



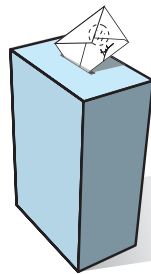
Venezuela

The Legal Framework

Systems and Concepts

Sistemas y Conceptos	Military Organization
<ul style="list-style-type: none"> - Organic Act for the Public Administration (GO N° 37.305 - 2001/10/17) - Decree-Law of Citizen Security Coordination (GO N° 37.318 - 2001/11/06) - National Security Organic Act (GO N° 37.594 - 2002/12/18) 	<ul style="list-style-type: none"> - Military Service and Enrollment Law (GO N° 2.306 - 1978/09/11) - Organic Code of Military Justice (GO N° 5.263 - 1998/09/17) - Organic Act of the Bolivarian National Armed Force (GO N° 5.891 - 2008/07/31)

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	Yes
Are they entitled to become candidates for elections?	Yes	No

Source: Constitution.

International Treaties

On Hemispheric Security	On Disarmament	On Human Rights and Justice	On the Hemispheric System
<ul style="list-style-type: none"> - Inter-American Treaty of Reciprocal Assistance Signature: 1947/09/02 Deposit: 1948/10/04 - American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 - Unratified 	<ul style="list-style-type: none"> - Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/02/14 Deposit: 1970/03/23 - Treaty on the Non-Proliferation of Nuclear Weapons: Signature: 1968/07/01 Deposit: 1975/09/25 - Convention on the Prohibition of Chemical Weapons: Signature: 1993/01/14 Deposit: 1997/12/03 - Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/03 Deposit: 1999/04/14 - 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: 1978/10/18 - Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons: Accession: 2005/04/19 - Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Deposit: 2002/05/14 - Inter-American Convention on Transparency in Conventional Weapons Acquisitions: Signature: 1999/06/07 Deposit: 2005/04/27 - Nuclear-Test-Ban Treaty (CTBT): Signature: 1996/10/03 Deposit: 2002/05/13 	<ul style="list-style-type: none"> - Inter- American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1969/11/22 Deposit: 1977/08/09 - Inter-American Convention on Forced Disappearance of Persons: Signature: 1994/06/10 Deposit: 1999/01/19 - Inter-American Convention to Prevent and Punish Torture: Signature: 1985/12/09 Deposit: 1991/18/26 - International Criminal Court: Signature: 1998/10/14 Deposit: 2000/06/07 	<ul style="list-style-type: none"> - Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1951/12/29 - Antarctic Treaty: Accession: 1999/03/24

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	137,567,650,786
US\$	63,984,953,854
2008 GDP (in US\$)	334,726,000,000

Defence Budget 2008

Local currency	7,206,275,956
US\$	3,351,756,259
GDP's %	1.00
% of the State Budget	5.24

Defence Budget 2008 (in Local Currency)

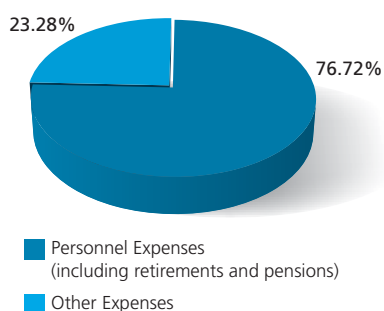
Credits	Consumer Goods and Services Expenses**	Real Assets	Others***	Personnel Expenses	TOTAL
Ministry of the People's Power for Defence					
<i>Projects*</i>					
Administrative Management	299,714,256	25,250,000	119,034,893	0	443,999,149
Logistics Support	421,318,971	0	0	0	421,318,971
Education and Training	34,677,071	0	0	0	34,677,071
Intelligence	4,045,609	0	0	0	4,045,609
Military and Civil-Military Operations	98,822,024	0	0	0	98,822,024
Health	271,681,203	0	0	0	271,681,203
Military Investment on the Army	15,296,175	3,019,241	0	0	18,315,416
Military Investment on the Navy	0	60,092,500	0	0	60,092,500
Maintenance of Operation Units of the Navy	0	50,902,312	0	0	50,902,312
Military Investment on the Air Force	0	27,043,128	0	0	27,043,128
Contributions of Decentralized Entities	0	0	1,380,144,521	0	1,380,144,521
<i>Centralized Actions</i>					
Management and Coordination of Workers' Expenses	1,299,992	0	0	4,152,199,765	4,153,499,757
Administrative Management	0	0	50,191,581	0	50,191,581
Social Security Services	0	0	81,181,351	0	81,181,351
Attachés Offices	0	0	25,361,363	0	25,361,363
Ministry of the People's Power of the President's Office					
Council of National Defence	2,839,386	391,119	447,122	11,322,373	15,000,000
General Command of the National Reserve and National Mobilization	15,806,524	5,915,500	809,400	47,468,576	70,000,000
TOTAL	1,165,501,211	172,613,800	1,657,170,231	4,210,990,714	7,206,275,956

* Budgets by projects. They are herein grouped regarding a central topic.

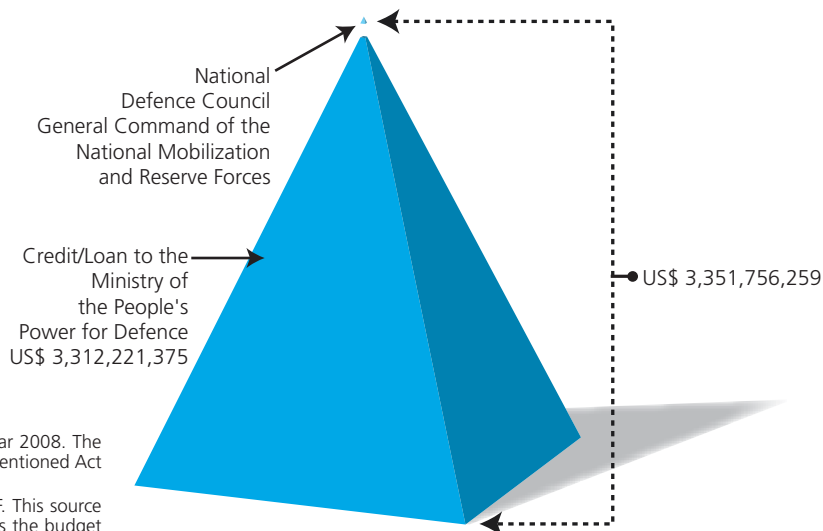
** Includes Materials, Supplies and Goods and Non Personal (Personnel) Services.

*** Includes Defence and Security Expenses of the State, Transferences and Donations. Decrease of Liabilities and other expenses. Transferences to the Institute of Social Services for the National Armed Forces (IPSA) are 1,318,008,146 Bolívares Fuertes.

Defence Budget
2008 Breakdown



Composition of Defence Budget 2008



Source: Compilation based on the Budgetary Act for Fiscal Year 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 seller's exchange rate average is 2.15 Bolívares Fuertes, based on the information provided by the Central Bank of Venezuela. 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

Security of the Nation is an essential competence and responsibility of the State, and is fundamented in its integral development. Its defence is responsibility of Venezuelan men and women both natural and legal persons of public and private law, which are being in the national geographical space.

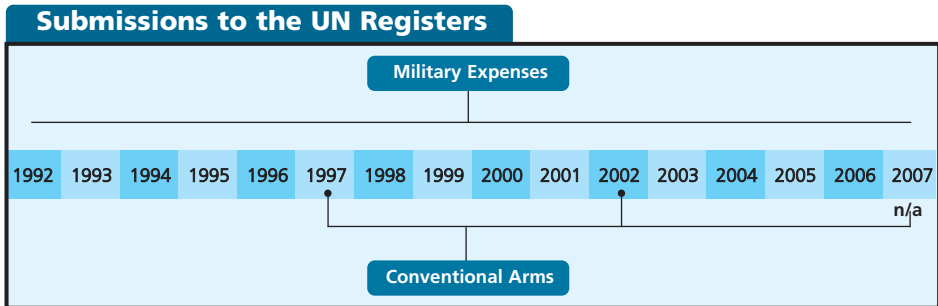
Security of the Nation is fundamented in the co-responsibility between the State and civil society, in order to enforce the principles of independence, democracy, equality, peace, freedom, justice, solidarity, environmental protection and conservation, affirmation of human rights, as well as the progressive satisfaction of individual and collective needs of Venezuelan men and women, on the basis of full coverage sustainable and productive development for the national community. The principle of co-responsibility is exercised in the economic, social, political, cultural, geographical, environmental and military scope.

(Constitution, Sections 322 and 326)

The scope of integral security and defence is limited to what it is established by the Constitution and laws of the Republic, international treaties, pacts and conventions, without the provision of nullified agreement, subscribed and ratified by the Republic, and to those spaces where our vital interests are placed.

(*Ley Orgánica de Seguridad de la Nación*, GO N° 37.594 - 2002/12/18, Sec. 6)

What is Defence?	What is Security?
Integral defence: the set of defence systems, methods, measures and actions, whichever their nature and intensity, actively formulated, coordinated and executed by the State, with the participation of public and private institutions and natural and legal persons, national or foreign, aimed at protecting independence, freedom, democracy, sovereignty, territorial integrity and the integral development of the Nation. (<i>Ley Orgánica de Seguridad de la Nación</i> , GO N° 37.594 - 2002/12/18, Sec. 3)	Security of the Nation: It is fundamented in the integral development and it is the condition, state or situation which guarantees the full exercise of the rights and guarantees in the economic, social, political, cultural, geographical, environmental and military areas of the constitutional principles and values of the inhabitants, the institutions and each one of the persons who are part of the State and the society, with a generational approach, within a democratic, participatory and prominent system, free of threats to its survival, sovereignty and integrity of its territory and other geographical spaces. (<i>Ley Orgánica de Seguridad de la Nación</i> , GO N° 37.594 - 2002/12/18, Sec. 3)



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.

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
- Is a congressional authorization necessary for the deployment of national troops outside the country?: Yes

(1) The President can declare the state of external commotion in cases of extreme conflict. Its extension requires the consent of the National Assembly.

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?: No
- Does it participate in the election of officials for institutions of external control?: N/R
- Can it modify the national budget?: Yes

N/R: No reference

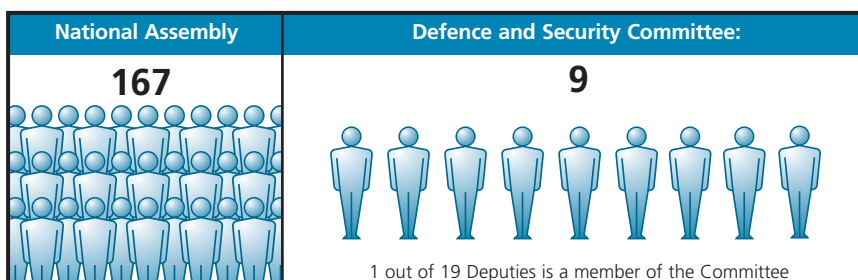
States of Exception

Name: State of alarm
Cause: Catastrophes and public calamities which seriously endanger the security of the Nation, or its citizens
Participation of the Legislative Power: The extension requires the approval of the National Assembly.

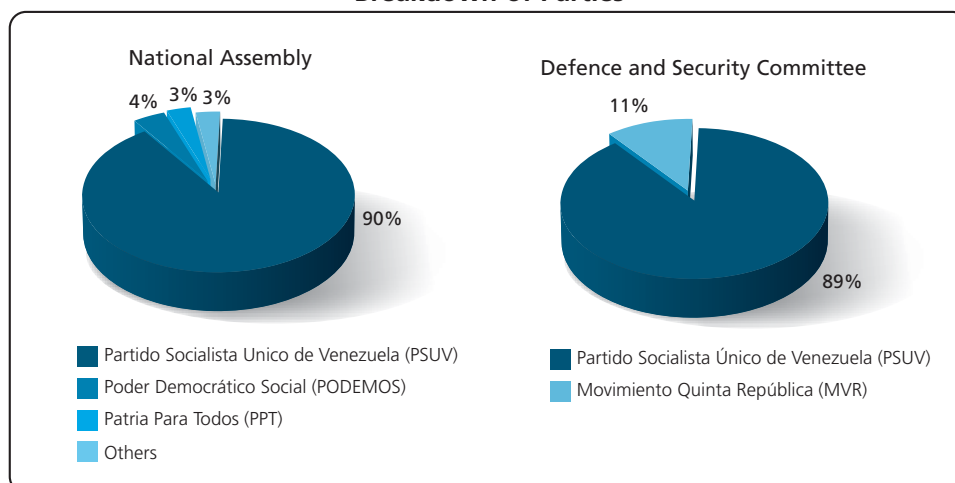
Name: State of economic emergency
Cause: Extraordinary economic circumstances which seriously affect the economic situation of the Nation
Participation of the Legislative Power: The extension requires the approval of the National Assembly.

Name: State of internal or external commotion
Cause: Internal or external conflict which seriously endangers the security of the Nation, its citizens or institutions
Participation of the Legislative Power: The extension requires the approval of the National Assembly.

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 is the Commander in Chief of the National Armed Force – the highest hierarchical authority – and exercises the supreme hierarchical authority. Directs the general development of the operations, defines and activates the conflict area, the operational theatres and integral defence zones, as well as the military exercises and war games areas, and appoints the respective commanders and their corresponding territorial jurisdiction. The President holds the command and direction of the Command-in-Chief, conformed by a General Staff and the assigned units.

The National Defence Council is the highest advisory body to the national, state and municipal Public Power, on matters related to the integral security and defence of the Nation, its sovereignty and its territorial integrity and other geographical spaces within the Republic. To that end, it has to formulate, recommend, and assess policies and strategies -as well as other related topics sent for consultation on behalf of the President- and also to establish the strategic concept of the Nation. It is composed of the President of the Republic –who presides it– the Executive Vice-President, the President of the National Assembly, the President of the Supreme Court of Justice, the President of the Republican Moral Council, and the Ministers of the Defence, Interior Security, Foreign Affairs, Planning and Environment sectors. The non-permanent members are chosen by the President according to his or her view. The National Defence Council gathers twice a year -at least-, and it is a faculty of the President to summon for it.

Ministerial Sphere

The Ministry of Defence is the highest administrative body as regards the military defence of the Nation, and is in charge of the formulation, adoption, monitoring and assessment of the policies, strategies, general plans, programs and projects in the defence sector, over which it governs.

Military Sphere

The Bolivarian National Armed Force is organized as follows: the Command-in-Chief, the Strategic Operational Command, the Military Components; the Bolivarian National Militia, destined to complement the Bolivarian National Armed Force in the integral defence of the Nation, and the Military Regions as operational organization.

The Bolivarian National Militia is a special body organized by the Venezuelan State, integrated by the Military Reserve and the Territorial Guard. It depends directly of the President in all the related to operational aspects and of the Ministry of the People's Power for Defence in administrative matters.

The Joint Chief of Staff depends of the Strategic Operational Command, and is the planning body and the strategic operational adviser in charge of coordinating and supervising the operations executed by the different subordinated commands.

The Strategic Operational Command is the highest programming, planning, directing, executing and joint strategic operational control body of the Armed Force, and is under the command of the Commander in Chief.

The National Armed Force is conformed by its four members; the Bolivarian National Army, the Bolivarian National Navy, the Bolivarian National Air Force and the Bolivarian National Guard, which function in an integral manner and add to the National Reserve and the Territorial Guard. Each military component follows the orders of its corresponding Commander General, who holds the authority, and is subordinate to the Ministry of Defence in matters of management, organization, training, fitting out, operational readiness, functioning and execution of the allocated resources.

The National Armed Force constitutes one of the major elements in the full defence of the Nation, and is organized by the State so as to lead its military defence under co-responsibility with society.

Source: Compilation based on the National Constitution, and *Ley Orgánica de la Fuerza Armada Nacional Bolivariana* (GO N° 5.891 - 2008/07/31).

Date of Foundation
1946

Current Minister (August 2008)
Gustavo R. Rangel Briceño

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

Number of military members who were Ministers of Defence
35 (since year 1958)

Number of civilians who were Ministers of Defence
1 (since year 1958)

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 and 5 months

The Ministry of the People's Power for Defence

Mission:

Guarantee independence and sovereignty of the Nation, as well as the integrity of its geographical space through military defence, cooperation in the maintenance of the internal order and the active participation in national development.

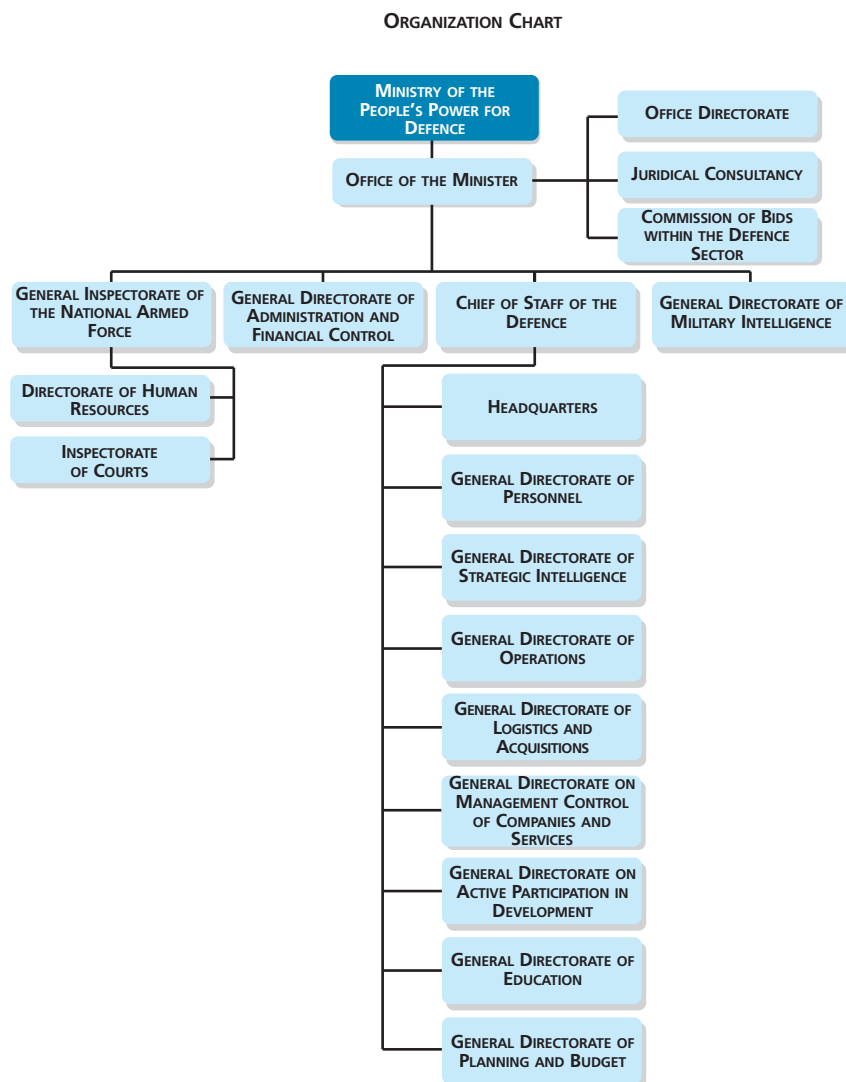
Vision:

For the first decade of the third millennium, the National Armed Force will be a modern and highly dissuasive organization, formed by best quality professional human capital. It will have a high capacity and wide flexibility to guarantee security of the State of Venezuela, defend national interests and participate in national development actively.

Scope of Action:

- Lead the administrative management of all units of the National Army.
- Ensure the execution of military and civil-military operations in order to contribute to security, defence and integral development of the Nation.
- Plan, direct, lead and execute the intelligence operations which are necessary to preserve Nation's security in times of peace as well as in times of exception in the interior of the country.
- Provide the logistic support which allows the operative work of the National Armed Force.
- Educate and train the human talent of the National Armed Force and the population in general.
- Contribute to the integral healthcare through the military health network.
- Consider the projects passed within the Indebtedness Special Act.

Source: Compilation based on the *Ley Orgánica de la Fuerza Armada Nacional* (GO N° 38.280 - 2005/09/26), *Ley de Presupuesto para el Ejercicio Fiscal* 2008 (GO N° 5.861 – 2007/12/11) and information provided by the web page of the Ministry of the People's Power for Defence.



Source: Ministry of the People's Power for Defence.

Defence Education

Main Training Courses of Specialization in the Area

Training Course	Institution
<ul style="list-style-type: none"> - Masters on National Security - Special Course on Security and Defence - Special Course on Security and Integral Defence for Legislators - Course on Geopolitics and Borders - Specialization on Negotiation and Conflict Resolution on Security and Integral Defence 	Institute for High National Defence Studies (IAEDEN).

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



Military Career

ARMY

Military Academy

Duration: 5 years
 Graduation Title: Graduate in Military Arts and Science (land option)
 Graduation Rank: Second Lieutenant

Academies of Intermediate Education

Lieutenant
 Captain

Staff College

Army Superior School

Major
 Lieutenant-Colonel
 Colonel
 Brigade General
 Divisional General
 General in Chief

Entry to the Military Academy - 2008 -

Candidates:
 1,401

NAVY

Naval School

Duration: 5 years
 Graduation Title: Graduate in Naval Sciences
 Graduation Rank: Second Lieutenant

Academies of Intermediate Education

Frigate Lieutenant
 Navy Lieutenant

Staff College

Naval War Superior School

Corvette Captain
 Frigate Captain
 Navy-Captain
 Rear-Admiral
 Vice-Admiral
 Admiral

Entry to the Naval School - 2008 -

Candidates:
 321

AIR FORCE

Military Aviation School

Duration: 5 years
 Graduation Title: Graduate in Military Arts and Science
 Graduation rank: Second Lieutenant

Academies of Intermediate Education

Lieutenant
 Captain

Staff College

Air War Superior School

Major
 Lieutenant-Colonel
 Colonel
 Brigade General
 Divisional General
 General in Chief

Entry to the Military Aviation School - 2008 -

Candidates:
 134

Source: Compilation based on information supplied by the above mentioned institutions and the Ministry of Defence. Entry to Academies: Military Academy, Naval School, Military Aviation School and Training School of the National Guard. The table strictly follows the order and hierarchy of the ranks shown on each country.

NATIONAL GUARD

Training School

Duration: 5 years

Graduation Title: Graduate in Military Arts and Science

Graduation rank: Second Lieutenant

Academies of Intermediate Education

Lieutenant

Captain

Staff College

School of High Studies in Military Defence and Internal Order

Major

Lieutenant-Colonel

Colonel

Brigade General

Divisional General

General in Chief

Entry to the Training School - 2008 -

Candidates:
1,447

The Armed Forces

General Mission

The National Armed Force, organized by the State, regulated by the principles of territorial integrity, cooperation, solidarity, concurrency and corresponsibility, has the mission of guaranteeing the independence and sovereignty of the nation, ensure territorial integration, the security of the Nation, the active participation in the national development, the cooperation in maintaining internal order, and the defence of the democratic exercise of the popular will embodied in the Constitution of the Bolivarian Republic of Venezuela and the laws of the Republic.

The Bolivarian National Armed Forces of Venezuela shall:

- Ensure the domain of the vital spaces which allow the circulation of the people and their assets among the different regions of the country and the international environment.
- Defend the strategic points which guarantee the development of activities in the different areas: economic, social, political, cultural, geographical, environmental and military, and to take precautions to prevent any invader from using them.
- Prepare and organize the people for the integral defence with the purpose of cooperating and collaborating with the independence, sovereignty and territorial integration of the nation.
- Participate in alliances or coalitions with the Armed Forces of Latin American and Caribbean countries for integration purposes within the conditions established in the treaties, settlements and corresponding accords, previously approved by the National Assembly.
- Take part in peace missions within the framework of the regulations included in the Charter of the United Nations, previously agreed with the Chief of State and the approval of the National Assembly.
- Support the governmental institutions at a national, regional or local level, for the execution of tasks connected with economic and social development of the people, and in operations of civil protection in situation of disaster.
- Contribute with the public forces in the national, state and municipal order to preserve or restore internal order in cases of serious social disturbance, with the previous approval of the Chief of State.
- Organize, operate and direct the intelligence system of the National Armed Force as well as the counterintelligence system.
- Promote and perform research and development activities which contribute to the scientific and technological progress of the Nation, as well as the necessary activities while performing their official duties.

(Ley Orgánica de la Fuerza Armada Nacional Bolivariana, GO 5.891 - 2008/07/31)⁽¹⁾

Specific Missions

Army

The primary mission of the Army is the planning, execution and control of the military operations required for defence of the land, in coordination with the other military components, and the other responsibilities specified in the Organic Act.

Navy

The primary mission of the Navy is the planning, execution and control of the military operations required for the naval defence in coordination with the other military components, and the other responsibilities specified in the Organic Act.

Air Force

The primary mission of the Air Force is the planning, execution and control of the military operations required for aerospace defence, in coordination with the other military components, and the other responsibilities specified in the Organic Act.

National Guard

The primary mission of the National Guard is to head and control the operations required to help keeping the internal order and the cooperation in the development of military operations in coordination with the other military components, and the other responsibilities specified in the Organic Act.



Total Armed Forces: 163,364

(1) As this work was going to press the Executive Power, within the framework of the powers granted by the Ley Habilitante (GO N° 38.617 – 01/02/2007), passed the Ley Orgánica de la Fuerza Armada Nacional Bolivariana (GO N° 5.891 – 2008/07/31).

Source: Ley Orgánica de la Fuerza Armada Nacional Bolivariana (GO N° 5.891 – 2008/07/31) (missions), and Ley de Presupuesto para el Ejercicio Fiscal 2008 (GO N° 5.861 – 2007/12/11) (Regular Forces).



Women in the Armed Forces

		Army	Navy	Air Force	National Guard
Entry year (Officers)	Staff Corps	1980	1979	1980	1970
	Line Corps	2002	2002	2002	2002
Rank reached		All ranks	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 above mentioned institutions.

Defence and/or Military Attaché Office in



Source: Ministry of the People’s Power for 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 National Armed Forces and the Defence Sector in times of the Bolivarian Revolution

Rocío San Miguel*

Since the end of 1999 began a process of transformation of the National Armed Forces with the approval of the Constitution of the Bolivarian Republic of Venezuela, unprecedented in the democratic history of the country. It is the metamorphosis of a fundamental institution of the Nation, which has been gradually brewed and without the discussions or the necessary counterweight provided by the vision of the opposition factors and democratic forces of a country¹.

A process of transformation for the National Armed Forces starts with the approval of the Bolivarian Constitution of the Republic of Venezuela.

Security of the Nation

The incorporation in the text of the Constitution of the security principles of the Nation introduced the first distortions in 1999. By the year 2003, the Inter American Commission of Human Rights (CIDH) in its report on the situation of Human Rights in Venezuela², indicated that certain regulations and institutions which had been included in the Constitutional text were somewhat questionable in light of the democratic conception of the defence and security of the State³. The terminology of the constitutional regulations contained certain inaccuracies or ambiguities, which could cause misleading interpretations regarding the scope of

* Citizen Control Civil Association for the Security, Defence and the National Armed Force.

¹ This article was written in 2007 (Note of the Editor).

² CIDH, "Report on the Situation of Human Rights in Venezuela", Organization of the American States (OAS), Washington, D.C., 2006, . in <http://www.cidh.oas.org/countryrep/Venezuela2003sp/indice.htm>. (EA/Ser.LV/II.118. Doc 4 rev. 2. December 29, 2003. Original: Spanish).

³ CIDH, Organisation of the American States (OAS), in <http://www.cidh.oas.org/countryrep/Venezuela2003sp/cap.3.htm#Fuerzas>.



State responsibility in this matter, directly affecting the content of what is expressed in sections 322⁴ and 326⁵ of the Constitution.

In fact, several contradictory aspects arise from these regulations. On the one hand, the general premise is included in section 322 of the Constitution, under the following phrase: National security is the essential responsibility of the State. On the other hand, the regulation included in section 326 of the Constitution indicates National security is based on the co-responsibility between the State and civil society. These two regulations are clearly contradictory, since it endows the State with the responsibility of National security, to later delegate it to civil society, in a quite confusing writing using at least nine adjectives in section 326, as principles fundamenting the co-responsibility to cover –according to the way it is expressed– everything the interpreter of the Constitution wants to include under the definition "National security". A dangerous possibility which takes us to the infamous "National Security Doctrine (DSN)", which took place under the military governments in the Southern Cone in the 70's and 80's.

Throughout 2006, there was an official speech alerting the population against the imminent and certain possibility of having to fight a war of national defence due to foreign occupation. This speech informed the people about the need to equip the National Armed Force (FAN) with new systems and weapons, and provide the Force with combatants from the national reserve. Additionally, the country is deeply divided: the violence (in a not so distant past, only four years ago), took the life of many Venezuelans who were involved in internal riots and disturbances.

In this scenario, the Constitution and the Constitutive Law of National Security extend the functions of security and national defence to the civil society, putting it at the same level as the State, which, as CIDH pointed out, "(...) has the legitimate monopoly of the force and is subjected to an internal as well as an international responsibility scheme different from the one applied to individuals"⁶.

National Armed Force

The National Armed Force constitutes an institution which is essentially professional, without partisan participation, organised by the State to guarantee the independence and sovereignty of the Nation. This statement introduced the changes in 1999 which would gradually begin to take place in the military sector,

■ The Constitution and the Constitutive Law of National Security extend the security and national defence functions to the civil society.

4 "Article 322. National security is an essential competence and responsibility of the State based on the overall development of the latter and its defence is the responsibility of all Venezuelans as well as of all public and private law natural and juridical persons within the geographical limits of Venezuela.", Constitution of the Bolivarian Republic of Venezuela, Title VII, Chapter I, Article 322.

5 "Article 326. National security is based on the shared responsibility between the State and civil society to implement the principles of independence, democracy, equality, peace, freedom, justice, solidarity, promotion and conservation of the environment and affirmation of human rights as well as on that of progressively meeting the individual and collective needs of all Venezuelans, based on a sustainable and productive development policy providing full coverage for the national community. The principle of shared responsibility applies to the economic, social, political, cultural, geographical, environmental and military spheres.", Constitution of the Bolivarian Republic of Venezuela, Title VII, Chapter II, Article 326.

6 CIDH, Organisation of the American States (OAS), in <http://www.cidh.oas.org/countryrep/Venezuela2003sp/cap.3.htm#Fuerzas>.

regarding the Constitution of 1961 and added as the functions of the FAN, the active participation in the national development. This competence would mean, as from 2000, putting active and retired members of FAN in charge of the main ministries and organs of the State, in an irreversible tendency which currently extends to the more frequency of officers in the army who carry out political activities, such as governors of several States in this country⁷.

The consolidation of this new political-military bureaucracy showed its first effects in 2000, through widely known corruption accusations against active members of the military, who using resources beyond the common budget of the Ministries, went ahead with policies which were expected to have a high social impact under the Plan known as Plan Bolívar 2000⁸. A failure in the public administration which would soon be forgotten, with the instrumentation of "civil and military integration" allowing for the military sector to participate in tasks of national development. This was a project which progressively exposed the wear of the National Armed Force; especially due to it participating in tasks which were not part of its duties until that moment.

The years 2001 and 2002 brought about numerous social and political tension in Venezuela, which hatched on 11th April, 2002. Since then, the high levels of politicization in the interpretation of the national reality are explicitly and openly introduced in the barracks. The years 2003 and 2004, before appeasing the situation in the heart of the National Armed Force, meant the opening of the councils of investigation for numerous officers and the obligation to testify for many others, facing investigations connected to 11th April.

This would have a dominant impact on the future of the formation of the National Armed Force. Many of them, who expressly manifested their loyalty to the process, were separated from their positions, thus generating a list of active officers (more than two hundred and fifty) who had no destination or function.

During 2006, military purchases were a significant issue, explained under the hypothesis of a conflict against a foreign power. The purchase of 100.000 Kalashnikov Ak-130 rifles; 55 Russian Sukhoi helicopters and 24 planes was announced. Three long-range three-dimensional radars, together with eight Spanish coastal patrol boats accounted for an unprecedented purchase attitude in the history of military purchases in the country⁹.

Forecasts

A new name has been announced for the National Armed Force, it would become the "Bolivarian Armed Force of Venezuela". Additionally, the Ministry of Defence would also change its name and become the "Ministry of Popular Power for the Defence". The nationalisation of the strategic media of production, formulated in different scenarios, is explained based on sovereignty, security and

■ As from 2002, the high levels of politicization in the interpretation of the national reality were introduced in the barracks.

7 Tachira, Apure, Bolívar, Lara, Miranda, Carabobo, Cojedes, y Mérida.

8 Bolivar Plan 2000, in Ministry of Planning and Development, in <http://www.mpd.gob.ve/prog-gob/proyb2000.htm>.

9 Diario El Nacional 25/11/06, Caracas, Venezuela. Pp. A-4.



defence reasons, as a prelude to the constitutional reform, which will set the standards for the Socialist Republic of Venezuela¹⁰.

All words and no action? All that is yet to be seen. Nevertheless, a remarkable aspect is the lack of laws regarding the security and the national defence sector, which should have been enacted in the last years, since the new Constitution came into effect. These include: Social security laws, military education laws, military discipline laws, national intelligence and counter intelligence system laws for the Armed Forces, the reform to the law on arms and explosives and the classification of documents. In addition to this, we should add the pending regulations, which will provide a degree of certainty to the organisation of the National Armed Force, and the national security and defence sector, such as the statute of the Joint Chief of Staff, of the strategic operational command, the creation of functions for the coordinating office between the national reserve, conscription and military enlisting, the statute of the integral defence zone (including land, air space and naval space zones), the updating of the internal service statute and the garrison service statute, the revision to the uniform statute, the General Inspection statute and the controllership of the National Armed Force, the revision and updating of the national mobilisation and state of emergency statute and the organisation and operational statute of the Ministry of Defence.

■ There is a remarkable lack of laws regarding the security and national defence sector.

One of the main problems the National Armed Force in particular, and the Security and Defence sectors of the country in general face, is understanding these as matters of public politics subjected to controls and counterweights, to processes of democratic formulation and of scrupulous and critical evaluations and follow ups. The obligation without delay to generate democratic spaces for the effective controllership of the sector, the compilation of a white book of national defence with the participation of the civil society, the enactment of a national strategic concept, and the strengthening of the National Armed Force institution keeping it from politicization are essential for Venezuela.

¹⁰ As this work was going to press the Executive Power, within the framework of the powers granted by the *Ley Habilitante* (GO N° 38.617 – 01/02/2007), passed the *Ley Orgánica de la Fuerza Armada Nacional Bolivariana* (GO N° 5.891 – 2008/07/31). This decree changes the denomination of the National Armed Forces and their components by the following: Bolivarian National Armed Force, Bolivarian National Army, Bolivarian National Airforce/Aviation, Bolivarian National Navy and the Bolivarian National Guard. Likewise, the Bolivarian National Militia shall replace the current National Reserve, as a separate body and under the responsibility of the Presidency (Note of the Editor).