Academies of Intermediate Education**

Lieutenant  
 Frigate Lieutenant  
 Navy Lieutenant

**Staff College**

**Command and General Staff School**

Corvette Captain  
 Frigate Captain  
 Navy-Captain  
 Rear-Admiral  
 Admiral

**AIR FORCE**

**Polytechnic School / Military Aviation School**

Duration: 4 years  
 Graduation Title: Graduate in Military Sciences and Technology  
 Graduation Rank: Second Lieutenant

**Academies of Intermediate Education**

Lieutenant  
 Second Captain  
 First Captain

**Staff College**

**Command and General Staff School**

Major  
 Lieutenant-Colonel  
 Colonel  
 Brigade General  
 Division General

**Entry to the Polytechnic School – 2008 –**

Candidates:  
 459

Admitted Candidates:  
 187

2 out of 5 candidates were admitted

Source: Compilation based on information supplied by the above mentioned institutions. Entry to Academies: Ministry of National Defence. The table strictly follows the order and hierarchy of the ranks shown on each country.

## The Armed Forces

### General Mission

The Guatemalan Army is an institution devoted to maintaining the independence, sovereignty and honour of Guatemala, the integrity of the territory, peace and internal and external security. The Army shall cooperate in emergency situations or public calamity.  
(Constitution, Sec. 244 and 249)

### Specific Missions

#### Army

Its primary mission is, in the land scope, the dissuasion and development of war, as well as the organization of the defence of the Nation for the preservation of sovereignty, independence and integrity of the territory.

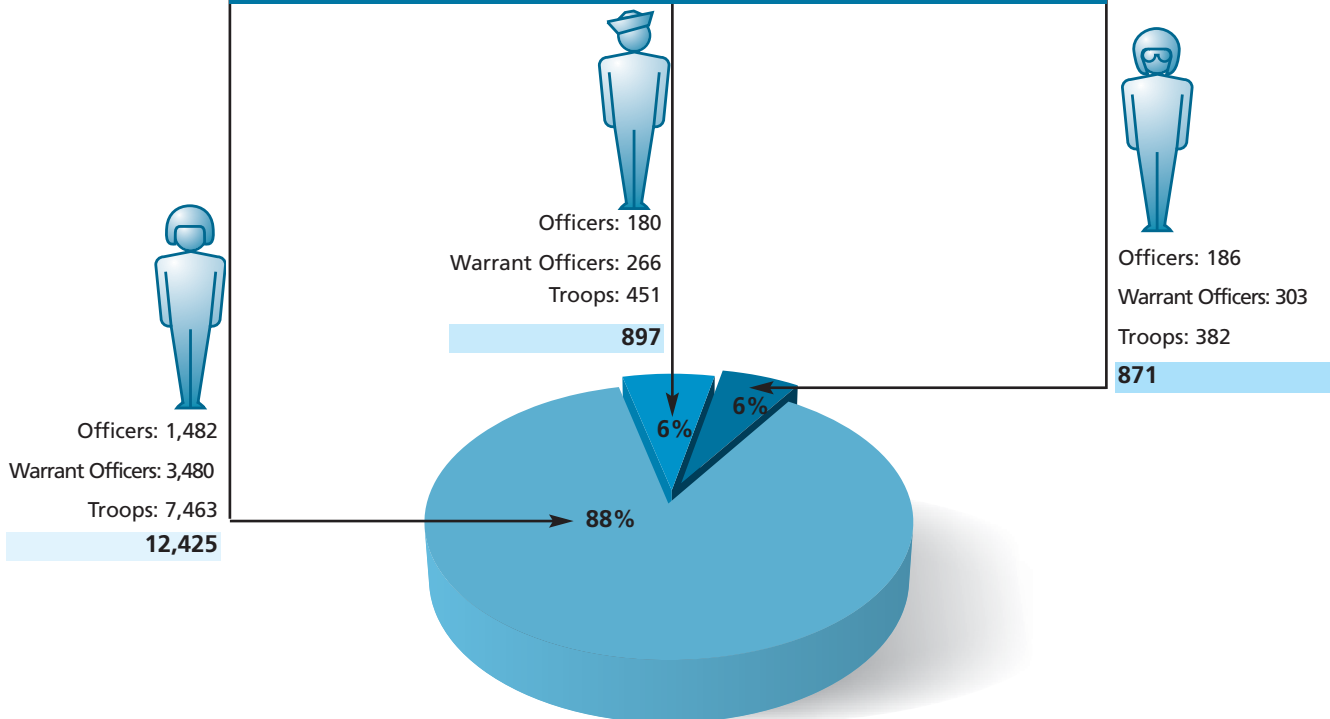
#### Navy

Its primary mission is to maintain the independence, sovereignty and honour of Guatemala, the integrity of the territory, peace and internal security in national marine spaces, as well as ensure the respect for the rights of its territorial seas and on the exclusive economic zone. In order to comply with this, the Sea Forces direct naval operations oriented to the application of national and international laws which establish the authority of the State in its marine spaces. Likewise, they carry out naval operations in times of war to defend Guatemala against attacks from the sea.

#### Air Force

Their primary mission is to direct operations to maintain and guarantee sovereignty of the national air space by means of air war, supporting the surface units, guaranteeing freedom of action to dissuade, neutralize or destroy any threat against national objectives.

### Total Armed Forces: 14,193



Source: Libro de la Defensa Nacional (2003) (missions) and the Ministry of National Defence (Regular Forces).





**Women in the Armed Forces**

		Army	Navy	Air Force
Entry year (Officers)	Staff Corps	1967	1967	1967
	Line Corps	1997	2000	2001
Rank reached		All ranks	All ranks	All ranks

“Line Corps” means those military members trained to perform in combat missions, and who also have command capacity.  
 “Staff Corps” means those military members who are part of the Forces or who join them, in order to provide technical and/or professional support services.

Source: Compilation based on information supplied by the Ministry of National Defence.

**Defence and/or Military Attaché Office in:**



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

Analysis:

## The Defence Reform in Guatemala

**Iduvina Hernández\***

■ Along with the subscription to the peace accords between the Government of Guatemala and the GNRU, *Unidad Revolucionaria Nacional Guatemalteca* (Guatemalan National Revolutionary Unity), a set of commitments tending to reform the security sector in Guatemala was established. In particular, the AFPC, *Acuerdo de Fortalecimiento del Poder Civil* (Peace Agreement on Strengthening Civil Society) and the Role of the Army in a Democratic Society, which poses a series of changes directed to the reform of the security sector, and the defence system within it.

This process has as a precedent the 1985 Political Constitution enforcement, and the institutionalization attempts conducted by the Ministry of National Defence itself. As from 1996, when the peace accords came into force, several efforts to foster the civil-military dialogue have been carried out, tending to give shape to the proposals for change settled in the AFPC (such as the project “Hacia una política de seguridad para la democracia” (Towards a Security Policy for Democracy), the POLSEDE project, and others that were boosted by the Ministry of Defence itself).

Those efforts, however, have apparently come across a dead end, when trying to produce significant changes and regulations are tied to the Constitutional text. That is to say, the whole of the efforts carried out in order to level the Ministry of Defence of Guatemala with its counterparts – from a democratic perspective –, have had to face a permanent hindrance: the constitutional mandate.

■ The reform efforts are hindered by the constitutional mandate.

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\* Executive Director of the Association for the Study and Promotion of Security in a Democracy (SEDEM).



The Political Constitution, in the article 224 (Chapter V, Army), establishes that “The Army of Guatemala is an institution designed to maintain the independence, sovereignty and honour of Guatemala, its territorial integrity, and its domestic and external peace and security”.<sup>1</sup>

This Constitutional statement has been the base, among others, of the Legislative Decree 40-2000, which authorized the joint patrolling between the Army and the PNC, *Policía Nacional Civil* (National Civil Police), a process whose evolution has led the Armed Forces in Guatemala to – strictly speaking - establish the struggle against delinquency and the performance of citizen security actions in their campaign plans. The Essential Elements of Intelligence for 2006, for instance, incorporated aspects related to citizen security, and the investigation to fight crime, functions that are legally assigned to the PNC and to the Ministry of Government.

On a different matter, the constitutional text, in chapter V, article 246 (Position and Attributions of the President), establishes that the Head of State “will impart orders by way of the general officer or colonel or their equal in the Navy, who is in exercise of the position of Ministry of National Defence”.<sup>2</sup>

Given that, this is the only specific reference to the profile of the Ministry of National Defence, the position should be occupied by an Officer of Guatemala’s Army, who holds the rank of Colonel, Air Marshall or General of Infantry, or Captain, Vice-Admiral or Admiral.

This situation becomes obscure with the Constitutive Law of the Army, according to which, during the transitory absence of the Ministry of Defence, their functions will be assumed by the General Staff Chief for the National Defence. That is to say, the professional technical leader of the Army of Guatemala instead of the Vice-Minister of the branch, as it happens with the rest of the government’s cabinet portfolios.

Another aspect to take into consideration in the reform processes is the right to vote for citizens who are part of the Armed Forces. In the Guatemalan case, article 248 of the Political Constitution poses that: “The active members of the Army of Guatemala can not exercise their right to vote or petition in matters of politics; nor can they exercise the right to petition collectively.”<sup>3</sup>

Due to this constitutional barrier, the people who are members of the Armed Forces are disabled to participate as voters in the electoral ballots, a situation that has been overcome in other countries, within the framework of the reform processes.

Conversely, those legislative aspects and ordinary regulations that affect the reform process in matters of defence can be solved through debate and political bargaining, in the framework of an integral effort and a programmatic planning that involve the different actors responsible for the political and technical leadership of the Armed Forces. This refers to the issues comprised in the Constitutive Law of the Army, as well as in the Military Code and the acts and regulations inherent to the functioning of the Armed Forces.

■ The Magna Carta’s statement has led the Armed Forces to establish the struggle against delinquency and the performance of citizen security actions in their campaign plans.

1. Political Constitution of the Republic of Guatemala, Chapter V, Article 244.

2. *Ibid*, Article 246.

3. *Ibid*, Article 248.

However, with regard to the constitutional order, the situation is more complex. The modification of the Ministry of Defence professional profile, the goals of the Army and the possibility to exercise the right to vote, requires a constitutional reform in at least three articles of the Constitution. That is a difficult hindrance to surpass, given the current circumstances. As to the legal aspect, the constitutional reform (once it has been politically agreed on), requires the qualified vote of two-thirds of the Congress of the Republic (integrated by 158 legislators). As soon as that reform has been passed, it should be submitted for ratification through a popular consultation process, in accordance with article 171 from the Constitution.

In 1997, a change was endeavoured, just when the constitutional reforms agreed in the peace accords - subscribed between the government of Guatemala and the URNG in 1996 - were boosted. An unclear process of legal reform, the inclusion of constitutional reforms by legislators - beyond what had been agreed -, and a belligerent campaign against the legal change, led to the rejection of the modification of the Constitution.

This outcome and a completely hostile political atmosphere toward the changes required to enforce what had been agreed in the peace accords, entailed – in practice – the accumulation of political difficulties, and obstructed the constitutional change needed to modify the functioning of the defence in Guatemala and, to contribute to the reform process required by the democratic institutionality.

In this sense, the changes produced in several spheres and aspects of the defence in Guatemala have not implied a deep process of division of the political and technical functions of the leadership. The Ministry of Defence and the Army are still part of an only linear structure, with an established hierarchy stemming from the President, as Commander General of the Army, who commands the Army through the Ministry of Defence (who in turn has to be a military officer).

Thus, as long as the ordinary regulations, the structure and the functioning of the armed forces are modified, it will be possible to advance towards the reform of the sector. However, these efforts may turn out to be foiled, if a deep legal reform - needed to develop the institutionality of changes - is not completed, and if the legal hindrances that it currently faces are not overcome.

The coming into force of the Security Framework Law, establishes the parameters for the functioning from a systemic perspective, and enhances the possibilities of civil management of the defence system. Such law, considers the creation of the National Security Council, the construction of a national intelligence system that would coordinate all the agencies within this sphere; and it also establishes the democratic control mechanisms over the security services in Guatemala.

However, in virtue of the constitutional limitation explained above, this law can not surpass the padlock that establishes the leadership of the defence by a military official. In that sense, it continues to be a pending matter, if the reform process is to be completed.

■ In March 2008, the National Security System Framework Law was sanctioned.