



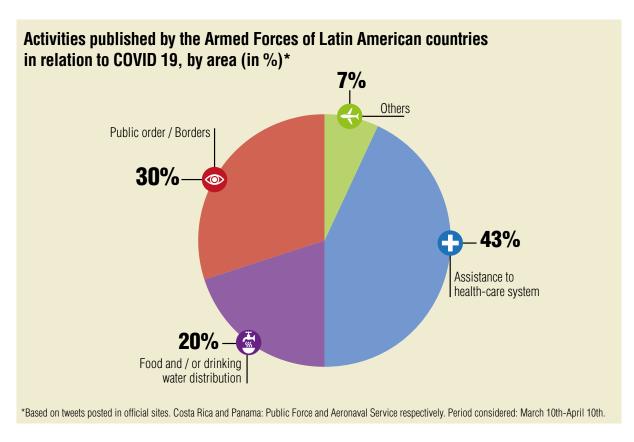


• As a result of the rampant spread of COVID-19, the security areas of the different countries across the region have been called upon to assist in subsidiary tasks to support pandemic-related efforts. A great deal of those activities are devoted to providing assistance to the health-care system and taking resources to sectors in need.

Against the backdrop of an unprecedented situation, on the whole the States have passed rules of exception, quarantines and social distancing –in some cases mandatory. As we follow the development of this crisis day by day, it is important to have organized information on such thematic areas to contribute to present and future thoughts about the role played by defense and security forces in time of crisis.

## How are the military forces contributing?

Referred to as secondary or subsidiary missions; while national defense is the main mission of the armed forces under constitutional mandate and/or legal statutes, subsidiary missions are those whereby the state makes use of installed capacities in an armed force to place them at the service of the community. Assistance in case of disasters and actions in support of public order have been part of the armed forces' ongoing activities across the region. In this particular crisis, all of the countries through their defense establishments have maximized the contribution the armed forces can make in case of an emergency. A great source of information in this instance is found in social media networks from the various armed forces. A study of official Twitter accounts during the period from March 10 to April 10 reveals—through their lens—what the armed forces are contributing in each country, as shown below:





# Activities published, by country and by area (in %)\*

<b>Period considered:</b> March 10th-April 10th.	Assistance to health-care system	Food and / or drinking water distribution	Public order / borders	Others
Argentina	49%	39%	<b>2</b> %	10%
Bolivia	59%	2%	34%	5%
Brazil	61%	10%	3%	26%
Chile	55%	10%	32%	3%
Colombia	28%	45%	23%	4%
Costa Rica	30%	6%	64%	0%
Dominican Republic	57%	8%	33%	2%
Ecuador	53%	18%	27%	2%
El Salvador	14%	16%	70%	0%
Guatemala	22%	28%	50%	0%
Honduras	46%	37%	17%	0%
Mexico**	<b>76</b> %	0%	0%	24%
Panama	19%	19%	58%	4%
Paraguay	48%	24%	24%	4%
Peru	48%	6%	33%	13%
Uruguay	32%	13%	32%	23%
Venezuela	32%	16%	44%	8%

<sup>\*\*</sup>In the case of Mexico the DN-III Plan includes distribution of food and security and surveillance of affected areas.



**Assistance to health-care system:** disinfection of locations with high circulation of people; prevention campaigns; deploying and setting up of medical tents, temporary hospitals and quarantine centers; transport and distribution of medicines, biomedical equipment and medical supply; production of personal protection equipment; among others.



Food and drinking water distribution: delivery of rations, food boxes and purified water to communities in need.



**Public order/Borders:** maritime, air and land patrols; border controls.



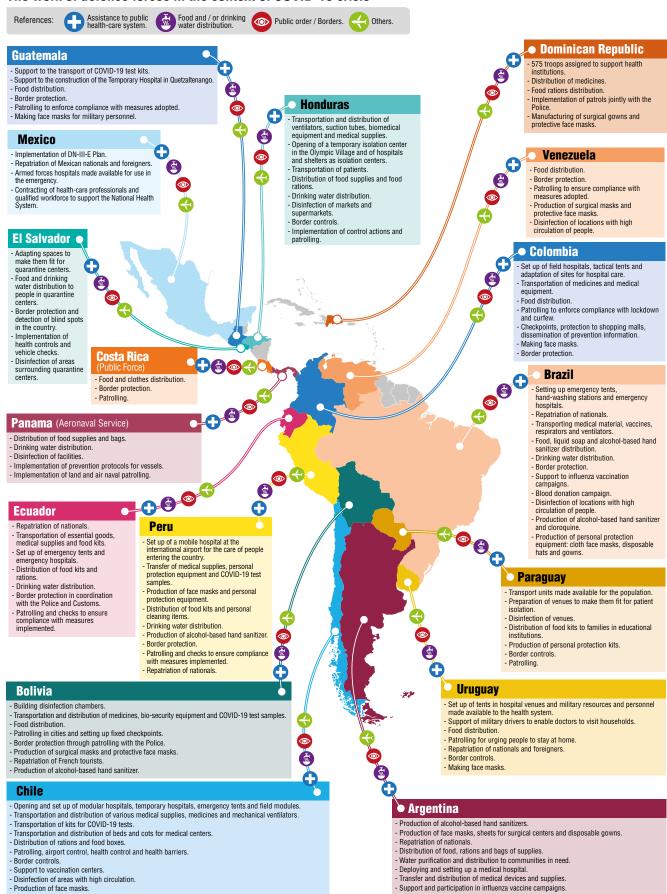
**Other:** repatriation of nationals; disinfection of military facilities; coordination meetings; among others.

Source: Official Twitter accounts of the armies, navies and air forces of: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica (Public Force), Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama (Aeronaval Service), Paraguay, Peru, Uruguay and Venezuela. Period considered: March 10th-April 10th.

Regarding the work effectively performed by the armed forces within the context of the crisis, a few of the more relevant examples have been compiled in the map below.



#### The work of defence forces in the context of COVID-19 crisis \*



\*Source: Information updated as of April 10, 2020. Compilation based on daily social media posts (Twitter) of the armed forces from the different countries in the period from March 10 to April 10, 2020.



### Which measures have countries adopted?

The activities of all state sectors and the community are governed by different rules of exception implemented by the countries. Some of these measures are common to almost all countries, such as the mandatory social distancing order. The following graph shows how the declaration of health emergency precedes the different actions. It is precisely in the declaration of state of emergency that the cohort of cases is divided, although there is a slight tendency to place the COVID-19 crisis in the framework of this type of legal mechanism.

# Measures adopted by countries with regard to COVID-19

FEBRUARY	State of emergency / of siege / of exception	Health emergency	Mandatory social distancing
3		Brazil	
5		Chile	
10		Honduras	
MARCH			
5	Guatemala		
11		Peru / Ecuador	
12		Colombia / Argentina	
13	Panama / Venezuela	Uruguay	
14	El Salvador		
15	Peru		Peru
16	Costa Rica / <u>Ecuador</u>	Paraguay	
17	<u>Colombia</u>		Ecuador / Venezuela
18		Bolivia	
19	Dominican Republic / Chile	Haiti	Chile / Haiti / Dominican Republic
20	Brazil		Argentina / Honduras
21			El Salvador
22			Bolivia / Guatemala
25			Panama / Colombia
29			Paraguay
30		Mexico	Mexico
APRIL			
3			Costa Rica

Source: Decrees 260, 297 and 325 (Argentina); Supreme Decrees 4196, 4199 and 4200 (Bolivia); Portaria 188 and Act 13.979 and its modifications (Brazil); Government of Chile website; Decrees 417, 457 and 531 (Colombia); Executive Decrees 42227 y 42285 (Costa Rica); Decrees 134 and 135 (Dominican Republic); Decision 00126 and Decree 1017 (Ecuador); Decrees 593 and 594 and Executive Decree 12 (El Salvador); Government Decrees 5, 6 and 9 (Guatemala); PHO (Haiti); Executive Decree 005 (Honduras); DOF March 30 (Mexico); Executive Decrees 489, 490, 499 and 507, Cabinet Resolution 11, and Statement 27 (Panama); Decree 3456 (Paraguay); Supreme Decrees 044 and 008 (Peru); Decree 93 (Uruguay); Decree 4160 (Venezuela). Year: 2020 unless otherwise indicated.



The state of exception as a statutory figure in the different countries emerges from constitutional texts. For Latin American countries, the different versions of state of exception, its causes and mechanics are as follows:

# Standing regulations on States of Exception

Country	Name	Cause	Participation of the Legislative Power	
Argentina	State of siege	Internal commotion	Declared by the Congress and by the President if the latter were not in session (with a subsequent report).	
		Foreign attack	Requires the approval of the Senate.	
Bolivia	State of exception	Danger for State security External threat Internal unrest Natural disaster	It requires the approval of the Plurinational Legislative Assembly.	
	State of defense	Grave or imminent institutional instability Natural calamities of great proportions Grave commotion of national impact	Requires the approval of the Congress.	
Brazil	State of siege	Situations which prove the inefficiency of the state of defense Declaration of the state of war Response to an armed foreign attack		
	State of assembly	External war		
	State of siege	Internal war Grave internal commotion	Requiere acuerdo del Congreso.	
Chile	State of catastrophe	Public calamity	The President shall inform the Congress of the measures adopted. Requires the approval of the Congress in case they are extended for more than a year.	
	State of emergency	Grave disturbance of the public order Grave damage to national security	The President shall inform the Congress of the measures adopted.  Requires the approval of the Congress in case they are extended for more than fifteen days.	
	State of external war	External war	Requires the approval of the Senate except when it is necessary to repel aggression.	
Colombia	State of internal commotion	Grave disturbance of the public order	The declaration of a third consecutive period requires the approval of the Senate.	
Colonibia	State of emergency	Situations which disturb or seriously threat to imminently disturb the economic, social and ecological order or which constitute public calamity	The Congress shall examine the causes and measures which determined it and those adopted, and shall expressly rule on the convenience and timeliness of such measures.	
Costa Rica	Suspension of fundamental rights and guarantees	In case of evident public need	Requires the vote of no less than two thirds of the total members of the Assembly. During recesses of the Assembly, the President must decree the suspension of rights and guarantees. The decree suspending guarantees is equivalent, ipso facto, to a call to session for the Assembly, which must meet within forty-eight hours.	
Cuba	State of emergency	Imminent natural disasters or catastrophes Circumstances affecting internal order, national security or stability	The National Assembly of People's Power must be informed.	
Dominican Republic	State of national defense	Cases in which national sovereignty or territorial integrity are under grave or imminent danger due to armed foreign attacks	Congress shall have the power to declare it and the Executive Branch shall have the power to request its declaration.	
	State of internal commotion	Grave disturbance of public order causing an immediate threat to institutional stability	Requires Congress approval.	
	State of emergency	Events disturbing or seriously threatening to disturb the country's economic, social and environmental order or which constitute a public catastrophe.		
Ecuador	State of exception	Case of aggression International or internal armed conflict Grave internal disturbance Public disaster Natural disaster	The National Assembly, which has the authority to revoke the decree at any time, must be informed.	



# **Standing regulations on States of Exception**

Country	Name	Cause	Participation of the Legislative Power
El Salvador	Exception regime	War Invasion of the territory Rebellion Sedition Catastrophe Epidemics or general calamity Grave disturbances of the public order	It is decreed by the Legislative or the Executive Power. In case of the suspension of certain guarantees, the approval of the Legislative Power is required.
Guatemala	State of prevention State of alarm State of public calamity State of siege State of war	Invasion of the territory Grave disturbance of the peace Activities against the security of the State Public calamity	The Congress can ratify, modify or dismiss it.
Haiti	State of siege	Civil war Foreign invasion <sup>1</sup>	The Assembly must convene with immediate effect to make an announcement regarding the measure. It must be renewed every 15 days.
Honduras	State of siege	Invasion of the national territory Grave disturbance of the peace Epidemics or any general calamity	The Congress can ratify, modify or dismiss the decree sent by the President within thirty days.
Mexico	Suspension, in all the country or in a specific place, of the guarantees which could constitute an obstacle to cope with the situation in a quick and easy manner	Invasion Grave disturbance of the public peace Any other issue which could put the society in grave danger Conflict	Requires the approval of the Congress.
Nicaragua	State of emergency	When required by: National security Economic conditions National catastrophes	The Assembly can approve, modify or dismiss it.
Panama	State of urgency	Foreign war Internal disturbance that threatens the peace and public order.	The Legislative Body must hear the declaration of a state of urgency if it lasts more than ten days and confirm or reverse the decisions related to the state of urgency.
Paraguay	State of exception	Armed conflict Grave internal commotion which puts the Constitution or the bodies established in it in imminent danger	It can be declared by the Executive Power or the Congress.  If it is declared by the Executive Power it requires the approval of the Congress.
	State of defense	External aggression	Requires the approval of the Congress.
	State of emergency	Disturbance of the peace or internal order Catastrophe or grave circumstances which affect the life of the Nation	Decreed by the President with the consent of the Council of Ministers. The Congress must be informed about it.
Peru	State of siege	Invasion External war Civil war Imminent danger of the above mentioned situations	Decreed by the President with the consent of the Council of Ministers. The Congress must be informed about it.  The extension beyond forty five days requires the consent of the Congress.
Uruguay	Quick security measure	Foreign attack Internal commotion	Requires a resolution from the General Assembly.
	State of alarm	Catastrophes and public calamities which seriously endanger the security of the Nation, or its citizens	
Venezuela	State of economic emergency	Extraordinary economic circumstances which seriously affect the economic situation of the Nation	The extension requires the approval of the National Assembly.
	State of internal or external commotion	Internal or external conflict which seriously endangers the security of the Nation, its citizens or institutions	

 $<sup>1\ \</sup>mathsf{Act}\ \mathsf{2008}\text{-}\mathsf{004}\ \mathsf{of}\ \mathsf{September}\ \mathsf{10}, \mathsf{2008}\ \mathsf{incorporated}\ \mathsf{the}\ \mathsf{state}\ \mathsf{of}\ \mathsf{urgency}\ \mathsf{in}\ \mathsf{the}\ \mathsf{case}\ \mathsf{of}\ \mathsf{natural}\ \mathsf{disasters}.$ 

Source: RESDAL. A Comparative Atlas on Defence in Latin America and the Caribbean, https://www.resdal.org/ing/atlas-2016.html. Compilation based on the Constitution of each country.







The coronavirus spreads and quarantines are nationally imposed, shedding a light on problems in pre-existing systems and safety-nets. All around the world, we see how those who have essential jobs risk getting the virus without hazard pay, at the same time that telecommuting has become

the saving grace for the lucky non-essential workers who can do it, and those who can't work remotely worry about finances and whether they will have job to come back to. In the majority of countries, hospitals are filled to capacity and don't have enough equipment or staff needed to treat all the patients they do have. Unemployment websites crash and their phone lines jam as non-essential businesses shutdown. Meanwhile, right-wing governments are speaking of UBI schemes, not as an unrealistic pipedream that could only exist in a utopia, but as a possible temporary solution to get people through quarantine. Regardless of how long the quarantine process will last in different countries, all of the global problems that the virus has indirectly shed light on will not fall back into the darkness and remain unseen. The virus has proven that all of these problems are not endemic to any one country in particular, but rather that these are global problems. It is in these chaotic times, that we should not be only asking ourselves, as a global society, about the imminent present, but also examine how this will shape the future.

The armed forces are currently submitting to the medical professionals' expertise. The real soldiers in the "war" against COVID-19 are medical professionals and sanitation employees.

<sup>4</sup> https://www.cnbc.com/2020/03/17/universal-basic-income-ideas-are-part-of-emergency-coronavirus-plan.html



<sup>1</sup> https://www.independent.co.uk/news/health/coronavirus-italy-doctors-intensive-care-deaths-a9384356.html

 $<sup>2\</sup> https://www.politico.com/news/2020/03/26/record-breaking-unemployment-claims-may-be-vast-under count-150417$ 

<sup>3</sup> https://www.telegraph.co.uk/politics/2020/03/18/government-considersuniversal-basic-income-help-workers-coronavirus/

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At this point, the commanders of this "war" are doctors and nurses. How will this shape the armed forces and their role in society? On the other hand, what about elections? Some countries, states, and boroughs will have to postpone their elections. What will this imply in terms of how they will be organized? If some choose to make their constituents vote remotely, how will it be done and how long would it take to set up a proper digital electoral system? How will all of this impact each area where an election has been suspended?

In light of this pandemic, emergency procedures have emerged from different governments, some of them even colliding with human rights and constitutional laws. Society is turning a blind eye to these procedures due to the supposedly temporary nature of them, but they should not be forgotten or left as it is when the storm passes. Such powers and policies, however temporary, could very easily become precedents. When the time comes that we are able to flatten the COVID-19 curve, we must be vigilant about whether these sorts of procedures truly are temporary or not. What regulations will be kept? Which ones will need to be abolished once the epidemic has finished as they are too dangerous to keep outside of a state of emergency? These are things that need to be monitored.

Xenophobia and discrimination are on the rise<sup>6</sup> as many people around the world are facing economic and financial problems due to the quarantine. Those who have tested as positive for coronavirus will probably face discrimination, treated like lepers, with some not even allowed back into their own apartments if the landlords suspect that they have tested positive.<sup>7</sup> The flames of class warfare are receiving more fuel, as individuals who lost employment fear eviction,<sup>8</sup> as theft and burglaries and riots might rise, and as domestic and child abuse rises during quarantine.<sup>9</sup> The chasm between the haves and the have-nots widens and the bridges continue to fall. The construction of the Other as the enemy is happening in front of us as we speak.

We know that the coronavirus won't just go away and disappear into the ether, even after the dangerous phase has passed. Epidemiologists have been warning of a virus outbreak for years and say that another outbreak will happen again. 10 It's a matter of when, not if. The time has come that we ask ourselves, as a global society: What have the different governments learned from this and how can they prepare on a global scale for the next one?

<sup>10</sup> https://www.businessinsider.com/epidemiologists-on-chances-of-future-coronavirus-outbreak-2020-3



<sup>5</sup> https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections

<sup>6</sup> https://time.com/5797836/coronavirus-racism-stereotypes-attacks/

 $<sup>7\</sup> https://www.straitstimes.com/singapore/coronavirus-some-landlords-fearing-infection-risk-turn-away-tenants-returning-from-chinal control of the control$ 

<sup>8</sup> https://www.bostonglobe.com/2020/03/20/nation/renters-out-work-due-coronavirus-fear-evictions-rising/

<sup>9</sup> https://www.propublica.org/article/domestic-violence-and-child-abuse-will-rise-during-quarantines-so-will-neglect-at-risk-people-social-workers-say

## Carina Perelli | A post-Coronavirus world

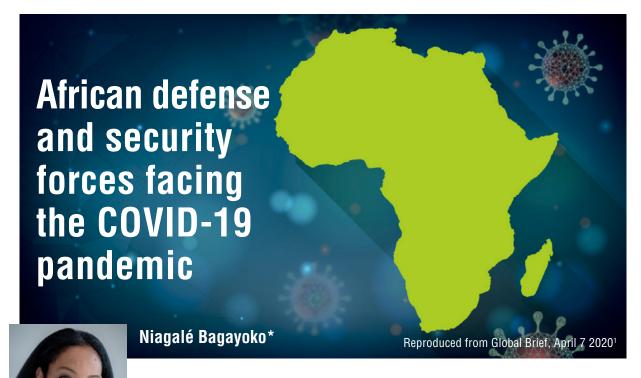
How do we fix the health-systems in our respective countries and what parts need to be retooled? How can we fix the safety-net?

Just like how same-sex marriage was an indirect and unexpected development of the AIDS epidemic, the coronavirus will also have an indirect impact on policy and culture decades down the line. All of these problems have the potential to affect public security and the health sector on a global scale. We must prioritize putting these changes into perspective and try to see what effects and impacts, however indirect, COVID-19 will have on a global scale.

How do we prepare for the domino-effect of these issues? Do we need to change policies and norms? Is reform needed? If yes, what sort of reforms are going to be needed? What do we need to prepare for? We must come up with solutions for these problems and their future unintended consequences before we are caught flat-footed by them. We must face the future and not just let it happen to us.







n response to the rapid spread of Covid-19, many African States have adopted measures restricting the movement of people, limiting freedom of movement and the right of assembly and prohibiting large-scale gatherings. As in other countries around the world where similar measures have been adopted, defense and security forces play a leading

role in the implementation of these measures. For example, Côte d'Ivoire and Senegal have declared a state of emergency, which makes it possible to govern by decree or simple administrative measures, while Togo has declared a "state of health emergency" in accordance with constitutional provisions: the Togolese authorities have also simultaneously decided to set up a special anti-pandemic unit, composed of 5,000 defense and security forces personnel, to be deployed throughout the country to enforce the measures adopted. Curfews have also been decreed in many capitals, such as Dakar, Nouakchott and Ouagadougou, where the security forces are responsible for enforcing the ban on movement at nightfall.

Henceforth, enforcing the various coercive and emergency measures in accordance with human rights and the rule of law, as well as the principle of proportionality in the use of force, is a major challenge for the African defense and security apparatus. Since the entry into force of the various provisions, accusations against the security forces have indeed multiplied, relayed by the press and amplified by social networks, supported by videos,

<sup>1</sup> Available at https://globalbrief.ca/2020/04/les-forces-africaines-de-defense-et-de-securite-face-a-la-pandemie/. Original in French. Own translation.

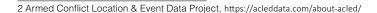


<sup>\*</sup> African Security Sector Network - ASSN

for example in Abidjan, Dakar and Ouagadougou. In Chad, DRC and Kenya, journalists have also been targeted by the security forces for their coverage of the restrictions - as reported by the ACLED project,2 while in Niger, Amnesty International has denounced the arrest or summons by the police of journalists, for their treatment of the epidemic. Some of the images - including scenes of humiliation, degrading treatment or physical violence - demonstrate once again, if proof were needed, the imperative need to consider respect for human rights and human dignity as an integral part of the professional skills of the defense and security forces. The numerous press articles devoted, both by the international and national media, to the role of the defense and security forces in the implementation of measures related to the fight against the virus and the interventions of civil society organizations, particularly in certain civic spaces that tend to be restricted, demonstrate that these different actors intend to play their rightful role in terms of public control of security systems in the context of an unprecedented crisis. The internal inspection mechanisms within the defense and security forces themselves are also called upon to play an essential role in this respect. In South Africa, for example, the Independent Police Investigative Directorate (IPID) is already conducting several investigations to determine the exact conditions of deaths suspected of being linked to the excessive use of force by the police units responsible for enforcing the "lock-down" decreed by the authorities.

In addition, in many countries in situations of open conflict, crisis or post-crisis situations, the defense and security forces have in recent years been the subject of allegations, often proven, of abuse or abuses against populations or certain communities, particularly in Mali, Burkina Faso, the Democratic Republic of the Congo and the Central African Republic. In Guinea-Conakry, the defense and security forces, deployed in recent months to repress demonstrations opposing the constitutional reform that would allow President Alpha Condé to run for a third term, are now responsible for enforcing the state of emergency declared to deal with Covid-19. The serious acts of violence that may have been committed by some units of the armed forces of the above-mentioned countries should prompt utmost vigilance in considering the prerogatives now granted to the military, gendarmes, police or border services deployed in the context of the current health crisis.

Finally, it is essential to delimit as clearly and strictly as possible the respective responsibilities of the different categories of forces deployed, with the mobilization of military person-





nel as a third category force in the context of explicitly formulated requisitions to prevent any undue and abusive involvement of these defense forces in missions to maintain public order. The possible use of intelligence services to gather a certain amount of disease-related information within communities will also need to be closely monitored.

However, the contribution of African defense and security forces to the collective fight against the current pandemic should also be considered from a constructive perspective. From this point of view, it is first of all important to look at the previous experiences that the continent's armed forces have accumulated in their involvement in the fight against HIV/AIDS (particularly in southern Africa) and the Ebola virus (particularly in West Africa and the Mano River region as well as in the DRC, often with the assistance of bilateral and multilateral partners), both to contain the spread of these diseases within their ranks and to contribute to the national effort to contain them.

Similarly, the measures now being taken by some military units to limit the spread of the disease among their own personnel deserve particular attention. For example, in Nigeria, the military has activated an internal process to prevent the outbreak within the barracks, in conjunction with other security services including the Nigeria Police, the Nigeria Security and Civil Defense Corps and the Fire Services. The protection of personnel of the defense and security forces against the spread of the virus and the eventual care of infected personnel and their families by their respective institutions, is indeed a crucial issue now, as demonstrated by the shortcomings and difficulties encountered by the systems put in place within some Western armies.

Furthermore, the health crisis linked to the spread of Covid-19 also calls for a rethink of the role of certain services of the defense and security forces, in particular that of the armed forces' health services as well as the engineering services. In Morocco, for example, it was decided in mid-March 2020 that the Royal Armed Forces (FAR) would provide health structures equipped to compensate for the deficit in the health system if necessary. More generally, the experience of certain African armies, such as those of Ghana or Senegal, in the construction of field hospitals, acquired in the framework of cooperation programs or through their experience of crisis management in the UN or bilateral framework, could prove useful in the short term, in the event of overloading of civilian health services. In the longer term, military health services can play an important role in the provision of health



care as well as in future vaccination campaigns, should a vaccine be developed. Some training centers, such as the Ecole du Service de Santé des Armées de Lomé (ESSAL), could also in the longer-term work on the lessons learned from the management by African armies of the Covid-19 health crisis.

It is also interesting to note that prison systems, often neglected by public security policies, have received immediate attention from the very beginning of the crisis. In Togo, for example, 1,048 persons detained in several prisons in the country have been released. The same in Niger, where the release of a number of prisoners (including the former President of the National Assembly, Hama Amadou) occurred, and in Senegal, where the former President of Chad, Hissène Habré, along with other detainees, was granted provisional release to protect him from the effects of the virus on his health.

More broadly, the manner in which African defense and security forces will discharge the responsibilities assigned to them in the management of this health crisis could help develop relations of trust with populations and communities, whose cooperation and receptiveness will be essential to ensure the effectiveness of the measures adopted.

For this reason, it is particularly important that the need to work towards increased democratic governance of security systems should not be overlooked. It is already likely that many cooperation programs will be redirected towards support for African health systems, a late and reactive response to calls for such support long before the emergence of the Covid-19 virus. However, it will be important not to lose sight of the fact that the long-term efforts to work towards security systems reform (SSR) must be continued. All too often, changes in donor priorities have been one of the factors explaining the poor progress made in SSR: in recent years, the processes undertaken have often been diverted from their initial objectives - in particular as regards democratic governance, respect for the rule of law and promotion of human rights - by new priorities which have ended up monopolizing the reform agenda (e.g. the fight against terrorism, prevention of violent extremism, the fight against illegal migration). It will of course be necessary to take into account the consequences and lessons learned from the management of the coronavirus pandemic by the African defense and security apparatus. Nevertheless, the structural effort that is essential to strengthen the operationality but also the democratic governance of the African defense and security apparatus, whose crucial role in the future of the continent, beyond the mere



response to security crises, is once again demonstrated by this pandemic, should not be abandoned or neglected.

Finally, the crisis linked to the Covid-19 pandemic, more than ever before, calls for consideration of the "human security" approach, conceptualized by the UNDP (United Nations Development Programme) as early as 1994, which calls for security to be considered not only from a military angle but also in its social, political, food, environmental, community and health dimensions, as well as in its global and transnational dimension and not only in its national and state-centric dimension.



