



# Nicaragua

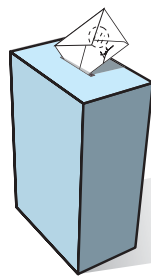
## The Legal Framework

### National Legislation

Sistemas y Conceptos	Military Organization
- Act on the Organization, Competence and Procedures of the Executive Power (N° 290 - 1998/06/03. Last reform: Act N° 612 - 2007/01/29)	- Act on the Abolition of Compulsory Military Service (N° 120 - 1991/01/03) - Code of Organization, Jurisdiction and Military Social Benefits (N° 181 - 1994/09/02) - Organic Act of Military Tribunals (N° 523 - 2005/04/05) - Military Penal Code (N° 566 - 2006/01/05) - Code of Military Penal Procedures (N° 617 - 2007/08/29)

Source: Compilation based on the legislation above mentioned. For constitutional provisions see Chapter 1.

### Political Participation of Military Members



	Retired	On Duty
Are they entitled to vote?	Yes	Yes
Are they entitled to become candidates for elections?	Yes <sup>(1)</sup>	No

(1) One year after retiring

Source: Constitution.

## International Treaties

On Hemispheric Security	On Disarmament	On Human Rights and Justice	On the Hemispheric System
<ul style="list-style-type: none"> <li>- Inter-American Treaty of Reciprocal Assistance: Signature: 1948/10/15 Deposit: 1948/11/12</li> <li>- American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 Deposit: 1950/07/26</li> <li>- Framework Treaty on Democratic Security in Central America: Signature: 1995/12/15 Deposit: 1996/08/01</li> </ul>	<ul style="list-style-type: none"> <li>- Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/02/15 Deposit: 1967/10/24</li> <li>- Treaty on the Non-Proliferation of Nuclear Weapons: Signature: 1968/07/01 Deposit: 1973/03/06</li> <li>- Convention on the Prohibition of Chemical Weapons: Signature: 1993/03/09 Deposit: 1999/11/05</li> <li>- Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/04 Deposit: 1998/11/30</li> <li>- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction: Signature: 1972/04/10 Deposit: 1975/08/07</li> <li>- Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques: Signature: 1977/08/11 Deposit: 2007/09/06</li> <li>- Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons: Signature: 1981/05/20 Deposit: 2000/12/05</li> <li>- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Deposit: 1999/11/09</li> <li>- Inter-American Convention on Transparency in Conventional Weapons Acquisitions: Signature: 1999/06/07 Deposit: 2003/05/06</li> <li>- Nuclear-Test-Ban Treaty (CTBT): Signature: 1996/09/24 Deposit: 2000/12/05</li> </ul>	<ul style="list-style-type: none"> <li>- Inter- American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1969/11/22 Deposit: 1979/09/25</li> <li>- Inter-American Convention on Forced Disappearance of Persons: Signature: 1994/06/10 Unratified</li> <li>- Inter-American Convention to Prevent and Punish Torture: Signature: 1987/09/29 Unratified</li> <li>- Jurisdiction of the International Court of Justice as Compulsory: Deposit: 1929/09/24</li> </ul>	<ul style="list-style-type: none"> <li>- Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1950/07/26</li> </ul>

Source: Compilation based on the information supplied by the web pages of the Secretariat for Legal Affairs of the Organization of American States and the UN Office for Disarmament Affairs.

## The Budget

State Budget 2008		Defence Budget 2008	
Local currency	28,618,106,227	Local currency	809,239,357
US\$	1,492,080,617	US\$	42,191,833
		GDP's %	0.65
2008 GDP (in US\$)	6,523,000,000	% of the State Budget	2.83

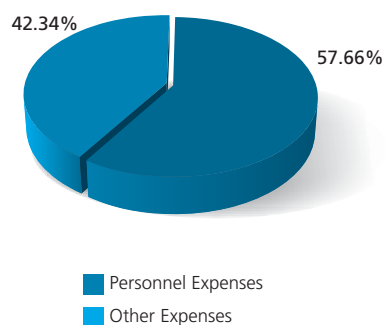
### Defence Budget 2008 (in Local Currency)

Item	Personnel Services	Non-personal Services	Materials and Supplies and Consumer Goods	Current Transferences	TOTAL
<b>Ministry of Defence</b>					
Central Activities*	410,879,972	4,468,674	1,953,746	21,068	17,323,460
National Defence**	455,739,220	112,570,200	220,298,977	3,307,500	791,915,897
<b>TOTAL</b>	466,619,192	117,038,874	222,252,723	3,328,568	809,239,357

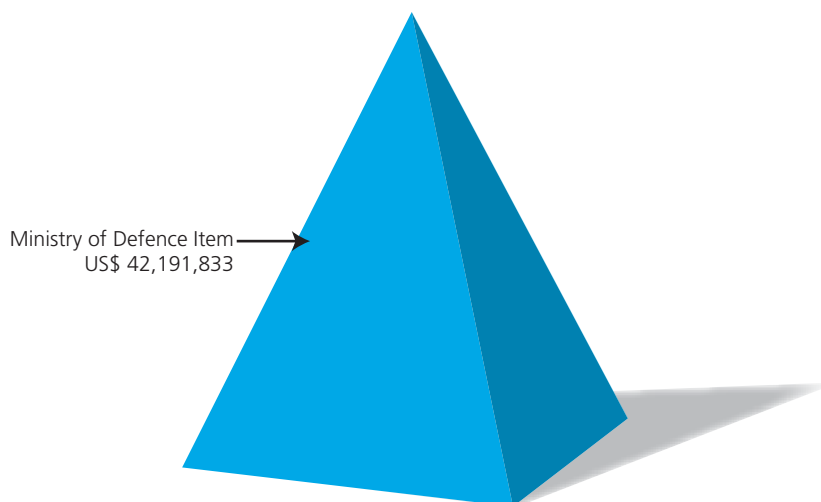
\* This program is run by the Ministry of Defence, empowered by the President to head the creation of policies and plans regarding the territorial sovereignty, independence and integrity defence of the Nation and, within these powers, coordinates and approves the plans and actions of the Army of Nicaragua.

\*\* This program is run by the Army of Nicaragua, institution in charge of prepare, organize and direct the armed defence of the Nation, by defending the territorial integrity, independence and national sovereignty.

Defence Budget  
2008 Breakdown



Composition of Defence Budget 2008



Source: Compilation based on the General Budget Annual Act of the Republic, 2008. The State budget passed by the Congress by means of the above mentioned Act is considered herein.

2008 GDP: World Economic Outlook Database Projection, IMF. This source has been taken for comparative purposes. Each country makes the budget based on its own GDP estimation.

The dollar value is the exchange rate considered by the World Economic Outlook Database, IMF. The exchange rate average is 18.45 Córdobas, based on the information provided by the Central Bank of Nicaragua. For further calculations, figures are provided in local currency.

Expressions in Bold Type (Table) make reference to the different items regarding defence, which can be found in a sectorial or institutional classification of the budgetary Act.

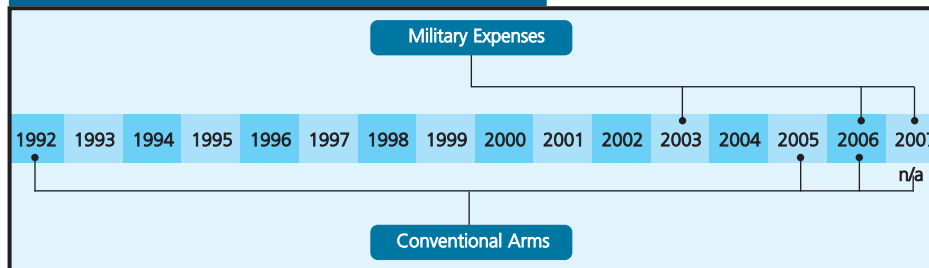


## Political Definitions

### Concepts

What is Defence?	What is Security?
<p>National defence is the means whose goal is to guarantee security of the State, through the execution of a set of measures and actions aimed at preventing or prevailing threats and risks.</p> <p>This implies that national defence is the capacity of the State to provide protection to its national interests and goals, by having all of the moral and material powers and forces of the Nation available and working in coordinated action.</p> <p><i>(Libro de la Defensa Nacional de Nicaragua, 2005)</i></p>	<p>National security is a permanent condition of sovereignty, independence, territorial integrity, peace and social justice, which in the institutional framework of a social, legal State, provides the Nation with the necessary guarantees for the force of its interests and national objectives, against any threat, risk or aggression, as well as the exercise of individual freedoms and political rights, in accordance with the law. Although in itself it does not constitute a purpose, national security is a generic objective of the State which involves all the forces of the Nation, expressed in the national power.</p> <p><i>(Libro de la Defensa Nacional de Nicaragua, 2005)</i></p>

### Submissions to the UN Registers



Source: Compilation based on reports submitted to the UN Register of Conventional Arms and the UN Instrument for Reporting Military Expenditures from 1992 to 2008. The publication of information from the Register of Conventional Arms corresponding to the year 2007 is expected by August 2008.

Nicaragua published the *Libro de la Defensa Nacional de Nicaragua* (Book of the National Defence of Nicaragua) in 2005

### Constitutional Powers of the Congress

#### Related to War and Peace

- Can it declare war?: No
- Is a congressional authorization required to declare war?: Yes <sup>(1)</sup>
- Can it make peace?: No
- Is a congressional authorization necessary to make peace?: Yes
- Is a congressional authorization necessary for the entry of foreign troops to the national territory?: Yes
- Is a congressional authorization necessary for the deployment of national troops outside the country?: Yes

(1) The Assembly can approve, modify or extend the state of emergency due to national security reasons.

#### Related to Control

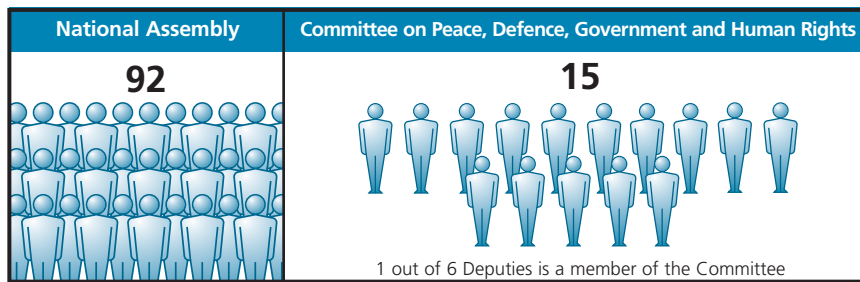
- Is its approval required to appoint senior officers of the Armed Forces?: NR
- Can it accuse officers of the Armed Forces?: No
- Can it try officers?: Yes
- Does it participate in the election of officials for institutions of external control?: Yes
- Can it modify the national budget?: Yes

NR: no reference.

#### States of Exception

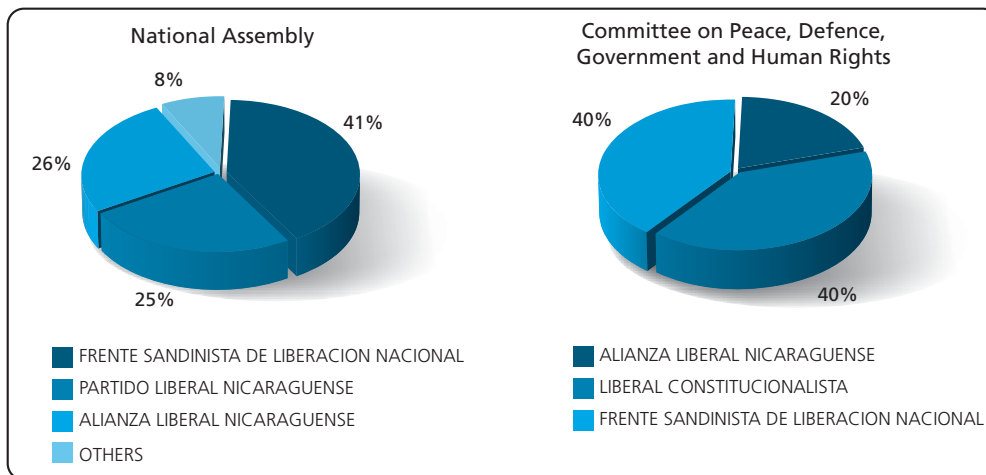
Name: State of emergency.  
 Cause: When required by:  
 National security  
 Economic conditions  
 National Catastrophes  
 Participation of the Legislative Power: The Assembly can approve, modify or dismiss it.

Source: Compilation based on the Constitution.



Source: Compilation based on information provided by the Legislative Power.

### Breakdown of Parties



## Defence Education

### Main Training Courses of Specialization in the Area

Training Course	Institution
Course on National Defence and Security	Army of Nicaragua

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

### Defence and/or Military Attaché Office in:



Source: Information supplied by the Army of Nicaragua. The country to which the Attaché is posted is considered here as the Office, beyond other cross accreditations to one or many countries.



**System Organization**

**Functions**

**State Powers Sphere**

It is a President's prerogative to determine the national defence policy. The President is the High Commander of the Army, by virtue of which can make use of the Armed Forces, order military operations, order the action of the Army in case of extreme necessity - when the National Police Force is surpassed in capacity - ; appoint the Commander-in-Chief of the Army in accordance with the Military Council's proposal; discharge the Commander-in-Chief of the Army from that position; approve and bestow the ranks of General according to the Military Council's proposal; order the mobilization; appoint the military attachés; provide the conditions, resources and mechanisms so that the Army accomplishes its missions; and receive the proposal of budgetary income and expenditure for the Army, for its subsequent incorporation in the Draft of General Budget of the Republic. The National Assembly counts on the Commission for Peace, Defence, Government and Human Rights, which is in charge of knowing and ruling the bill drafts related to the Army, the administrative political division and the patriotic symbols.

**Ministerial Sphere**

The Council of Ministers is composed of the President of the Republic, the Vice-President, and the Ministers of State. The Ministry of Defence, on behalf of the President, directs the elaboration of policies and plans related to the defence of sovereignty, independence and territorial integrity. The Ministry contributes with the President and along with the Council of Ministers, to establishing the intervention of the Army in support to the National Police when stated so.

**Military Sphere**

The High Command belongs to the General Command, composed of the Commander-in-Chief of the Army, the Chief of Staff and the Inspector General. The Commander-in-Chief of the Army exercises the general command of the Army and is directly subordinated to the President. The General Staff is the technical, operative, administrative and service body. It contributes to the High Command in the planning, direction and control of the organization, training and technical-material; and the operational and developmental provision necessary to the Army. The Military Council is the highest advisory body to the High Command on matters of Army doctrine and strategy, the developmental matters of the military institution and the defence-related plans that the High Command considers of importance in the decision-making process.

Source: Compilation based on *Ley de Organización, Competencia y Procedimientos del Poder Ejecutivo* (N° 290 - 1998/06/03; last reform: Ley N° 612 - 2007/01/29) and *Libro de la Defensa Nacional de Nicaragua* (2005).

## The Ministry of Defence

**Date of Foundation**  
1968

**Current Minister (August 2008)**  
Vacant position  
(General Secretary in charge: Rut Esperanza Tapia Roa)

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

**Number of military members who were Ministers of Defence**  
None

**Number of civilians who were Ministers of Defence**  
7<sup>(1)</sup>

**Have there been any women in charge of the Ministry of Defence?**  
No<sup>(1)</sup>

(1) Since 1998, year of the Act on the Organization, Competence and Procedures of the Executive Power (N° 290 - 1998/06/03).

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

### Mission:

Manage and take part in the elaboration of national defence policies and plans in order to guarantee -along with the Army of Nicaragua- the protection of national objectives and interests.

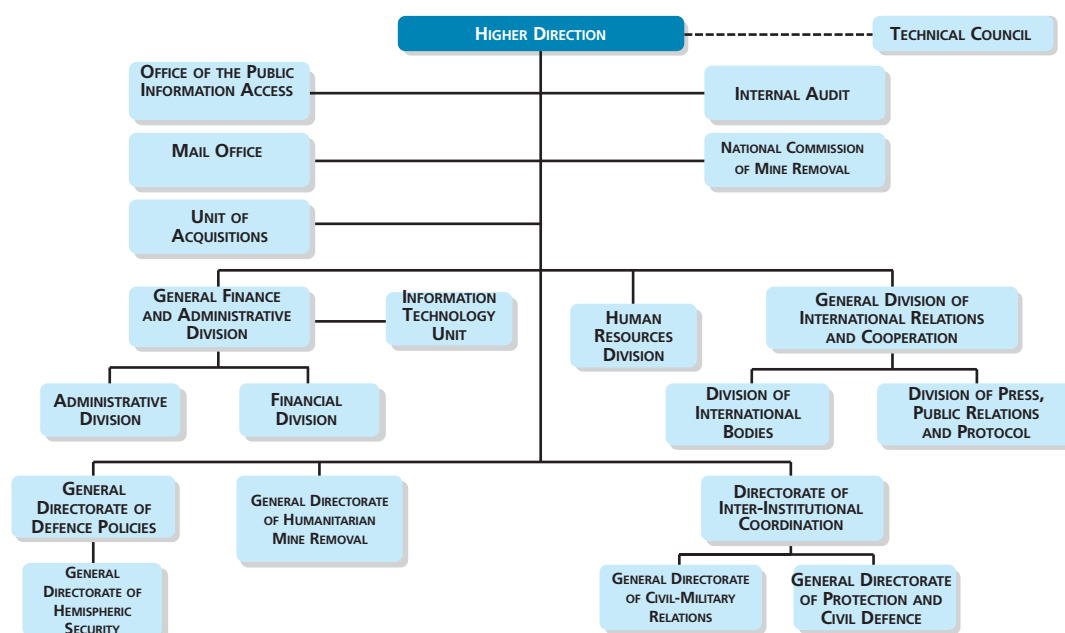
### Specific Responsibilities:

- Through delegated authority by the President, it manages the elaboration of policies and strategies for the defence of sovereignty, independence and territorial integrity.
- Support the President on providing conditions, resources and mechanisms for the Army of Nicaragua to meet the goals of the assigned missions by the Constitution and set forth by the other laws.
- Help the President at the Council of Ministers, in order to decide on the participation of the Army of Nicaragua in support of the National Police, any time the President of the Republic at the Council of Ministers so establishes.
- Submit to the Presidency of the Republic the candidates' nominations requested to the High Command of the Army, of officials that will have positions as Military, Naval and Air Attaché, and who shall represent the State of Nicaragua at international military bodies.
- Take part in the elaboration and management of the income and outcome Budget of the Defence Sector and its incorporation to the Annual Law of the Republic's General Budget, pursuant to the pertaining law.
- Take part in government instances set forth by law, guaranteeing the inter-institutional co-ordination.
- Represent the Government at international bodies and instances, regarding Defence and Security affairs.
- Take part, within the existing legal framework, in the Board of Directors of the Military Social Security Institute (IPSM).
- Take part in the formulation of policies and decisions regarding air and sea navigation.
- Take part in the coordination and execution of plans and programs related to the Humanitarian Mine Removal and integral action against mines in national territory.
- Provide support to actions limiting and controlling the use of weapons in accordance to rules and regulations on the subject.
- Comply with the specific powers stated by the Emergency Act within its scope of action.
- Foster plans and policies on civil and military relations, in accordance to decisions taken by the President of the Republic.

Source: Compilation based on *Ley de Organización, Competencia y Procedimientos del Poder Ejecutivo* (N° 290 - 1998/06/03; last reform: Ley N° 612 - 2007/01/29) and *Libro de la Defensa Nacional de Nicaragua* (2005).

■ Average permanence in the Minister of Defence position  
**1 year and 3 months**

### ORGANIZATION CHART



Source: Compilation based on *Libro de la Defensa Nacional de Nicaragua* (2005).



**Military Career**

ARMY	NAVY	AIR FORCE
<p><b>Superior Centre of Military Studies</b></p> <hr/> <p>Duration: 4 years</p> <hr/> <p>Graduation Title: Graduate in Military Sciences</p> <hr/> <p>Graduation Rank: Lieutenant</p>	<p><b>Superior Centre of Military Studies</b></p> <hr/> <p>Duration: 4 years</p> <hr/> <p>Graduation Title: Graduate in Military Sciences</p> <hr/> <p>Graduation Rank: Corvette Lieutenant</p>	<p><b>Superior Centre of Military Studies</b></p> <hr/> <p>Duration: 4 years</p> <hr/> <p>Graduation Title: Graduate in Military Sciences</p> <hr/> <p>Graduation Rank: Lieutenant</p>
<p><b>Academies of Intermediate Education</b></p> <hr/> <p>First Lieutenant</p> <hr/> <p>Captain</p>	<p><b>Academies of Intermediate Education</b></p> <hr/> <p>Frigate Lieutenant</p> <hr/> <p>Navy Lieutenant</p>	<p><b>Academies of Intermediate Education</b></p> <hr/> <p>First Lieutenant</p> <hr/> <p>Captain</p>
<p><b>Staff College</b></p> <p><b>Superior General Staff School</b></p> <hr/> <p>Major</p> <hr/> <p>Lieutenant-Colonel</p> <hr/> <p>Colonel</p> <hr/> <p>Brigade General</p> <hr/> <p>Major General</p> <hr/> <p>Army General</p>	<p><b>Staff College</b></p> <p><b>Superior General Staff School</b></p> <hr/> <p>Corvette Captain</p> <hr/> <p>Frigate Captain</p> <hr/> <p>Navy-Captain</p> <hr/> <p>Rear-Admiral</p> <hr/> <p>Major General</p> <hr/> <p>Army General</p>	<p><b>Staff College</b></p> <p><b>Superior General Staff School</b></p> <hr/> <p>Major</p> <hr/> <p>Lieutenant-Colonel</p> <hr/> <p>Colonel</p> <hr/> <p>Brigade General</p> <hr/> <p>Major General</p> <hr/> <p>Army General</p>

**Entry to the Superior Centre of Military Studies – 2008 –**

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Candidates:  
**219**

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Admitted Candidates:  
**125**

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3 out of 5 candidates were admitted

Source: Compilation based on information supplied by the above mentioned institutions. Entry to Academies: Army of Nicaragua. The table strictly follows the order and hierarchy of the ranks shown on each country.

## The Armed Forces

### General Mission

The Army of Nicaragua is the armed institution which defends sovereignty, independence and territorial integrity. Only in exceptional cases the President, in a Council of Ministers, shall be entitled to order the intervention of the Army of Nicaragua in support of the National Police, if the stability of the Republic were threatened by severe internal disorders, calamity or natural disasters.  
(Constitution, Sec. 92)

### Specific Missions

#### Army

The Army is the main instrument to perform missions of sovereignty and territorial integrity, acting in coordination with the Armed Forces, the Navy and common bodies.

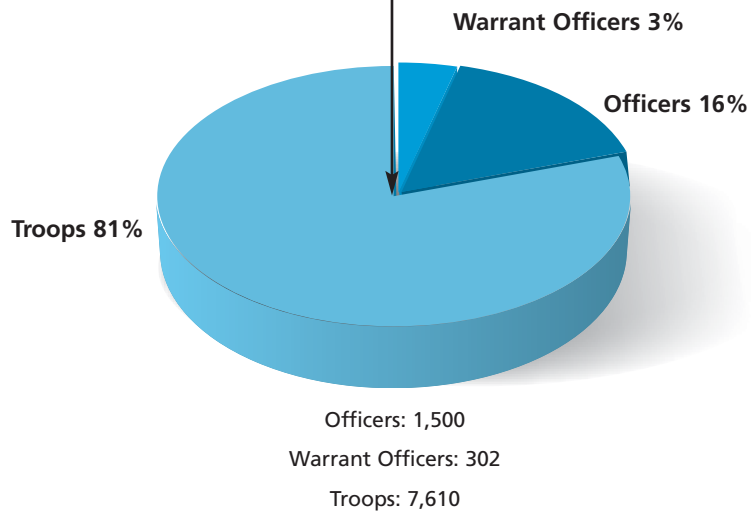
#### Navy

The Navy carries out support missions to the Army, and independent missions directed by the High Command of the Army.

#### Air Force

The Air Force carries out support missions to the Army and Navy as well as independent missions directed by the High Command of the Army. The Land Force units which carry out missions of anti-air defence, security and maintenance of the units and facilities are part of the Air Force.

**Total Armed Forces: 9,412**



Source: Compilation based on *Código de Organización, Jurisdicción y Previsión Social Militar* (N° 181 - 1994/09/02) (missions) and *Ley Anual de Presupuesto General de la República 2008* (N° 646 - 2008/02/12) (Regular Forces).



## Analysis:

# Nicaragua: Reform and Challenges of the Defence Sector

**Roberto J. Cajina\***

■ In 2007 unexpected and important transformations took in the organisation, procedure and competence of the Executive Power, particularly regarding the defence sector.

■ During the five years in office of President Enrique Bolaños (2002-2006), the development of the two basic components of the defence sector took place in a relatively normal way. Despite some disagreements that temporarily altered the relationship between the Ministry and the Army, they joined efforts and shared responsibilities to reach the two more relevant objectives of that period: the creation of a Book of Defence which finished in June 2005, and the successful celebration of the VII Conference of Ministers of Defence of the Americas in October 2006.

However, in the first three weeks of January 2007 there were important and unexpected transformations in the organisation, procedure and competence of the Executive Power, specially regarding the architecture and organisation of the defence sector and, thus, in the relationship between its components. Far from modernizing the sector and ratifying its civil supremacy, those transformations aimed at a new reversion, or at least at a stagnation of what had been achieved in terms of civil control and subordination of the military establishment to political power.

The transformations occurred in the political scenario affected by the triumph of the FSLN, Frente Sandinista de Liberación Nacional (Sandinist National Liberation Front), in the elections of November 5th, 2006. The return of the FSLN to power caused different and contradictory reactions: from the euphoria of its partisans, to the uncertainty and fear of its opponents; and pragmatism and moderate optimism of those who considered that in this second mandate, Ortega would have the chance to prove if he had changed or not. And yes, unlike in the 80's, (when he governed in the context of a cruel civil war and a chaotic economic

\* Consultant, Member of the RESDAL Board of Directors.

situation), he was able to lead a good administration, with a country at peace, a relatively stable economy, at least in the macroeconomic model, but with a series of dissatisfied social demands which had been postponed by the previous three administrations.

As a complement, it is worth pointing out that historically there has been a notorious and apparently insurmountable asymmetry between the two basic components of the defence sector, specially regarding its origin, coherence between assigned functions and ability to perform them, budget and professional expertise, strategy of institutional development, national presence, institutional stability in terms of leadership and direction, and internal and external strategic importance, between the more relevant aspects which, when contrasted, clearly evidence the flaws of the Ministry of Defence (MINDEF) and the strength of the Army.

In order to understand the asymmetries and nature of the relationships between MINDEF and the Nicaraguan Army, it is necessary to start from an essential idea: neither the Political Constitution nor any common law expressly establish a relationship of direct subordination of the Army to MINDEF. The Constitution says that “The Executive Power is exercised by the President of the Republic, who is the Head of the State and Supreme head of the Nicaraguan Army”, and establishes that the Army “Shall be subjected to civil authority exercised by the President (...)or through the corresponding Ministry”<sup>1</sup>.

In that sense, along the administrations following April 1990, civil authority has always been “directly exercised by the President of the Republic”, and never “through the corresponding Ministry”. Consequently, the chain of command is simple and without an intermediary between the Supreme Chief of the Army and the Commander in Chief. Organisationally and functionally MINDEF has historically been a collateral instance, without the capacity to establish an intermediary relationship between the President and the Army.

### **Reform to the Law 290, on the Organisation, Competence and Procedures of the Executive Power**

Before introducing the bill to reform Law 290, the new government had two options regarding the sector. The first one was to treat MINDEF with the same indolence as the two previous administrations had (Alemán and Bolaños), and leave it in its rooted institutional limbo as a simple “democratic decoration”. The second one was to admit that the mistakes incurred in previous administrations stopped and distorted the political transition and the construction of the democratic institutionalisation. As a result, it is necessary to correct them by providing the Ministry of Defence with the necessary support so it would become an institution with a consistent body of expert civilians and the adequate budget and with the real capacity to execute the typical functions of its institutional competence instead of being a ministry “in paper”, with responsibilities (section 20, Law 290), but without the qualified personnel or monetary resources.

<sup>1</sup> There is no specific mention to the Ministry of Defence, because in 1995 (when the Constitution was reformed), this Institution existed as a legal instrument, but it did not work as such because of a lack of monetary resources, personnel and facilities.

■ In order to understand the asymmetries and the nature of the relations between the Ministry and the Nicaraguan Army, it is necessary to consider that the norms do not expressly establish a relationship of direct subordination.



By mid January 2007, before he had been in office for one week, President Daniel Ortega surprisingly introduced an urgent preliminary reform draft to Law 290, in the National Assembly. Two articles (3 and 5) of that draft affected, though symmetrically, the Ministry of Defence and the Nicaraguan Army. The reform was finally approved by the Parliament, coming into effect by the end of that same month.

Of the eleven functions that Law 290 (passed in 1998) established for MINDEF, five of them were completely erased (Intelligence and Civil Defence); others were modified in content and scope (budget)-; and others remained although the writing was different, but with a clear reduction of ministerial competences, such as those regarding defence policies and plans. That meant that not only was the writing style reformed but also the spirit of the law. Furthermore, seven new functions were added, but only three of which- those referred to the humanitarian mine removal, civil-military relations, and limitation and control of weapons-, would be considered relatively substantive.

In terms of the net result, the reform to section 20 of Law 290 reduced the competence and action scope of MINDEF, and also lost the power it theoretically had over the sector, when its faculties to coordinate and direct the formulation of the Army budget and supervise its execution, direct and coordinate activities to obtain information, analyze it and evaluate it in terms of national defence, were overruled. The reform made the Army responsible for the Directorate of Defence Information (DID), which, in accordance with Law 181 (Law on the Organisation, Jurisdiction and Social Benefits of the Military from 1994)<sup>2</sup>, has been the competence of the Nicaraguan Army as the “common organ to all the forces”.

Although MINDEF did not have the institutional capacity to control the sector or to undertake those substantive functions, it did not mean that from the point of view of the bases of every democratic regime, these are not its typical functions. Furthermore, the reform itself did not solve the basic issues of such institution, since it has not been able to find a solution for the most important flaws of its existence and operations: it lacks of a strategic plan of institutional development and personnel with the necessary skills; a program for training and development of civilians in defence and security matters, and finally but not less important, adequate monetary resources. If these issues were not solved properly, MINDEF will continue performing meaningless bureaucratic activities and which are obviously far from the political transition and the construction of the democratic institutions that Nicaragua demands.

Reforms to section 20 of Law 290 (which is part of an even deeper and wider reform to the organisation, competence and procedures of the Executive Power), are not cosmetic of short term, but they include a clear political content and have an immediate effect.

In the institutional framework it should be pointed out that the elimination of substantive functions inevitably reduces the institutional stature of MINDEF and its functional scope. This, undoubtedly, shall be reflected in a necessary and urgent

■ The reform to section 20 of Law 290 reduced the competence and action scope of the Ministry.

<sup>2</sup> *La Gaceta*, Official Newspaper. No 165. Managua, Nicaragua, September 2, 1994..

reform of the Regulations of the Law (Decree 71-98), which shall establish the new functional-organisational structure of the Ministry. From a political perspective, the reduction in the substantive competences of the Ministry significantly affects the principle and exercise of civil control, civil supremacy on the military establishment, and the subordination of the military to the political power. As a consequence of the Army undertaking some of these responsibilities (which usually correspond to the Ministry of Defence), civil authority exercised by the President fosters the expansion of the spaces for functional autonomy in the military institution.

Objectively, the reforms make some sense, especially since this institution was not capable of exercising the substantive functions removed, precisely because the same civil legally constituted entity never provided it with the necessary monetary resources to (such as, train, coach, and hire the adequate personnel with experience on defence and security).

■ It is essential to try to compensate the negative effects of the reform and solve structural frailty and institutional limitations.

## Conclusion

Even though the reform of the section 20 of Law 290 did not trigger truly informed and consistent reactions in conceptual and political terms, it was neither the only nor the best option. When removing the competence of MINDEF in the substantive functions –although in practice it did not have the capacity to exercise them due to the abovementioned reasons- reduced its institutional stature, infringing the principles and practice of civil control. But, besides, and this is key- the reform did not solve the structural frailty of the Ministry of Defence or its institutional limitations; but worsened and widened them.

Facing that reality, to try to compensate for its negative effects and solve the structural frailty and institutional limitations of MINDEF, it is necessary, in the first place to appoint a Minister and Vice Minister of Defence<sup>3</sup>. Secondly, make the political decision of ensuring the adequate monetary resources. And, thirdly, form a mix team of civil and military experts who design and carry out a strategic plan institutional development, which as it will be carried out progressively, it will allow MINDEF to become a solid and competent Ministry, able to comply with its corresponding functions. In this way, from the fields of its institutional competence, it will contribute to rectifying and guiding the unfinished process of political transition and the construction of the Nicaraguan democratic institution.

These are the key challenges to ensure the future of MINDEF as the institution which runs the sector, the exercise of political control, the supremacy of civil power, the subordination of the military body to the legally constituted authorities, and the political direction of defence in Nicaragua. In order to comply with this it is necessary to have political will, resources, capacity, competence and important doses of realistic and pragmatic attitude.

<sup>3</sup> MINDEF is the only institution in the government cabinet which does not have the first two authorities that form the Superior Directorate of each Ministry. Currently, a General Secretariat, third in the Ministerial hierarchy, is in charge of MINDEF. According to Law, the functions of this General Secretariat are defined and delegated by the Minister.