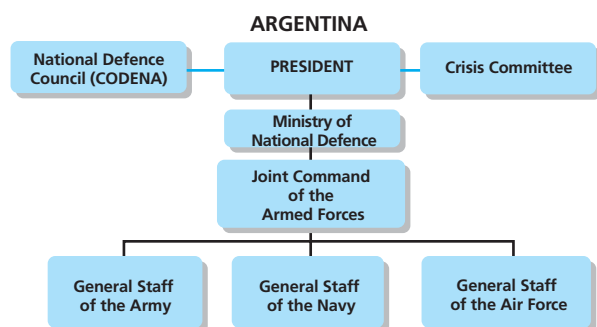


Chapter 5:

System Organization

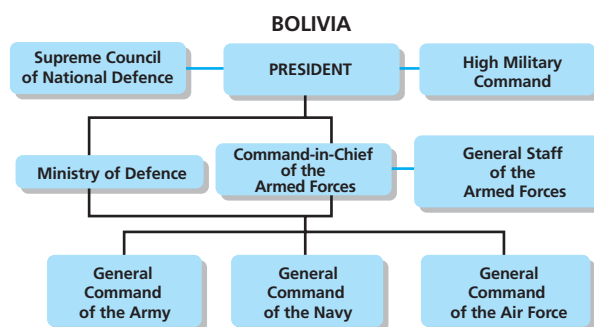


Defence System Structure

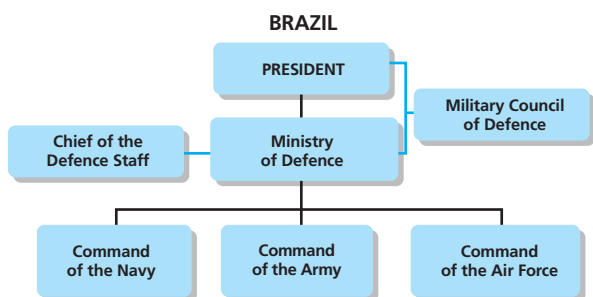


Source: Compilation based on *Ley de Defensa Nacional* (N° 23.554 - 1988/05/05) and *Reglamentación de la Ley de Defensa Nacional* (Decree N° 727/2006 - 2006/06/13).

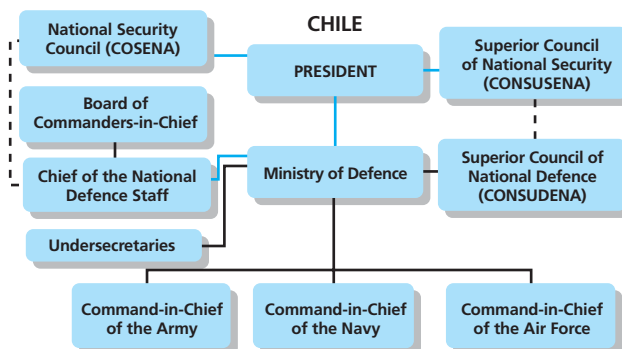
Functional relation of advice and assistance
Command relationship



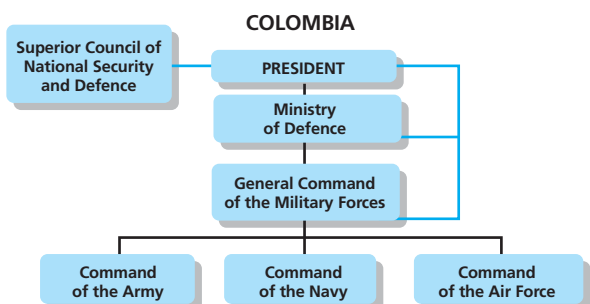
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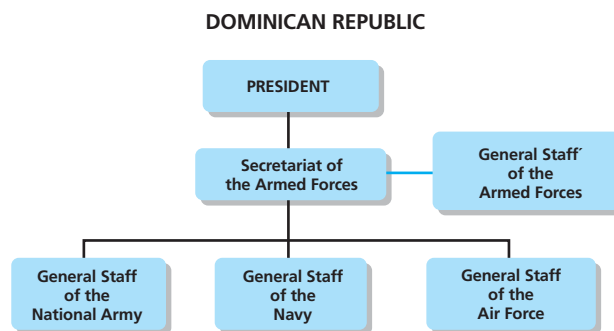
Source: Compilation based on the Constitution, *Lei sobre as Normas Gerais para a Organização, o Preparo e o Emprego das Forças Armadas, para Estabelecer Novas Atribuições Subsidiárias* (Complementary Act N° 117 - 2004/09/02; modifies Complementary Act N° 97/1999) and *Estrutura Regimental do Ministério da Defesa* (Decree N° 6.223 - 2007/10/04).



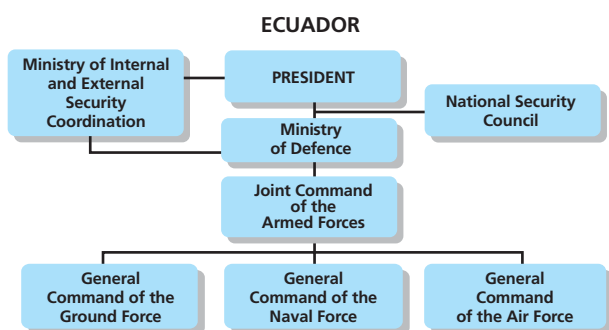
Source: Compilation based on the *Libro de la Defensa Nacional* (2002).



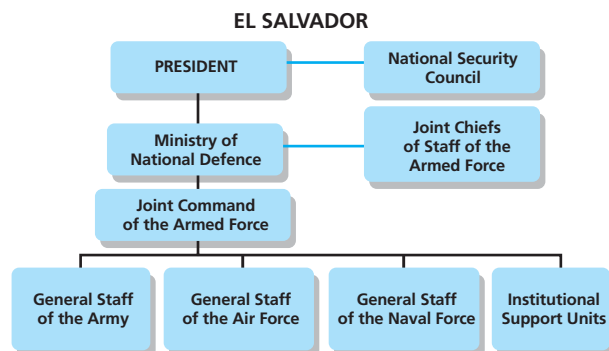
Source: Compilation based on the *Decreto por el cual se modifica parcialmente la Estructura del Ministerio de Defensa Nacional* (N° 3.123 - 2007/08/17) and *Decreto por el cual se fusionan el Consejo Nacional de Seguridad, el Consejo Superior de la Defensa Nacional y la Comisión creada por el Decreto N° 813 de 1983* (N° 2.134 - 1992/12/31).



Source: Compilation based on *Ley Orgánica de las Fuerzas Armadas* (N° 873 - 1978/08/08).

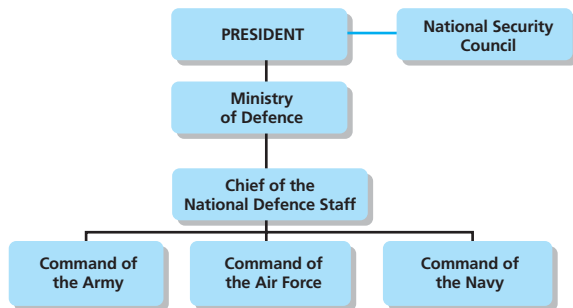


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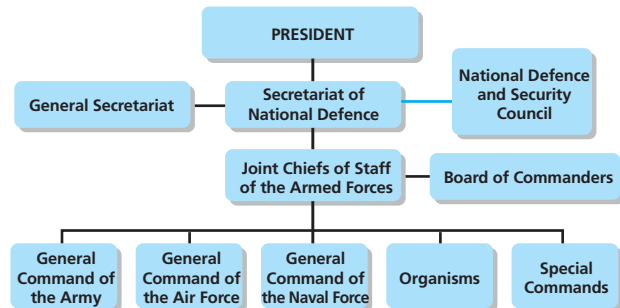
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GUATEMALA



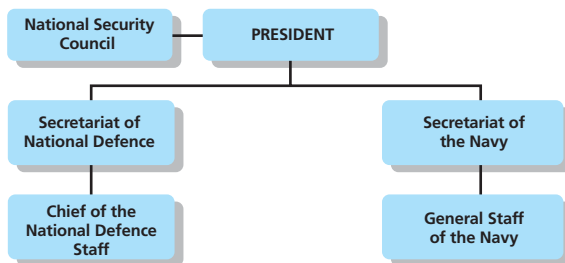
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HONDURAS



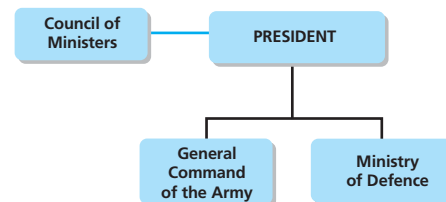
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MEXICO



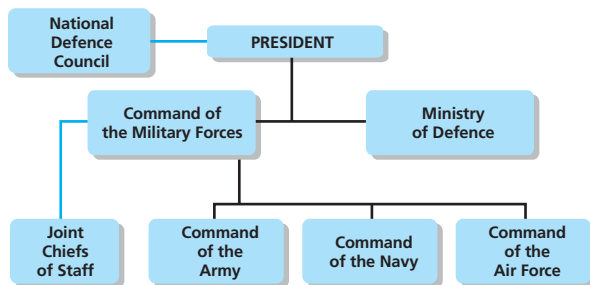
Source: Compilation based on the Constitution, *Ley Orgánica de la Administración Pública Federal* (DOF 1976/12/29. Last Reform: DOF 2007/10/01), *Ley Orgánica de la Marina de México* (DOF 2002/12/30), *Ley Orgánica del Ejército y la Fuerza Aérea Mexicanos* (DOF 1986/12/26. Last Reform: DOF 1998/01/23) and *Ley de Seguridad Nacional* (DOF 2005/01/31. Last Reform: DOF 2005/12/26).

NICARAGUA



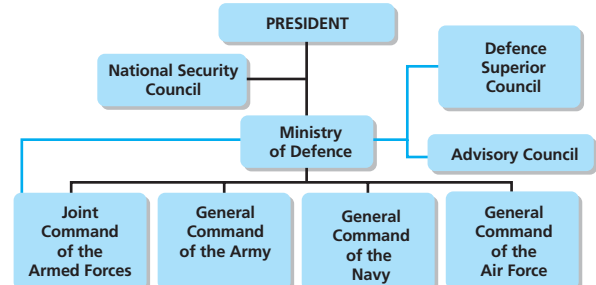
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PARAGUAY



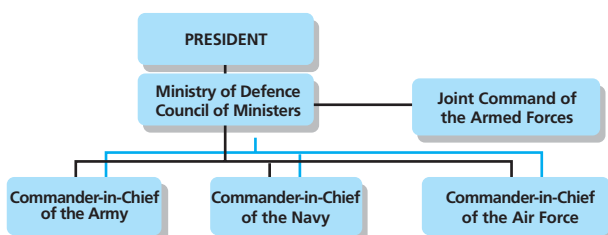
Source: Compilation based on the Constitution, *Ley de Defensa Nacional y de Seguridad Interna* (N° 1.337 - 1999/04/14) and *Ley de Organización General de las Fuerzas Armadas de la Nación* (N° 74 - 1991/11/20. Last Reform: Act N° 244 - 1993/12/21).

PERU



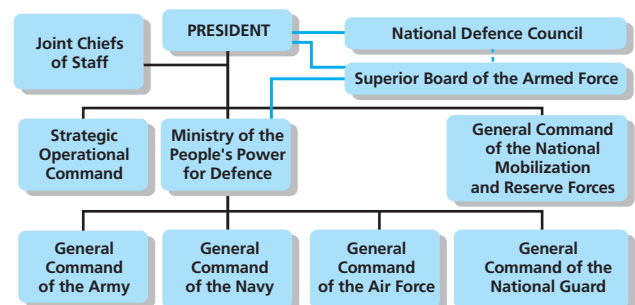
Source: Compilation based on *Ley que establece la Naturaleza Jurídica, Función, Competencias y Estructura Orgánica Básica de Ministerio de Defensa* (N° 29.075 - 2007/08/01) and *Ley del Sistema de Seguridad y Defensa Nacional* (N° 28.478 - 2005/03/23).

URUGUAY



Source: Compilation based on the Constitution and *Ley Orgánica de las Fuerzas Armadas* (N° 14.157 - 1974/03/05; modified by Act N° 15.808 - 1986/04/07)

VENEZUELA



Source: Compilation based on *Ley Orgánica de Seguridad de la Nación* (GO N° 37.594 - 2002/12/18) and *Ley Orgánica de la Fuerza Armada Nacional Bolivariana* (GO N° 5.891 - 2008/07/31).



Analysis:

The Advances in the Defence Sector

Jaime García Covarrubias*

■ The important world changes and the transition of military governments to democratic regimes in Latin American countries, which took place at the end of the last century, triggered the changes prompted by the defence sector.

The willingness to undertake the necessary political and strategic changes is expressed in the meetings of the Ministers of Defence, which started to be held in 1995 (Williamsburg) and continue to this date. In such meetings they established the importance of the Ministers of Defence in leading the sector, the need to adequately define the security and defence, the importance of the White Books of defence, the new roles of the Armed Forces, the defence economical aspects, and cooperation and peace missions.

The definition of this agenda converged and widened the pre-existing situation: the effective subordination of the Armed Forces to civilian control, and the processes of institutional modernisation.

■ The willingness to undertake the necessary political and strategic changes is expressed in the meetings of the Ministers of Defence, which started to be held in 1995.

A Regional Balance

However, this general situation requires a certain degree of precision, since there is not a unique reality in defence matters in the region.

A balance of what happened in the last years must not only take into consideration the advances, setbacks or stagnation which might have occurred, but also the political scenario of each country (which represents the most influential

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variable in the process analysed here). Below, we revise the situation of the region, beginning with the countries in the Southern Cone.

Argentina is under an important process of military reform. This process is focused on organisational aspects which include infrastructure, educational affairs, growing participation in peace operations, an emphasis on budgetary issues, and the execution of an effective disengagement of the current members of the Armed Forces, with its recent past. The Argentine process is initially based on the publication of its Book of Defence in 1999, and the law which eliminated obligatory military service in 1994¹. It is still impossible to evaluate if this process of military reform responds to an integral plan or if it is a set of specific measures which are not necessarily articulated in a process of transformation, modernisation or adaptation. However, it is worth considering that Argentina has recently increased its defence budget, and that the Army has introduced a new military doctrine called the “war for resources”².

Brazil, in turn, has focused its actions on the creation of an integrated Ministry of Defence, which replaced the previous defence administration, based on independent ministries of each branch. Likewise, in 2005 Brazil approved the new national defence policy. This country has not issued, to this date, any document announcing the reform processes of the Armed Forces. Recently, the national political debate has been focused on the challenges against organised violence, expressed in mutinies, and bloody attacks on policemen and public transport. In this context, the function of the Armed Forces in the internal order brought about popular pleas for the Armed Forces to undertake auxiliary police tasks. By the end of 2006 and the beginning of 2007, the strikes in the air transport service revealed the insufficient degree of investment in the Brazilian air space, as well as the issues on the effectiveness of the Armed Forces regarding its responsibility in the handling and supervision of the civil aviation system. On the external front, the rotation programmed for MINUSTAH troops continues. However, doubts have arisen among members of the military and specialists, regarding the viability of the institutional and economical reconstruction purposes in Haiti, including the question of how long the troops would remain on the island. These arguments have also been observed in political sectors of Argentina and Chile.

Chile has published two Defence Books since 1990 to this date (1997-2002), and has began the analyses of the third one. This country has carried out an important process of rationalisation of the defence, accompanied by a renovation of the war equipment. It has also led the obligatory military system towards a program which, though it is still obligatory, is heading towards a higher level of voluntarism. The Chilean process regarding defence has been double-edged: the changes which involve political and strategic aspects have been carried out “from the top to the bottom”, whereas the specific changes of institutional modernisa-

■ There is not unique reality in defence matters in the region.

1 Argentina and Uruguay are the only countries in the Southern Cone which have professional military forces.

2 This strategic challenge is not new and was intensely analysed in the nineties. For example, it was the subject of many analyses in the seminars of Ceppro (Paraguay). GARCÍA COVARRUBIAS, Jaime, “Las contradicciones estratégicas” in *Archivos del Presente*, N° 20, Buenos Aires, April-June 2000.



tion have been done from “bottom to the top”³. Chile is the classic model where there is a Minister of Defence but not a Ministry, an anomaly which would be corrected in the Act on the National Ministry of Defence currently under way, which will also lead Chile to a joint organisation.

Paraguay and Uruguay have not carried out substantial reforms in the defence area. For example, the passing of the organisation laws of defence and the Armed Forces created in Paraguay at the end of the nineties were suspended years ago. A basic aspect which will surely arise at some moment, when the time for new definitions comes, is the one referred to the addition of the Minister of Defence to the chain of command, since at the moment he is at the same level of authority as the Commander of the Armed Forces.

From the moment the Uruguayan government took office, it started to organise seminars to analyse various aspects of the security and defence areas, while it faced an integral revision of the national defence system. At the present, the gravity centre is the participation in international peace operations. When we look at the country situation, it is possible to see that the historical political agenda (cases of violations to human rights in the seventies) has progressively imposed over those which are related to the purely military aspects. It is worth observing this process in the future, particularly, if there is a separation of both agendas, focusing on the structural changes of the Armed Forces.

On the other hand, Peru and Bolivia present a complex scenario. In Bolivia, the thoughts expressed by some of the current members of the government before taking office lead us to think that there is a real diagnosis of the situation of security, defence and of the Armed Forces⁴, although it is worth considering the possibilities of reform at the present moment. Among the most important problems detected are the ones referred to the institutional development, strategic design and doctrine, as well as the weak ability to direct the policies connected to the lack of interest of politicians in these matters.

Peru presented its White Book of Defence in 2005, and since that moment it seemed to develop a strong impulse in terms of modernisation. Among the most relevant facts of that period is the initiative of reform of military justice and the creation of the Fund for the Armed Forces and National Police (which came into effect on January 1, 2005 and which determines the resources of such Fund shall be destined to the acquisition, maintenance and renovation of equipment).

When President García took office, he introduced a ninety day plan to reorder the defence administration. Within this framework, they created commissions which included the issues of military justice reform and promotions. In addition to this, efforts have been made to redefine priorities, with a budgetary definition, basically emphasising the issues of maintenance and training. A law has been developed and ratified concerning the Ministry of

■ One of the issues for analysis of the reforms is the position of the Ministry in the system structure.

3 Since 1990 the compilation of the defence book was directed and coordinated by the Ministry of National Defence, as well as the reform of the military service, the standardised methodology between Chile and Argentina to measure expenses, and other measures. The institutional modernisation processes were the initiative of the institutions themselves, and were reflected in the plans Tridente (Navy), Alcazar (Army) and FACH (Air Force 2000).

4 *A Comparative Atlas of Defence*, RESDAL, Pp. 117-123. Buenos Aires, April 2007.

Defence. Nevertheless, neither in the case of the military justice reform or regarding promotions have there been concrete results.

A third group of countries has common aspects. From a geo-strategic perspective both are Andean countries; from the point of view of political history, its military governments were not necessarily focused on the logic of Cold War, as is the case of Ecuador, Colombia and Venezuela. In Ecuador, a central idea has been to put an emphasis on the connection between Ministers of Government, Foreign Affairs and National Defence, to articulate the three components of security (public security, external policies and defence policies).

Colombia is the exceptional case of the region, since it is the only country at internal war. President Uribe has recovered the concept of Democratic Security⁵. In this context, there is a full conviction that the conflict is not only solved through the use of military instruments. For this reason, a more integral strategy is being adopted. Regarding the military aspect, there has been a strong attack to the guerrilla. In a more political dimension, the focus has been placed on considering the military solution as part of the solution to the conflict, where other agencies of the State also have to participate. Although the Colombian conflict is complex and difficult to predict, since drug trafficking produces a multiplier effect in the action of the guerrilla, recent important casualties of the FARC (Colombian Revolutionary Armed forces) are encouraging.

The future of the defence sector in Venezuela is inscribed in the political project of the President Hugo Chávez. The formulation of the hypothesis of war is expressed in two different levels: firstly, with the United States (featured as the strategic enemy to defeat); secondly, against the United States allies. With this geopolitical and strategic conception, a process of new institutionalisation of the Armed Forces has been developed: changes in the direction of the military statute, and in the organisational structure of the Armed Forces; conceptual changes in the military educational system; the creation of a new doctrine of military employment; and the acquisition of arms systems which respond to the political and ideological conception and to the geopolitical situation described above.

Defence matters, in the Central American region, are related with the military as well as the political scope. Since the end of the Cold War, the advances were consolidated in the Esquipulas Agreements (mid 80's), which later allowed the end of internal armed conflicts. Thus, a progressive process of demilitarisation of the security and defence institutions began, which has not advanced in accordance with the transformations and challenges internationally perceived. The new threats, concerns and particularly the issues referred to gangs or "maras", have recently worsened the division of security and defence matters. Within this environment, Guatemala has undertaken an active role in the organisation of seminars on security and defence. Nicaragua, in turn, keeps the Minister of Defence outside the line of command.

Meanwhile, in México, the Armed Forces approved in 2006 an institutional position regarding the legally constituted power. This was manifested in the posi-

■ Modern designs for the Arm Forces imply the definition of adaptation, modernization, or transformation processes.

⁵ This concept was originated in the eighties, in the heart of the South American Peace Commission. On June 10, 1988 this commission, gathered in Montevideo, issued the declaration of principles of the Regional Democratic Security. SOMALIA, Juan and INSULZA, José Miguel (Comps.), *Seguridad Democrática Regional, Una Concepción Alternativa*. Editorial Nueva Sociedad, Caracas, 1990.



tion taken in an eventual electoral tie, when they avoided any kind of public expression, limiting their role to what the Federal Electoral requested (safeguard electoral documents). The scheme which supports the organic operation remains; that is to say, the existence of a Secretary of Defence and a Secretary of Marine persists. The legislative discussion has mainly drifted towards the analysis of the possibility to unify preventive police forces and the discussion regarding the decision of the Executive Power to involve the Armed Forces in the fight against drug trafficking. In 2006, a coordinated war against drug trafficking began. The President determined that the investigative police, the Federal Justice Department, the Governors of the States (as well as preventive police forces), act and complement each other in this effort. The results to this date indicate that it has dismantled drug trafficking operations and obtained a more detailed map of drug flow to the United States. All this has meant much more efficiency in pursuing these gangs by the Justice Department and State Police, in an unprecedented operation, where the Mexican Armed Forces continue to lead the action.

In the Caribbean, the situation of Haiti remains the focus. As it is known, several Armed Forces and other institutions from countries in the region are involved in such operation. These countries see their participation in this kind of operations as posture of their external policies, beyond a purely humanitarian behaviour. This year will surely be a time of definitions regarding the future of this operation.

The analysis of the future

To sum up, the panorama shows that political contingency and instability are a negative influence on the development of the formulated process in the defence sector. The main issues which can be observed for future analyses are:

- The tendencies of Defence Ministers to be inside the line of command. Likewise, the issue of how to organise an adequate ministerial structure that allows for the integral direction of the sector.
- Homogenisation of the free economy processes of the country with the economic administration of the Armed Forces. This refers to the countries which adopt these economic processes and goes hand in hand with the definition of budgetary systems and efficient as well as realistic controls.
- The work on modern designs for the Armed Forces, which involves the definition of adaptation, modernisation or transformation processes for such Forces.
- The revision of educational processes for the Armed Forces, adapting them to the needs of a century with an emphasis on technology.
- The need to connect defence policies to external policies of the country.
- The appearance of new books of defence
- The emphasis on the participation in humanitarian operations.
- The position regarding the use of the Armed Forces against terrorism.
- The development of the “Consolidation Plan” in Colombia and the “Integral Defence Plan” in Venezuela.

■ Educational processes can be received taking into account the actual emphasis on technology.