The Legal Framework and the Defence System

Advisory and assistance functional relationship
Command reporting line

National Legislation

- National Security Organic Act (GO Nº 2002/12/18)

Military Organization

- Social Security Act for the Armed Forces (GO Nº 35.752 – 07/1/95).
- Special statutory decree of reincorporation to the military career and the social security system of the Bolivarian National Armed Force ( Nº 8.796 - GO Nº 39.858 - 2012/06/02).
- Law of control for integral defence of the air space (GO Nº 39.935 - 2012/01/06).

The President is advised by the National Defence Council, composed of the Vice President, the Presidents of the Assembly, the Supreme Court of Justice and the Republican Moral Council, and the Ministers of Defence, Internal Security, Foreign Affairs, Planning and the Environment. The Strategic Operational Command is directly subordinate to the President and is the highest planning and management organ of the Armed Forces and the Bolivarian Militia. The Joint Staff is its planning and advisory body. The Strategic Operational Command, the Military Components (Army, Navy, Military Aviation and National Guard), the Bolivarian Militia and the Military Regions (as operational organization), are administratively under the Ministry of Popular Power for Defence. The Assembly holds the powers granted by the Constitution and permanently monitors defence related issues through the National Defence and Security Committee.

Source: Compilation based on the legislation mentioned above.

The Budget

The Evolution of the Defence Budget (in %)

The graph shows the evolution of the Defence Budget in relation to the GDP and the Government Budget from 2008 to 2012.

Year | Defence Budget (in US$) | Government budget (in US$) | GDP (in US$) |
--- | --- | --- | --- |
2008 | $5,351,200,000 | $6,984,965,854 | $34.2,260,000,000 |
2009 | $4,183,302,812 | $6,839,464,464 | $35.4,879,000,000 |
2010 | $2,501,443,472 | $4,054,556,584 | $30,012,000,000 |
2011 | $2,390,358,588 | $4,000,950,285 | $29,857,000,000 |
2012 | $5,900,096,861 | $5,449,125,614 | $33,445,000,000 |

Source: Compilation based on the Political Constitution, Ley orgánica de seguridad de la Nación (GO Nº 2002/12/18) and Ley orgánica de la Fuerza Armada Nacional Bolivariana (Extraordinary GO Nº 6.020 – 2011/03/21).
**Defence Budget Breakdown**

**Comparative Increase (% variation 2010-2012 - in local currency)**

**Personnel Expenses = 46%**

**Defence Budget = 147%**

**Government Budget = 87%**

**GDP = 78%**

---

**Defence Budget 2012 (in Local Currency)***

<table>
<thead>
<tr>
<th>Credits</th>
<th>Personnel Expenses</th>
<th>Consumer Goods and Services Expenses**</th>
<th>Real Assets</th>
<th>Others***</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of the People’s Power for Defence</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Public Defender’s Office</td>
<td>0</td>
<td></td>
<td>4,000,000</td>
<td>0</td>
<td>4,000,000</td>
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<tr>
<td>Military Health Directorate</td>
<td>609,673,107</td>
<td>478,761,380</td>
<td>0</td>
<td>0</td>
<td>1,088,434,487</td>
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<td>Office of the Vice-minister for Defence</td>
<td>138,466,165</td>
<td>96,977,418</td>
<td>0</td>
<td>0</td>
<td>235,443,583</td>
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<td>Operational Strategic Command</td>
<td>5,277,585,865</td>
<td>170,110,146</td>
<td>8,600,000</td>
<td>26,132,936</td>
<td>14,773,828,947</td>
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<td>Military Criminal Justice</td>
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<td>1,497,528</td>
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<td>1,497,528</td>
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<td>Operational Logistics Command</td>
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<td>406,592,391</td>
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<td>68,301,336</td>
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<td>Vice-ministry of Services</td>
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<td>2,405,661,224</td>
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<td>Centralized Actions</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Management and Coordination of Workers’</td>
<td>1,357,920,529</td>
<td>7,822,464</td>
<td>0</td>
<td>1,365,742,993</td>
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<td>Expenditures</td>
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<td>Administrative Management</td>
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<td>86,432,911</td>
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<td>Social Security and Protection</td>
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<td>0</td>
<td>30,526,576</td>
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<td>30,526,576</td>
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<td>Protection and integral care of families and people in shelters during emergencies or disasters</td>
<td>0</td>
<td>1,120,000</td>
<td>0</td>
<td>1,120,000</td>
<td></td>
</tr>
<tr>
<td>Ministry of the People’s Power of the President’s Office</td>
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<tr>
<td>National Defence Council</td>
<td>29,012,566</td>
<td>4,000,663</td>
<td>35,000</td>
<td>1,467,434</td>
<td>34,515,663</td>
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<tr>
<td>TOTAL</td>
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<td>1,725,113,027</td>
<td>8,733,773,940</td>
<td>2,761,998,633</td>
<td>21,333,540,768</td>
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</tbody>
</table>

*As of July 31, 2012, the Ministry of the People’s Power for Defence was allocated additional Credits for 1,083,200,035 Bolívares (US$ 198,025,601). Such amount has not been included above.

**It includes Materials, Supplies and Goods as well as Non-Personnel Services.

**It includes Defence and Security Expenses of the State, Transfers and Donations, Decrease of Liabilities

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**Composition of the Defence Budget**

**Source:** Compilation based on Ley de presupuesto para el ejercicio fiscal 2006, 2007, 2008, 2009, 2010, 2011 and 2012. It is considered as Government Budget passed by Congress in the above mentioned law. The contents of item “Real Assets” are considered as capital investment. GDP: Projection of the World Economic Outlook Database, IMF, of each year under review. This source has been taken for comparative purposes. Each country prepares the budget based on its own GDP estimation. The dollar value considered corresponds to the exchange rate determined by the World Economic Outlook Database, IMF, for each year under consideration. As of June, the 2012 exchange rate average is 2.60 Bolívares (type 1) and 4.30 Bolívares (type 2), based on the data 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 various defence budget items, which can be found in a sector-based or institutional classification of the Budget Act.

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**External borrowing of 1,500 million dollars for the acquisition of systems was scheduled for the year 2012.**
**The Ministry of the People’s Power for Defence**

**Organization Chart**

- **Date of Foundation:** 1946
- **Current Minister:** September 2012: Henry de Jesús Rangel Silva
- **Can military members be Ministers of Defence?** Yes
- **Number of military members who were Ministers of Defence:** 40
- **Number of civilians who were Ministers of Defence:** 1
- **Have there been any women in charge of the Ministry of Defence?** No
- **Average permanence in the Minister of Defence position:** 1 year and 7 months

[The creation date is related to the moment in which the term “Defence” becomes part of the Institution’s name]

**Source:** Website of the Ministry of the People’s Power for Defence.

**Bilateral agreements signed between 2010 and 2012:**

- Cooperation agreement in the fight against the worldwide narcotics issue signed with Colombia (2011).
- Agreement on technical and military cooperation with Ecuador (2011).
- Memorandum to institute and develop cooperation between both nations on security and defence matters, signed with Peru (2012).
- Memorandum on the establishment of a border scheme with Brazil (2011).
- Agreement on the construction of vessels for the Venezuelan Bolivarian Navy in Puerto Callao signed with Cuba (2012).
- Agreement on technical and military cooperation with Russia (2012).
- Cooperation Agreement on defence matters, education of officers and integration in science and technology with Argentina (2012).

**Source:** Compilation based on information provided by the web sites of the Ministry of the People’s Power for Defence, the Navy and the Ministry for Communication and Information of Venezuela, Ministry of Defence of Argentina, Ministry of Foreign Affairs of Colombia.
### Political Definitions

#### Strategic Objectives
- Organize, maintain, equip and train National Armed Force units for the development, deployment and employment of the military component, so as to secure national defence.
- Attain the territorial integration of the nation through infrastructure corridors that constitute the avenues of integration and development.
- Defend national sovereignty.
- Promote the protection of human rights and environment internationally.
- Encourage creative and productive work.
- Promote civic awareness.
- Active militant tolerance.
- Grow and consolidate health services in a timely and gratuitous manner.
- Strengthen disease prevention and control.
- Adjust the educational system to the socialist productive model.
- Ensure access to knowledge so as to make higher education universal.
- Stimulate self-determined economic relations.
- Guarantee fair judicial proceedings within the framework of the Rule of Law, according to the laws applicable to the FAN.
- Justice and equity without undermining the foundations of the law.
- New collective moral principles.
- Strengthen and coordinate internal and external mechanisms for the follow up and control of public administration.
- Foster the organizational, functional, procedural and systemic consistency of government bodies.

#### Related Actions 2011-2012

- Coordination of 14 plans to ensure the effective operation of the Logistics Command units of the Bolivarian National Army, the Navy and the National Guard; For the aviation branch, there are 67 equivalent plans.
- Thirteen plans to develop logistics activities, acquire and maintain air and ground surveillance and control operating systems.
- Project on “Intelligence operations to preserve the Nation’s Security”.
- Execution of 470 military operations, intelligence and counter-intelligence courses, which trained 180 agents; specialization of 420 agents.
- Project on “Integrative health care using the military health-care network”, supporting the national public health system and providing health care to 2,677,926 non-members, 1,003,240 members and 649,938 military troops and officers.
- Project to “Educate and train the human talent of the Bolivarian National Armed Force and the population in general", 45,409 trained civilian and military students.

#### Plan for the Development of the National Bolivarian Armed Force for the Integral Defence of the Nation (Sucre Plan) 2007 - 2013:

- Doctrinarism area: adjust the military doctrine, preparing the Military Strategic Concept of Integral Defence in order to fight a prototyped people’s war. This implies the need to improve the defensive capabilities and operational preparedness of the Armed Force and the Territorial Militia.
- Legal area: foster new laws and tailor existing ones to the new threats and the concept of the Nation’s integral defence.
- Leadership area: make the planning and involvement of the National Bolivarian Armed Force more efficient in the maintenance of internal law and order and active participation in national development; plan systematic attrition operations against the enemy considering the possibility of a limited invasion and prepare plans to resist should the country be occupied.
- Logistic area: Create a system of territorial logistics support (SALTE) in strategic defence regions, to prepare for a potential 1-year war, including reserves, materials, material maintenance technology. It is vital to promote the Venezuelan military industry, acquisition of materials and technological exchange with allied countries.
- Educational area: Reform the educational system of the National Bolivarian Armed Force and the Bolivarian Militia to facilitate the response to new threats and doctrines.

Source: Memoria y Cuenta del Ministerio del Poder Popular para la Defensa Nacional (2011); Plan de Desarrollo de la Fuerza Armada Nacional Bolivariana para la Defensa Integral de la Nación.
The National Armed Force, organized by the State and regulated by the principles of territorial integrity, cooperation, solvency, concurrence and co-responsibility, has the mission to guarantee the independence and sovereignty of the Nation, ensure territorial integration, security of the Nation, active participation in national development, cooperation in maintaining internal order, and the defense of the democratic exercise of the people’s will embodied in the Constitution of the Bolivarian Republic of Venezuela and the laws of the Republic.

The following are its specific functions:
- To ensure the full sovereignty and jurisdiction of the Republic in the continental space, maritime and marine areas, insular, lake, fluvial territories and air space, including their respective resources.
- To defend strategic locations that guarantee the development of activities in different areas: social, political, cultural, geographical, environmental military and economic, and take the measures necessary to prevent any external aggression or improper use.
- To prepare and organize the people for the integral defense of the country, with the purpose of cooperating with the independence, sovereignty and integrity of the geographic space of the Nation.
- To participate in alliances or coalitions in conjunction with the Armed Forces of other countries for integration purposes, as provided for in international treaties, pacts and agreements, following the approval of the National Assembly.
- To take part in peacekeeping missions, according to the provisions of pertinent treaties and agreements duly signed and ratified, following the approval of the National Assembly.
- To support the different levels and branches of the Government in the performance of socio-cultural, political, cultural, geographic, environmental, economic tasks, and in civic protection operations in the case of disasters within the framework of relevant plans.
- To contribute to the preservation or restoration of the internal order via-avis serious social disturbances, upon the decision of the President of the Republic.
- To organize, plan, conduct and control the military intelligence and counterintelligence system.

Specific Missions

**Army**
Ensure the defence of the land; contribute to the stability of democratic institutions and respect for the laws of the Republic, support national development and integration, and prepare to take part in international peacekeeping programs.

**Navy**
Ensure naval defence and compliance with the Constitution and laws in effect, cooperate in maintaining internal order and actively participate in national development, in order to guarantee the independence, sovereignty and integrity of national water spaces.

**Air Force**
Ensure national defence by controlling the national air space, contributing to the sustainability of public order and actively participating in the development of the country, employing the national air power to guarantee the territorial integrity, independence and sovereignty of the Nation.

**National Guard**
Conduct the operations necessary for maintaining the country’s internal order, cooperate in the development of military operations to ensure the defence of the Nation, exert administrative law enforcement and criminal activities assigned by law, and actively participate in national development within the territory and other geographic spaces of the Bolivarian Republic of Venezuela.

**Territorial Order**

**The Development Plan of the National Bolivarian Armed Force for the Integral Defence of the Nation (2007-2013) (Sucre Plan)** establishes the need to restructure the Bolivarian National Armed Force and to maintain a permanent operational preparation in the border municipalities, fostering the presence of other State institutions.

One of the programmes implemented in 2011 involved the study of Venezuelan geographic space. Twenty military operations were carried out in the borders and other areas of interest. The “VERTICE” Action plan was implemented, consisting in reorganizing the geographic and cartographic activity in Venezuela.

**Integral Defence Regions:** these are defined as a space of the national territory with geostategic characteristics, based on the defensive strategic concept, to plan, conduct and carry out integral defence operations.

- **Central Region:** It encompasses the States of Vargas, Gran Caracas, Miranda, Anáhuac, Carabobo, Yaracuy and Barinas, including the Capital District.
- **Western Region:** It encompasses the States of Falcon, Lara, Trujillo, Mérida, Táchira and Zulia.
- **Los Llanos Region:** It encompasses the States of Apure, Portuguesa, Barinas, Cojedes and Guárico.
- **Eastern Region:** It encompasses the States of Aragua, Monagas, Sucre and Nueva Esparta.
- **Guyana Region:** It encompasses the States of Bolivar, Delta Amacuro and Amazonas.

**Integral Defence Operation Zones:**
Space within a region that may comprise one or several States. Integral Defence Areas: Geographic spaces contained within a defence operation zone that may comprises or several municipalities.

- **The Military Districts:** these were developed mainly from 2010 onwards. Their duty is to safeguard the territorial integrity, sovereignty, security, defence and national identity; to carry out operational plans; to safeguard communication systems; to take part in emergency situations, catastrophes and public calamities; to detect and neutralize espionage and the presence of foreign irregular groups; to contribute to the eradication of narcotics, fuel and other natural resources trafficking; to fight organized crime.

**Notas:**
Compilation based on the Memoria y Cuenta del Ministerio del Poder Popular para la Defensa Nacional (2011), Leeser whereby 10 Military Districts are created according to the distribution mentioned therein (Nº 7.938 - 2010), and the Ley orgánica de la Fuerza Armada Nacional Bolivariana (Extraordinary GO Nº 6.020 -2011/03/21).
The initial officer training in Venezuela is offered in the different academies of the Bolivarian Military University of Venezuela (UMBV). The University was created in 2010 to train and educate military professionals of the National Armed Forces, the Bolivarian Militia and civilians.

The specialized course of Project 406, provided by the Professional Troop Training School, aims at educating troop officers as command officers. It takes 6 months and includes members of the 4 Venezuelan armed forces.

It reports directly to the President of the Bolivarian Republic of Venezuela and Commander in Chief of the Bolivarian National Armed Force in all matters relating to operational aspects, as for administrative affairs, it shall report to the Minister of People’s Power for Defence.

Mission: to train, prepare and organize the people for the integral defence of the country, in order to supplement the operational readiness of the Bolivarian National Armed Force, contribute to maintaining internal order, security, defence and overall development of the Nation, with the purpose of contributing to the independence, sovereignty and integrity of the Nation’s geographic spaces.

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.

The specialized course of Project 406, provided by the Professional Troop Training School, aims at educating troop officers as command officers. It takes 6 months and includes members of the 4 Venezuelan armed forces.

The Bolivarian National Military Militia 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.

15% (17,034) of the total of Force strength are women.

Bolivarian National Militia

Some of their roles include:

- Prepare, organize, equip, instruct, train and retrain the Bolivarian National Militia established.
- Create ongoing links between the National Armed Force and the Venezuelan people, so as to contribute to ensuring the overall defence of the Nation.
- Organize and train the Territorial Militia, to carry out the overall defence operations aimed at guaranteeing national sovereignty and independence.
- Participate and contribute to the development of military technology and industry.
- Guide, coordinate and provide support in its areas of competence to the Community Councils (Consejos Comunales) in order to contribute to the attainment of public policies.
- Contribute to, and advice on, the creation and consolidation of Integral Defence Committees of Community Councils, in order to strengthen civil-military relations.
- Collect, process and disseminate information from the Community Councils, public and private sector institutions, necessary for the elaboration of integral development plans, programs and projects for the Nation as well as national mobilization efforts.
- Coordinate with public and private sector bodies, entities and offices, the establishment and organization of the Reserve Combat Corps (Cuerpos Combatientes de Reserva).
- Oversee and train such combat corps, which shall operationally fall under the National General Command of the Bolivarian National Militia.

Activities in 2011

- Military Training and Maneuvers Plan (1,500 trained).
- Plan for Manoeuvre of Indirect Popular Approach: for the safeguarding of Caracas and its strategic sites; it included 9,425 militiamen.
- Territorial Militia Battalion Commander Courses.
- Support to the vaccination plan: 800 people.
- Revolutionary Reading Plan: for 11,270 people all over the country.

Women in the Armed Forces

Women Officers who have reached the highest rank in the Command Corps (2012)

Source:
- Compilation based on the Memoria y Cuenta del Ministerio del Poder Popular para la Defensa Nacional (2011) and information provided by the web sites of the Bolivarian Army Military Academy, the Bolivarian Navy Military Academy, the Bolivarian Aviation Military Academy and the Bolivarian National Guard Military Academy, the Bolivarian Army, the Bolivarian Navy, the Bolivarian Air Force, the Bolivarian National Guard and the Venezuelan Press Agency.

Source:
In 2011, 302 cooperation and internal order operations were carried out.

In 2011, 302 cooperation and internal order operations were carried out.

Military operations in border areas:

**Centinela**
- Developed since 2009 and designed for border protection.
- Operation Centinela I - 2011 (December): 514 troops of the Army and the Bolivarian National Guard.
- Operation Centinela II - 2012: In August 2012, the operation was reinforced with 8,000 troops in the 29 municipalities of the State of Táchira, 3,500 of which are concentrated in six border municipalities (Bolivar, Pedro María Ureña, Junín, Rafael Urdaneta, García de Hevia and Panamericano).

In this operation, usually the Armed Force cooperates with the Ministry of the People’s Power for Internal Affairs and Justice in the event of disasters. It is aimed at guaranteeing the shelter, food, health and housing of people affected by the strong rains of April 2011. During the first months, 156 inspections were carried out in the zone producing units so as to record crop losses; the following are some of the figures of this operation:

- 56,800 bags of cement
- 2,600 kilograms of ammunition
- Arms and vehicles
- 624,408 litres of fuel

Joint security operation on the border with Colombia:
- In May 2012, 3,000 officers of the Bolivarian National Armed Force were deployed on the border with Colombia to take part in a joint operation.

Military industry (CAVIM)

Compañía Anónima Venezolana de Industrias Militares (CAVIM) was created by the Venezuelan State in 1975 as a decentralized entity of the defence sector in the framework of the development of a military industry. Its legal framework is provided by Presidential Decree 883 (1975/04/29) and its main goal is the commercial operation of those industries related to the manufacture of weapons, ammunition, explosives and other defence materials and equipment.

In 2008, CAVIM was designated by the Ministry of the People’s Power for Defence as the entity responsible for controlling, regulating and executing the weapons acquisition projects signed with Russia, Iran and China.

Military Service

Military service is a duty for all citizens, though mandatory recruitment is forbidden. Every man and women of military age (18 to 60), born and naturalized in the country, are bound to register in the Permanent Military Registry as they are eligible and subject to registration for the service. Minimum term is 12 months, but may be extended. Registered members may be included in the following categories:

- Active duty: they are already providing services in any of the branches of the Bolivarian Armed Force, the Bolivarian National Militia or other units attached to the Ministry of the People’s Power for Defence. They should be aged between 18 and 30. They are subject to the military jurisdiction.
- Redundancy: they are not enlisted as they have been deferred from military service.
- Reserve: They fulfilled the military service and may be called for military training until the military age limit.

It offers two modalities:

- Full-time: regular service performed in a continuous and uninterrupted way at operational and administrative military units established by the Bolivarian National Armed Force.
- Part-time: they stay in the barracks for a specific time, enabling them to study or have a job, thus ensuring their professional growth and economic and social stability for themselves and their families.


Analysis:

Venezuela: Challenges for the National Armed Forces

Rocio San Miguel
President of Asociación Civil Control Ciudadano para la Seguridad, la Defensa y la Fuerza Armada Nacional

Venezuela’s armed forces are probably the only example in the hemisphere of a military force that has consistently experienced significant pressures to become politicized, to the extent that in 2012 the Head of State and President of the Republic1 himself forced them to proclaim themselves as “chavistas”. However, their main challenge may actually be the jurisdictional control of the Nation’s borders2, where a non-stop trafficking of all kinds of goods takes place (subsidized food and fuel, drugs, minerals and weapons), increasingly corrupting the country’s institutions with the large amounts of money they produce.

And there is even more: with 124,727 men and women3 in the National Armed Forces (FAN), Venezuela needs to have a military institution capable of enhancing the prestige of the Nation and its military, by leveraging three fundamental pillars: professionalization, operational capability and well-being of the military family. In the domestic sphere, their involvement in national development, as set forth in Article 328 of the Constitution, must focus on the Nation’s border areas, making military means and resources available in these areas where the homeland begins and which geographically account for three-fourths of the national territory.

Territorial integrity, a key aspect of national defence, must be introduced into the State’s foreign policy and FAN agendas, so as to control every inch of the national territory in the name of national security and the future generations to come, especially preventing the action of illegal armed groups.

The return of Venezuela’s professional military involvement in United Nations Peacekeeping Operations must be its contribution to the international security system, focusing on regional missions and others that, due to their geopolitical nature, may deserve the Nation’s commitment. The military’s involvement in combined military exercises with the armed forces from other countries in the region must be enhanced, so as to provide a unique practical training required to project the power and capabilities of the Armed Forces (FAN).

The Armed Forces must have the monopoly of the military defence of the Nation and the control of the State’s weapons, putting an end to the presence of armed groups and revealing the role of the Bolivarian National Militia which, according to some critics, is incompatible with the Constitution and already outnumber the National Armed Forces in 2012.

Finally, the country must design a project to develop its military industry, so as to manufacture the basic soldier’s gear and equipment; likewise, it must advance in the military justice system reform in accordance with democratic standards and the respect for human rights.

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2 Venezuela neighbors 14 foreign states mostly located in the Eastern Caribbean.

3 According to data from the Memoria y Cuenta del Ministerio del Poder Popular para la Defensa, 74.784 professional military personnel and 50.983 non-professional military personnel.
BLANCA