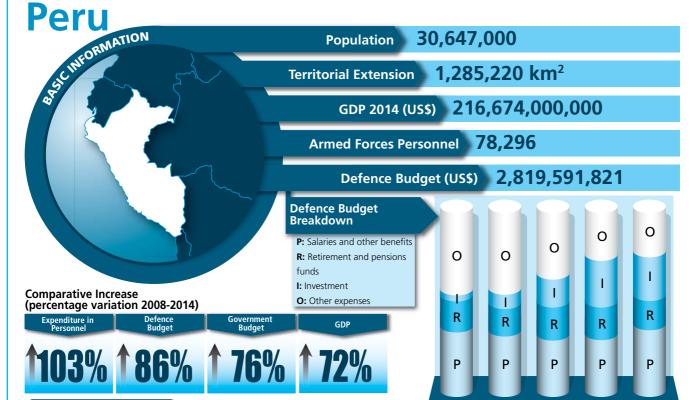
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# **National Legislation**

Framework

Legal

The

## **Systems and Concepts**

- Act that establishes Rules for Exceptional Conditions in which the Armed Forces take over the Control of Internal Order (N° 24150 1985/06/07. Last amendment: DL N° 749 1991/11/08). (1)
- 749 1991/11/08). (1)

   Legislative Decree acknowledging self-defence committees as organizations of the population to develop community self-defence activities (DL № 741 1991/12/11).

   Legislative Decree which establishes Rules which the Armed Forces have to be subjected to when operating in Zones not declared in State of Emergency (DL № 738 1992/03/10. Last amendment: Act № 28222 2004/05/17).

   Law on the requirements necessary to the authorization and consent for the entry of foreign troops to the national territory (№ 27856 10/30/2002. Last amendment: № 28899 2006/04/11)

   National Mobilization Act (№ 28101 2003/11/13).

   System and National Defence Act (№ 28478 2005/03/23)

- System and National Defence Act (N° 28478 2005/03/23).
  National Intelligence System Act (N° 28664 2006/01/04).
  Organic Law of the Executive Branch Act (N° 29158 2007/12/20)
- Act which establishes the Rules for the Use of Force by Members of the military in the National Territory (Decree-Law N° 1095 2010/09/01).(2)
- Law on the organization and operation of the Ministry of Defence (N° 29605 2010/22/10).
- • Delegation of authority to legislate within the interior sector and national defence (N° 29915 2012/09/11). 29915 – 2012/09/11). Legislative Decree that regulates the National Defence System (DL N° 1129 –
- 2012/12/07)
- Legislative Decree that created the Secretariat of Security and National Defence (DL N° 1131 - 2012/12/07).

# **Military Organization**

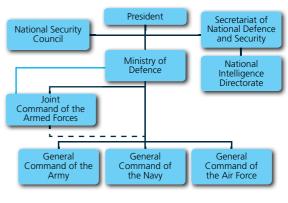
- Organic Act for the Joint Command of the Armed Forces (DL N° 440 1987/09/27).
   Military Status Act for Officers of the Armed Forces (N° 28359 10/13/2004). Last Amendment: Law No. 29598 2010/15/10).
- which creates the Fund for the Armed Forces and the National Police (N° 28455 -2004/12/31).
- Act on the Promotion of Officers in the Armed Forces (N° 29108 2007/10/30. Last amendment: Act N° 29404 2009/09/10).
- Act on the Disciplinary Regime of the Armed Forces (N° 29131 2007/11/09. Last amendment: DS 014-2009 –DE- 2009/05/23). Military and Police Justice Law Organization and Procedures Act (N° 29182 - 2008/01/11. Last amendment: Decree-Law N° 1096 – 2010/09/01).
- Military Service Act (N° 29248 2008/06/28).
  Military Police Penal Code (Decree-Law N° 1094 2010/09/01) (2)
  Air Force of Peru Act (DL N° 1139 2012/12/10).
  Army of Peru Act (DL N° 1137 2012/12/13).
  Navy of Peru Act (DL N° 1138 2012/12/13).

(1) The Constitutional Court declared as unconstitutional paragraphs c), d) and e) of article 5 amended by Legislative Decree N° 749, and article 11; and it amended certain texts of articles 4, 5, 8 and 10 (sentence N° 0017-2003-AI/TC - 2004/08/14). (2) By the closing of this edition, the unconstitutionality claim for both decrees was pending resolution at the Constitutional Tribunal.

# The Defence System

2008 | 2010 | 2012

2006



Advisory and assistance functional relationship Command reporting line

Joint planning and management relationship

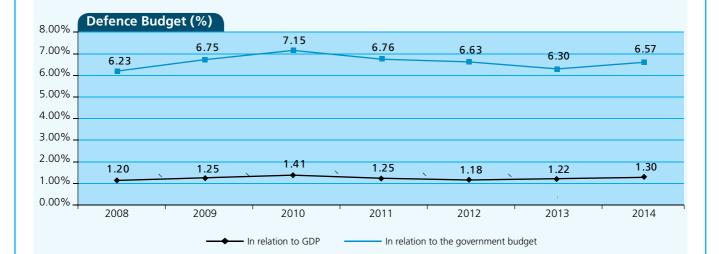
The President convenes the National Security and Defence Council, the governing body of the national defence and security system, composed of the President of the Council of Ministers, the Ministers of Foreign Affairs, Interior, Defence, Economy and Finance and Justice and Human Rights, the Chairman of the Joint Command of the Armed Forces, the Director of the National Police, the National Intelligence Director, and the President of the National Intelligence Council. The Ministry of Defence is the main executive body of the system and receives the advice of the Superior Defence Council, composed of the main leaders in the Ministry, the Chairman of the Joint Command and the General Commanders of the Armed Forces. The Consultative Council is a direct advisory body for the Minister. The Joint Command is the body in charge of joint military planning and employment. Congress holds the powers granted by the Constitution and permanently monitors defence-related issues through the defence committee.

**Source:** Compilation based on *Ley de organización y funcionamiento del Ministerio de Defensa* (N° 29605 – 2010/10/22) and *Ley del sistema de seguridad y defensa nacional* (N° 28478 - 2005/03/23).

Source: Anuario Estadístico de América Latina y el Caribe, 2013, CEPAL (population, projection 2014), IMF, World Economic Outlook Database, (GDP projection 2014), CEPAL website (territory), Ley de presupuesto del sector público para el año fiscal (defence budget) and information provided by the Ministry of Defence (personnel).

# Budget

Year	Defence Budget (US\$)	Government Budget (US\$)	GDP (US\$)
2008	1,515,727,130	24,332,118,765	125,828,000,000
2009	1,595,942,737	23,645,587,544	127,368,000,000
2010	2,061,617,832	28,822,985,457	146,280,000,000
2011	2,097,553,421	31,038,814,005	168,459,000,000
2012	2,190,684,087	33,056,967,179	184,962,000,000
2013	2,528,561,934	40,155,151,689	206,542,000,000
2014	2,819,591,821	42,936,553,759	216,674,000,000



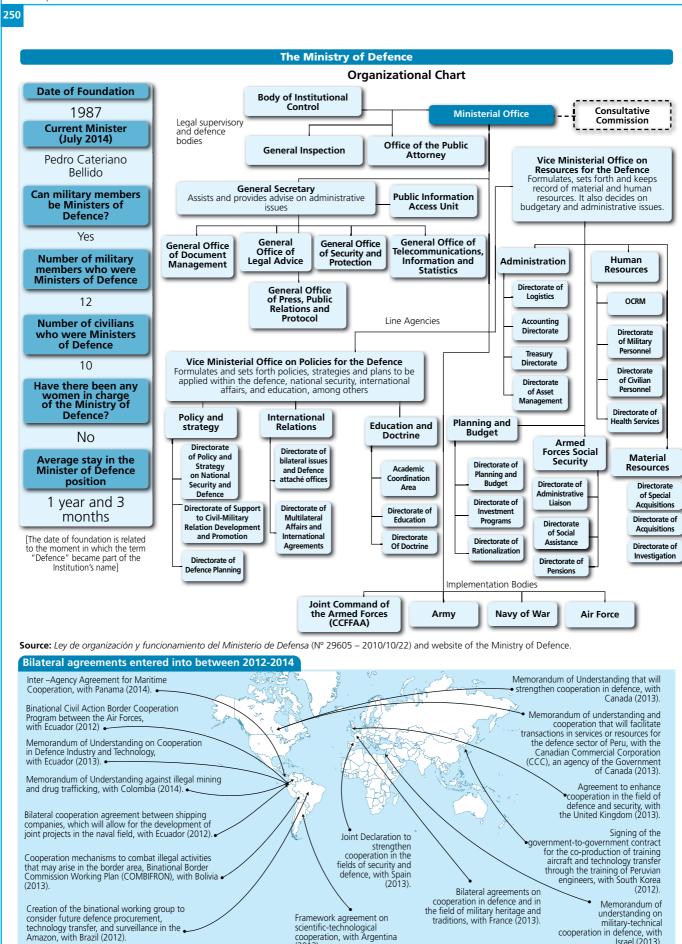
# Defence Budget 2014 (in Local Currency)

Institutions	Personnel and social obligations*	Goods and services	Other current expenditure	Capital expenditure**	TOTAL
Ministry of Defence	4,042,231,353	1,895,456,946	15,814,090	888,754,040	6,842,256,429
Military Police Jurisdiction	5,828,000	7,692,412	62,588	0	13,583,000
Subtotal	4,048,059,353	1,903,149,358	15,876,678	888,754,040	6,855,839,429
Extra-budgetary					
Armed Forces and National Police Fund					954,429,916
TOTAL					7,810,269,345

<sup>\*</sup> Includes social security obligations. \*\* Includes debt services.

**Source:** Compilation based on the *Ley de presupuesto del sector público para el año fiscal* from 2006 to 2014. The Government Budget passed by Congress by means of the above-mentioned Act is considered herein. The concept of investment is that expressed in "Adquisition of non-financial assets" and inputs into the Armed Forces Fund. Extra-budgetary funds: *Ley que crea el Fondo para las Fuerzas Armadas y Policia Nacional* (№ 28.455 – 2004/12/21) and *Estadística Petrolera* 2006, 2007, 2008, 2009, 2010, 2011 and 2012 and *Reporte de Regalias Cobradas* 2013, Perupetro. GDP: Projection of the World Economic Outlook Database, IMF, for each year considered. This source has been taken for comparative purposes. Each country prepares the budget based on its own GDP estimation. The value of the dollar considered corresponds to the exchange rate determined by the World Economic Outlook Database, IMF, for each year under consideration. As of June, the 2014 average was 2.80 Soles on the basis of data provided by the Central Bank of Peru. For further calculations, figures are provided in local currency. Expressions in Bold Type (Table) refer to the different items regarding defence that can be found in a sectorial or institutional classification of the Budget Act.





Source: Compilation based on the websites of the Ministry of Foreign Relations of Peru and Panama, and of the Ministries of Defence of Peru, Argentina, Brazil, Colombia and Ecuador. Annual Report, Bolivia.

military-technical cooperation in defence, with

Israel (2013).

Amazon, with Brazil (2012)

# **The Armed Forces**

# **General Mission**

The Armed Forces have as their fundamental mission to guarantee the independence, sovereignty and integrity of the Republic. In state of emergency, the Armed Forces take control of the internal order if the President of the Republic so requires. Participate in the economic and social development and in civil defence actions in accordance with the law. (Political Constitution, Sec. 137, sub. 1, 165 and 171)

# Joint Command of the Armed Forces

It implements the planning, coordination, preparation and management of military operations of the highest level in the external and internal fronts and the counselling to the Ministry of Defence in the military field, regarding national defence-related matters.



# **Specific Missions**

## Army

The primary mission of the Army is to guarantee the independence, sovereignty and territorial integrity of the Republic, within its scope. It intervenes in states of exception in accordance with the Political Constitution of the State and participates in the social and economic development of the country and in civil defence actions in accordance with the law.



# Navy

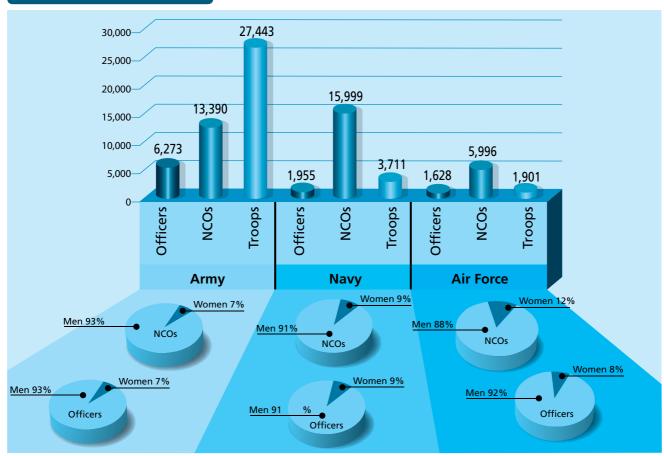
- Participate in the strategic planning of the national defence.
- Organize, equip, prepare and maintain naval forces in its maximum combat potential to ensure the defence of the Nation.
- Defend the maritime, fluvial and lacustrian assets, protecting the activities carried out there
- Operate naval forces
- Propose and execute the navy budget.
- Contribute to the social and economic development of the country and the civil defence in areas of competence.
- Participate in the internal defence of the territory in accordance with Section 231 of the Political Constitution of the State.



### Air Force

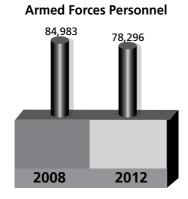
The Air Force is the air branch of the Armed Forces whose primary mission is to guarantee the independence, sovereignty and integrity of the Republic's territory, in its scope of competence, for which it prepares and develops it strength; intervenes in states of exception in accordance with the Political Constitution; and participates in the social and economic development of the country and civil defence.

# Armed Forces Personnel 2013: 78,296

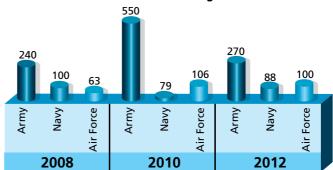


Source: Ley de la Fuerza Aérea del Perú (DL Nº 1139 – 2012/12/10), Ley del Ejército del Perú (DL Nº 1137 – 2012/12/13, Ley de la Marina de Guerra del Perú (DL Nº 1138 – 2012/12/13) and Ley orgánica del Comando Conjunto de las Fuerzas Armadas (DL Nº 440 – 1987/09/27). Anuario Estadístico del Sector Defensa (2013).





# **Candidates entering Officer Schools**



Women in the Armed Forces Maximum rank achieved by women in the Command Corps (2014)



**Note:** These ranks correspond to the Army, as an example. The equivalent rank to Lieutenant in the Air Force is Lieutenant and in the Navy it is Second Lieutenant. The Command corps includes officers who have been educated at military academies from the beginning of their careers, different to those who develop a career in the civilian sphere and are then incorporated to the military.

Source: Information provided by the Ministry of Defence and the websites of the Army and Air Force.

Air Force

Territorial Air Region I or Air Wing 1

Tumbes, Piura, Lambayeque, Amazonas, La Libertad

Territorial Air Region II or Air Wing 2

Territorial Air Region III or Air Wing 3 Arequipa, Puno, Moquegua, Tacna

Territorial Air Region IV or Air Wing 4 Apurimac, Madre De Dios y **Provincia Purús** (**Ucayali**)

Territorial Air Region V or Air Wing 5

Loreto

# Navv

ь

**Ferritorial** 

I Naval Zone

Tumbes, Piura, Lambayeque, La Libertad

II Naval Zone

Lima province and capital, Ancash, Callao, Ica

Arequipa, Puno, Moquegua, Madre de Dios

IV Naval Zone Ucayali

V Naval zone Iquitos

North Military Region Tumbes, Piura, Ancash, Lambayeque, Amazonas, La Libertad, Cajamarca

**Centre Military Region** Lima, Ica, San Martín, Huanuco,

Ucayali yY La Provincia Constitucional Del Callao

**South Military Region** Arequipa, Tacna, Moquegua, Arequipa, Puno, Apurimac and Madre De Dios

**East Military Region** Loreto

**VRAE\* Military Region** 

Pasco, Junín, Huancavelica, Ayacucho and Cusco

\* By means of Supreme Decree No. 074-2012, the Mantaro Valley is incorporated, thus generating the new denomination (VRAEM), as national priority zone for economic, social and pacification development. A multisectoral commission is created to work in these areas.

Of the total number of officers and NCOs in the Armed Forces, 5% (3,858) are women.

# Military Service

It is voluntary for both sexes and has a duration of up to two years. The entry requirements are the following:

- Be single. -Have completed primary education. -Have no criminal record. -Pass the physical and psychological examination.

There are agreements with the Ministry of Defence with the object of giving the youngster who do military service access to basic, technical and productive education as well as superior education in diverse specializations. The following programs are intended for young people that have finished the voluntary military service:

# "18 Special Mode Scholarship":

Intended for youngsters aged between 18 and 25 who may have access and finalize their academic, technical and/or professional education in renowned universities and institutes.

Within the requirements thereof, the following should be noted: having taken and completed the secondary school in a public educational institution, living in poverty situation or extreme poverty situation, besides the commitment to take up a 3-year technical career or a 5-year professional career.

During 2013, there were more than 1,068 applicants; of which 87%came from the provinces and only 13% from Lima and Callao.

# Scholarships provided:

2013 ...... 770 (91 % men and 9% women).

# **Technological training program:**

It provides free training to youngsters in technical careers where there is high demand in the labour market. Training is under the responsibility of the National Service for Industrial Work Training (SENATI) and the National Service of Training for the Construction Industry (SENCICO).

# Quantity of scholarships in 2013:

SENATI: 684. SENCICO: 85

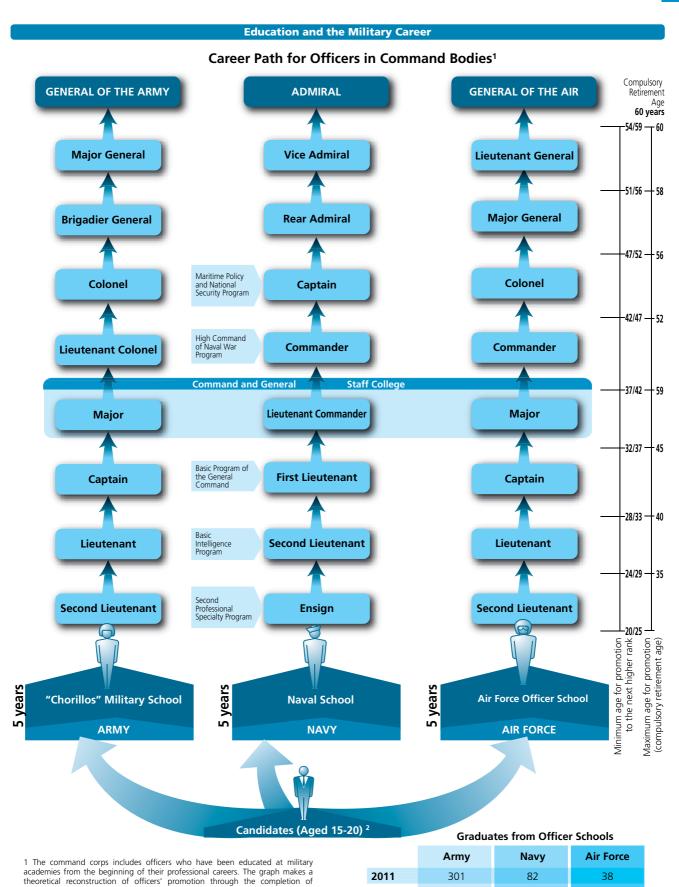
The specializations offered are: structural welding, auto mechanics, auto electronics, maintenance mechanics, industrial electrician, clothing, gas and electrical installations, infrastructure maintenance, among others

The professions in most demand by recipients are: auto mechanics (180 persons), maintenance mechanics (135 persons) and industrial electrician (131 persons).

Certain requirements must be met, such as having completed the third or fifth year of secondary school, depending on the specialization chosen.

**Source**: Compilation based on the *Ley de Servicio Militar* (N° 29248 – 2008/06/28), website of the Ministry of Defence and the *Memoria Pro*grama Nacional de Becas y Crédito Educativo (2013).





mandatory courses. Further requirements for promotion have not been considered

2013

261

81

45



<sup>2</sup> The age of 15-20 has been considered for comparative purposes. Entry age varies depending on the services. The minimum age for promotion will depend on the age

of graduation from the appropriate military education institution. Source: Compilation based on the Ley orgánica del Comando Conjunto de las Fuerzas Armadas (DL N° 440 - 1987/09/27) and Ley de situación militar de los oficiales de las Fuerzas Armadas (N° 28359 - 2004/10/13. Last amendment: Act N° 29406 – 2009/09/15).

# Activities in which defence is related to:

Security Environmental

Protection

Education

Health

Foreign Affairs

As of 2014, two programs have been elaborated, the last of which (VRAEM Program 2013-2016) declares as a general objective: "achievé an environment of security, legality and social peace to improve the quality of life and social inclusion among the population of the VRAEM region by increasing the profitability of legal productive activities in the area"

# **Defence and National and International Community**

### **Support to Security**

### A Priority Zone: VRAEM

In 2012, Supreme Decree 074 declared economic and social development and the pacification of the Valley of the Apurimac, Ene and Mantaro Rivers – VRAEM – to be a national priority, designating a Multi-sectorial Commission to design a special program for the zone based in the actions of a variety of sectors, including defence.

# It has four pillars of intervention:

Fight against Terrorism

Fight against Poverty Fight against Inequality

Fight against Drug Trafficking and Organized Criminal Groups

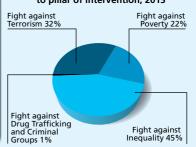
# The Ministry of Defence participates in the following strategies:

Interdiction of drugs and inputs. Capture of criminal groups Control of territory and capture of principal suppliers, using Self-Defence Committees formed by the local population

The Implementation Unit of the Ministry of Defence, which has the objective of "Reducing (eliminate) the activities of narco-terrorists", is the Joint Command of the Armed Forces; the specific objectives are:

- Impede the sources of financing, logistical support and chemical inputs.
- Recuperate and guarantee the adhesion of the population, firstly in the zones
  of influence and then in the zones where the terrorist groups operate.
- Disarticulate the terrorist structure and organizations engaged in the trafficking of drugs or other illegal goods, that permits the neutralization and capture of the heads of these organizations.
- Obtain the sustainable development and security conditions necessary to transfer responsibility for internal security in the VRAEM region from the Armed Forces to the National Police.
- Increase operational capacity

# Distribution of VRAEM resources according to pillar of intervention, 2013



# Ministry of Defence, objective-based budget for the VRAEM program (in Local Currency)

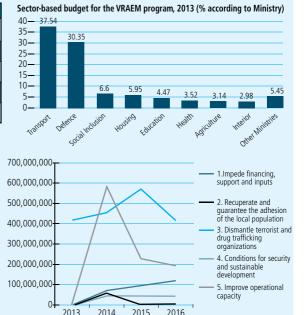
	2013	2014	2015	2016
1.Impede financing, support and inputs	ing, support 0 70,247,560 96,839,13		96,839,129	119,495,223
2. Recuperate and guarantee the adhesion of the local population	0	56,714,498	3,215,088	3,215,088
3. Dismantle terrorist and drug trafficking organizations	420,626,291	457,028,959	573,000,982	415,967,173
Conditions for security and sustainable development	0	46,000,000	46,000,000	46,000,000
5. Improve operational capacity	4,123,315	582,398,734	228,798,734	195,000,000

# Area of Influence of the VRAEM Region Area of Influence of the VRAEM cocaine in basic paste and clorohydrate form.

The Government evaluates that there is a relationship of cooperation and dependency between drug trafficking and terrorist organizations.

Ucayali

Cusco



Dedalo' Operation - 2013 Developed between September 27th and October 1st with the aim of disarticulating the support networks of narcoterrorist organizations, the principal sources of financing drug trafficking, supply of weapons, ammunition, explosives, medicines and transport, that operate in different localities in the VRAEM region, as well as their principal sources of information. It was organized together with the National Police and also involved the participation of the Office of the Public Prosecutor. 23 arrests of those suspected to collaborate with terrorist groups were made as part of the operation.

During 2013, two modern counterterrorism units were inaugurated in the localities of Pucyura and Quillabamba, in the Cusco province of Convencion, with the objective of achieving improved territorial control. For 2014, another 8 counter-terrorism bases are planned in the localities of Incahuasi, Yuveni, Kepashiato, Llochegua, Mazangaro and Union Mantaro.

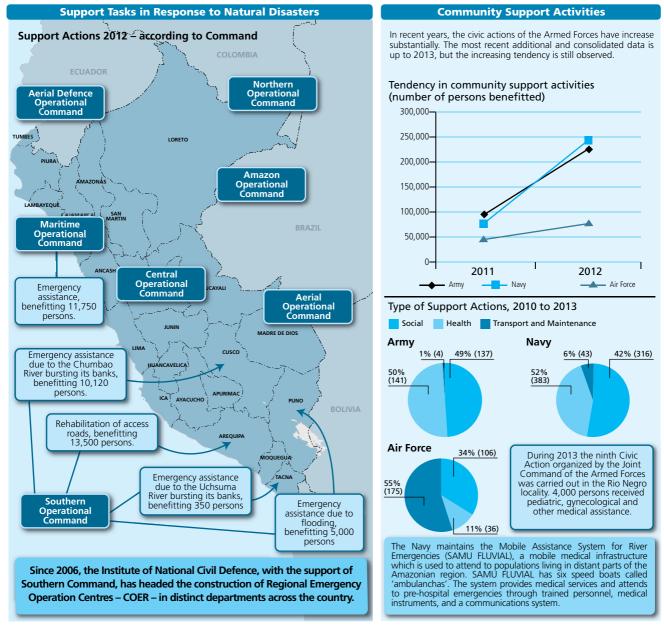


**Source:** Compilation based on the of Supreme Decrees N° 074-2012 PCM (2012-07-10) and 077-2013 PCM (2013-06-26); the *Programas de Intervención Multisectorial para el ámbito de los valles de los ríos Apurímac, Ene y Mantaro* (VRAEM) 2012, and 2013-2016; websites of the Presidency of the Council of Ministers, Air Force, Army, Navy and Joint Command of the Armed Forces, and the Government of Peru, *Revista del Comando Conjunto de las Fuerzas Armadas del Perú* (August-December 2013 - Edition N°55).

23 intervention districts: 57% of which (13) are

forest

An extensive area of over 35,000 km<sup>2</sup>.



**Source:** Compilation based on the websites of the Presidency of the Council of Ministers, Air Force, Army, Navy, the Joint Command of the Armed Forces and the Government of Peru, *Anuario Estadístico del Sector Defensa* (2010, 2011 and 2012).

# **Participation in Peace Operations**

	Military Component				
Current Missions	M	MEM		MC	
	Men	Women	Men	Women	
MINURSO (Western Sahara)	1	-	-	-	
MINUSTAH (Haiti)	-	-	350	23	
MONUSCO (Dem. Rep. of Congo)	12	1	2	-	
UNAMID (Darfur)	4	-	-	-	
UNISFA (Abyei)	2	-	2	-	
UNMIL (Liberia)	1	1	2	-	
UNMISS (South Sudan)	2	-	-	-	
UNOCI (Ivory Coast)	2	1	-	-	

MEM: Military experts on mission, including military observers, judge advocates and military liaison officers, among others. - MC: Military Contingent

Peru contributes 406 military personnel to United Nations peacekeeping missions, representing **6.65%** of the total Latin American contribution.

**Source:** Statistics on the contribution of military and police personnel to United Nations peacekeeping operations, United Nations Department of Peacekeeping Operations, May 2014; websites of the Joint Center of Peace Operations Training (CECOPAZ) and of the Ministry of Defence.

Peru actively participates in peace operations and has sent troops to MINUSTAH since its foundation. It has a Joint Center of Peace Operations Training (CECOPAZ), in Lima, whose aim it is to train military personnel and provide technical advice to the Joint Command of the Armed Forces in issues related to peace operations. The center provides courses for military contingents, military observers, and general command, instructors, and seminars on peace operations, correspondents, and the XXI predeployment Haiti course.