Original Paper

Received: June 05, 2019   Accepted: June 11, 2019

Argentine’s Defense Policy: The “New Threats” and the Presidential Decree 683/2018

Leonardo Natan Gómez*
Leonardo Augusto dos Santos Oliveira**

Abstract

This article seeks to analyze the situation of the Armed Forces (AF) of the Argentine Republic from 1988 until 2019, and developments in the global, regional and local context, produced mainly from the end of the twentieth century up to the present, having profound implications referring to the current legal plexus concerning the topic, defense area budget, its primary and subsidiary functions, as well as the scope of application and the permanent dichotomy that is generated between the concepts of security and defense.

Keywords: Argentina, Armed Forces, Decree 683/2018, New Threats, Homeland Security

*Argentinean Navy Officer, Marine Corps, Captain, graduated in Naval Weapon Systems.: (leonardonatangomez65@gmail.com)
**Ph.D. in Business Administration. Adjunct Professor at Brazilian War College (ESG). (leonardooliveira@esg.br)
Introduction

Since the return to democracy in Argentina in 1983, the National Defense policy and the employment of the AF have crossed different junctures, influenced by factors related to this transition in the Government and a situation at a global level that is rapidly changing and full of uncertainties. With the fall of the Berlin Wall in 1989, it was believed that the wars had come to an end and that a new stage of peace would fill the world. Kant’s postulates of a "perpetual peace" (Kant, 1917) finally seemed to be achievable. This state of the situation (as we know, Utopian) was described by Francis Fukuyama in his work "The End of History" (Fukuyama, 1989), just finished the so-called "Cold War", in which he predicted the triumph of political and economic liberalism at the global level.

Today we know that these predictions have not been fulfilled. The East-West confrontation, identifiable globally, had disappeared, with new factors complicating the situation further. The balance of power had changed to be "unipolar", armed conflicts remained in force with different nature, old nationalism arose, strategic risks changed, and new non-state actors acquired great importance. A clear example of this, which generated a turning point at the global level, was the attacks of September 11th, 2001. The so-called "new threats" arise, with "transnational" characteristics.\(^2\)

Indeed, the world is in a process of marked uncertainty and significant changes (Rosenau, 2018); the development of reforms in China and its positioning in the international community; the increase of Russia's leadership; the crisis of the European Union and the "Brexit"; the change of political sign in some Latin American countries and; the one related to the last presidential election in the United States of America, among others. In Argentina, it is generally embodied in the collective awareness of the population, the quasi-exclusive association of National Defense to the military. But National Defense is a matter of State, in attitudes, measures, and actions, covering all the "expressions of National Power" (political, economic, psychosocial, military and scientific-technological), with preponderance in the military.

A recent presidential decree in Argentina (Decree 683/2018) modified the boundaries of action of the armed forces in Argentina, providing them with new tasks, especially when facing the “new threats”. Therefore, the objective of this article is to analyze these changes and identify the implications of the changes produced in the legislation in force in the last 35 years, on the operational processes and the structure of the Armed Forces with the new missions, in face of the "new threats" and the possibility of acting in Homeland Security.

The defense policy of governments and the criteria that order the design of their military instruments are susceptible to be approached from various conceptual frameworks. In Argentina, there was always, of course, a defense policy, but it acquired particular relevance and implications in the last 35 years. Two were mainly the relevant issues to work: civilian control of the armed forces and the strategic dimension of the defense. From the confluence of both arises

---

2 They are not really “new” for the fact of their existence, but because of their manifestation and the importance they acquire.
3 That extends across nations. It does not recognize limits.
the "political government of defense", understood as the effective political conduction of all the issues that make the national defense (Anzelini & Poczynok, 2014).

Concerning civil control, today there are no doubts about military subordination to political power. Therefore, the decision of war engagement is a political issue rather than military. As Karl Von Clausewitz said: “[W]ar is not merely an act of policy but a true political instrument, a continuation of political intercourse, carried on with other means” (Clausewitz, 1984, p. 87). In relation to the strategic dimension of the defense, there is still an outstanding debt, beyond the advances and decisions of recent times.

The Concepts of Security and Defense

The regional strategic panorama is diverse in the conception and interpretation of these two terms. Each State considers them according to their strategic vision and subject to the maximum national decisions. In countries that distinguish both concepts, security is identified internally or within borders, and defense with external scope (Kilroy, 2007). As an intellectual-doctrinal construct, it is useful to differentiate them and it is a logical question, but in this reality with grey zones, misinterpretation can lead to failure to confront those groups that move in that peace-war frontier, to which we are not familiar.

Argentina has adopted this differentiation, establishing in its legislation the concepts of homeland security (inner scope) and defense (external scope), being well defined the responsibilities as we will see in the development of the legislation in force. The AFs are not allowed to operate in homeland security matters, except for extraordinary cases, such as the stage of siege.

In other countries, security is viewed as a necessity, aspiration and inalienable right of the human being. It is the sense of guarantee that society and individuals have against threats of any kind (Whittaker, Smith, & McKune, 2008). In this case, it is somewhat abstract, subjective and cannot be measured. Defense is compiled of concrete actions in search of the preservation of sovereignty and national interests. It is the case of Brazil, where security levels are also established (individual, community, national and collective). Brazilian Constitution establishes in article 142, as one of the functions of their AF, the "guarantee of the law and order " (GLO operations).

The United States of America in its NSS (National Security Strategy, equivalent to the white book of the defense in Latin American Countries) manages a concept where the defense is a constituent part of national security that encompasses everything about securing their interests and achieving goals and objectives. It establishes the forces that apply the law, which does not include the AFs. The same separation rules in the United States (UNITED STATES OF AMERICA, 2017).

According to the above mentioned about the forces that apply the law, Verbitsky says4 “It was established in 1878, after the Civil War, by the Posse Comitatus law, which in turn reproduces an English law of 1411, and prohibits the use of the Army as a security force, except

---

On the other hand, there is extensive utilization of the forces inside the frontiers. This apparent dilemma is explained by the fact that they have regulated a wide variety of exceptions to the fundamental principle. It's a way to work the gray zone.

The United Nations (UN) is another case in which military personnel is participating abroad in missions/actions for which they are hindered in the country. In addition, this organism has developed a profuse doctrinal body in support of these operations. In the UN a much broader concept is handled where the defense is a constituent part of so-called security of the nation that encompasses all about secure its interests to achieve the goals and objectives of the participating countries. Security belongs to the State and there’s no distinction between "inside" or "outside". In the concept of Security used by the United Nations Organization (UN), it is clear the breadth of the same:

```
Security in principle is a condition in which states are considered to be protected from the danger of a military attack, economic hardship, political pressure or social injustice, thereby obtaining the freedom of action to continue with their own development and progress. (UNITED NATIONS ORGANIZATION, 1985, p. 11)
```

In the '90s the concept was broadened to consider the individual. This new approximation is called "Human security". Finally, it’s sustained that the concepts of defense and security have been long analyzed by the academic world, the social sciences, and the political organizations. The security has shown a greater diversification of concepts and probably the one that has generated more controversies. Despite these differences between the strategic conceptions of the nations of the region, we must seek all possible mechanisms to continue fortifying and increasing existing cooperation.

**The "New Threats"**

As mentioned before, new non-state actors, commonly known as "new threats", acquire great importance on the international agenda. This denomination may produce conceptual errors since, except those related to computer crimes, the majority are not "new". What is new is its position and hierarchy granted by the international community in matters of Security and its ways of manifesting itself, in the process of globalization and technological advances from the end of the last century (Bartolomé, 2006). The grey area in which they are managed and the great diversity of manifestations, lead to the existence of different criteria for enumerating them, depending on the authors.

A classification may include seven phenomena: mass migratory flows; terrorism; organized crime; the proliferation of Weapons of Mass Destruction (WMD); the environmental deterioration, the computer war; finally, the small/light weapon proliferation (Bartolomé, 2006). Within this general classification, other threats can be included, such as drug trafficking, piracy,

---

5 **Posse Comitatus** (From Latin "Force of County") Power (Posse) it refers to the common law power of a county sheriff to summon a "posse"-consisting of any able-bodied person over the age of fifteen years to assist him in keeping the peace, pursuing and arresting felons, and suppressing riots-Although British common law considered Military personnel eligible to assist law enforcement, the American tradition has been to limit the role the military could play on the domestic scene.
as part of organized crime. Other authors discriminate on an individual basis (Kherbi, 2007; Krahmann, 2005; de Vergara, 2016):

- Money laundering;
- Illegal immigration;
- Terrorism and Drugs;
- International crime;
- Drug trafficking;
- Illicit arms trafficking;
- Uncontrolled migration of refugees;
- Environmental damage;
- Cyber terrorism;
- Extortion;
- Piracy;
- Corruption;
- Immigrant traffic;
- People trafficking;
- Forgeries;
- Credit card fraud and other financial scams;
- Stealing intellectual property.

Despite heterogeneity in their consideration, there are common aspects necessary to highlight. One, as we agreed earlier, is the characteristic of not being "new" to the vast majority, adopting the denomination of "transnational threats". Another is that they cannot be hierarchical with their importance, danger or probability of occurrence. On the contrary, the assessment of a threat depends on the situation of each State and the juncture it crosses. A third aspect is that, as part of the spatial deployment of most transnational threats, the same pattern is repeated that is recorded in other phenomena that "cut" State borders and involve actors of a non-state nature: the growing importance of cities. Terrorists and criminals find in the city sources of financing, logistical support, transport infrastructure, and communications and – something not less important – anonymity. Massive migrations also have them as a destination.

A fourth clarification to be carried out is that transnational threats are not disjointed among themselves. On the contrary, they often co-occur, such as environmental deterioration that promotes massive migrations, or in a situation in which two or more threats are combined (which could happen between terrorism and the proliferation of weapons of mass destruction). Finally, the fifth clarification seems a countsense, from the moment he postulates that transnational threats carry some valorization of the State. Although the transversality of these phenomena confirms the State constraints to confront them, indicating multilateral cooperation as the only viable option in the matter. The truth is that those affected by these threats resort to *prima facie* the State in search of protection (Bartolomé, 2006), who becomes the primary responsibility to counteract them with the constituent elements of their national power. In face of the mentioned above, Argentina had to review its legal framework to face the “new threats”.
The Legal Framework of The Argentine Republic

The guidelines of the Argentine Republic's defense policy are expressed in a set of rules, laws, and decrees; the main ones are detailed below:

- Law No. 23,554 of National Defense (1988);
- Law No. 24,059 of Homeland Security (1991);
- Armed Forces Restructuring Act No. 24,948 (1998);
- Decree No. 727/2006 "Regulation of the National Defense Act";
- Decree No. 1691/2006 "directive on the organization and functioning of the Armed Forces";
- Decree No. 1729/2007 "National Defense Planning Cycle;
- Decree 683/2018;

This set of rules establishes the following concepts related to the Defense Policy and the specific design for its military instrument. First, the national defense is defined in Law No. 23,554 of National Defense as:

> The integration and coordinated action of all the forces of the nation for the resolution of those conflicts that require the employment of the armed forces, in a deterrent or effective way, to face the aggression of external origin. (ARGENTINA, 1988. Authors translation)

The same law, in its article 4, is where the concepts of "Homeland Security" and "National Defense" are separate, which characterize Argentina's defense policy:

> To elucidate the relating issues to national defense, the fundamental difference between the national defense of homeland security should be taken into account. Homeland Security will be governed by a special law. (ARGENTINA, 1988. Authors translation)

The legal Decree of the Defense Act No. 727/2006 (18 years after the enactment of the Defense Law) extends the concept of "aggressions of external origin" that established the defense law, to "aggressions of external origin perpetrated by armed forces of other States", which originated the concept of "External State Military Threat"(ESMT):

> The armed forces, the military instrument of the national defense, will be employed against the aggression of external origin perpetrated by armed forces belonging to another State/s." It also adds that "The use of armed forces by a State against the sovereignty, territorial integrity or political independence of our country, or in any other way that is incompatible with the Charter of the United Nations, shall be understood as the aggression of an external origin. (ARGENTINA, 2006a. Authors translation).
It is interesting to add to this question, the expressions articulated in repeated opportunities on the "absence of hypothesis of conflict of Argentina"\(^6\). If we add to this the concept of ESMT, it would seem that the AF would no longer justify their existence. One can say it looks like there is no "war hypothesis". In fact, any country has conflict scenarios and Argentina is not the exception. Argentina had conflicts in the past and there are still some ongoing conflicts. Remember the case of “pastera” (pulp cellulose process) with Uruguay, problems with Bolivia for medical care for foreigners, as well as bordering issues on the change of riverbeds of a river. The most obvious: the "Malvinas" question. Conflicts are not necessarily military, they can be economic, social, political conflicts, and others without force resolution.

In fact, it is related to what is clearly expressed in Decree No. 1714/2009 "National Defense Policy Directive" where the traditional strategic planning method of conflict hypothesis is replaced. Therefore, if the term “conflict hypothesis” is not analyzed and presented correctly, it can generate a misconception in public opinion:

In lieu of the conflict hypothesis model, military strategic planning and the corresponding force design of the military instrument will be developed according to the criterion of "capabilities" as a planning factor. (Authors translation)

Decree 727/2006 also states in its recitals that:

The defense system must be directed structurally and organizationally towards the conjuration of situations of external aggression perpetrated by armed forces of another State, in a whole in accordance with the provisions of resolution 3314 (1974) of The Organization of the United Nations (UN), leaving out of the orbit of it, either in its doctrinal aspects, planning and training, as well as intelligence production, any issue that makes and/or refers to homeland security. For this reason, all those conceptions that seek to extend the use of the military instrument towards functions alien to the defense, usually known under the name new threats, must be emphatically rejected. (ARGENTINA, 2006a. Authors translation)

While the concepts of "Homeland Security" and "National Defense" correctly delineate the responsibilities of AFs (external) and Police and Security Forces (internal), this rigidity in the concept of the so-called "new threats" can lead to the exclusive scope of Homeland Security. What would happen in a case of piracy on a national flagship, in an ocean away from our geographical position? Who would act? In this situation, probably the AFs are the most suitable for having projection capability. Another vital aspect pointed out by decree 727/2006, in its article 19, is that the Joint Staff of the Armed Forces (EMCOAF):

(...) shall have functional control over the armed forces, with authority to impart orders, and may have such means for the fulfillment of the missions entrusted in the framework of the military strategic planning." To this end, "will maintain a functional relationship with the Chiefs of the General States of the Armed Forces, who advise on the joint military planning. (ARGENTINA, 2006a. Authors translation)

**Law No. 24,948** of restructuring of the Armed Forces (1998), which sanctioned the "political, organic and functional bases fundamental to the restructuring of the Armed Forces"

\(^6\)https://www.rionegro.com.ar/argentina-no-tiene-hipotesis-de-conflicto-FVRN_402034/
(art. 1), considers the employment of the Argentinian military instrument in the following scenarios (ARGENTINA, 1998): Conventional operations in defense of the vital interests of the nation; operations within the framework of the United Nations; operations in support of homeland security, framed by Law No. 24,059; operations in support of the national community or of “allied countries”. Decree No. 1691/2006 - Directive on the organization and functioning of the armed forces - states that:

The main mission of the armed forces, the military instrument of national defense, is to conjure and repel any external military aggression in order to guarantee and safeguard the vital interests of the nation in a permanent way. (ARGENTINA, 2006b. Authors translation)

Later, it added that it should be considered as complementary missions of the military instrument: participation of the armed forces in the framework of the multilateral operations of the United Nations; participation of the armed forces in homeland security operations provided for in the Homeland Security Act No. 24,059; participation of the armed forces in operations to support the national community or of friendly countries and; participation of the armed forces in the construction of a sub-regional defense system.

This document pointed out that the military instrument should have as fundamental characteristics “(...)nature and strategic disposition essential and fully defensive, double autonomous dimension-cooperative and maximum consolidation of operational capacities for the integrated military action of the military instrument (...).” (ARGENTINA, 2006b. Authors translation). It will be noted that not only it was envisaged that the instrument in question would have a strategic defensive disposition, but that it would be of an essential and fully defensive nature, which amounts to saying that its material means, not only by their deployment but by their nature, would adopt their criteria of “Defensive defense” or “non-provocative defense”. In this sense, Argentina has insisted on the alleged need to suppress or drastically reduce military means considered offensive (Ugarte, 2012).

Such affirmation considers a “defensive attitude” (maintenance of the status quo) as synonymous of “Defensive Action”. It is possible to maintain a defensive attitude in its strategic conception, without leaving aside the possibility of having to execute “offensive” actions. As an example, at a tactical level, this is evident for the infantry troop which carries out a defense on the ground (defensive attitude) and foresees counterattacks (offensive actions) to restore the prevailing situation of the defense. If we obliterate these military resources, at the strategic level we should not have submarines, which is a purely offensive weapon; or at the tactical level, troops should not have snipers. It led to questioning the acquisition of many essential resources for any AFs.

The Homeland Security Act No. 24,059, in article 27, stipulates that the Ministry of Defense shall, at the request of the Crisis Committee, meant to specify what services of the Armed Forces may be used in support of homeland security operations, excluding the combat units of the three forces:
The Armed Forces support the homeland security operations by affecting (...) of its services of arsenals, quartermaster, health, veterinary, constructions, and transport, as well as elements of engineers and communications, for which it will be counted in a permanent form with a representative of the Joint Staff in the center of planning and control of the sub-secretary of Homeland Security. (ARGENTINA, 1991. Authors translation)

Articles 28, 29 and 30 refer to the potential attacks on military units in peacetime. It states that an attack on military jurisdiction is a matter of homeland security, clarifying that it is the primary obligation of the armed forces to preserve such jurisdiction and the restoration of order within the referred jurisdiction, under the legislation in force. In this case, it is established that they are homeland security issues, however, it is attributed to the AF the responsibility to restore order within the jurisdiction. This action is usually carried out through Facility Recovery Operations and Hostage Rescue. Title VI refers explicitly to the subsidiary employment of combat elements of the armed forces in homeland security operations. Article 31 states that without prejudice to article 27:

The armed forces shall be employed in the restoration of homeland security within the national territory, in exceptional cases where the homeland security system described in this law is insufficient at the discretion of the President of the nation for the fulfillment of the objectives set out in article 2. (ARGENTINA, 1991. Authors translation)

For the President and Congress to make use of the powers granted by the National Constitution (Art. 23, Art.75 Inc.29 and Art.99 Inc.16), it is necessary to pre-declare the State of siege (This is the explicit exception where AFs can intervene operationally in Homeland Security). Article 32 expresses that the use of the armed forces for the case referred to in art. 31 shall conform to the following guidelines: The conduct of the national and provincial armed, security and police forces is the responsibility of the President of the nation advised by the crisis committees of this law and the 23,554; an operational commander of the armed forces shall be appointed and all other security forces and police officers shall be subordinated to it exclusively within the territorial scope defined for that command; in the case referred to in this article of an exceptional form of employment, which will be developed only in situations of extreme severity, it shall not affect the doctrine, organization, equipping and training of the armed forces, which they will maintain the characteristics derived from the application of law 23,554.

Decree 1729/2007 - National Defense Planning Cycle - As mentioned above, the design of forces will be carried out according to Capability-Based Planning, replacing the model based on conflict hypothesis. This method is used for the design of the military instrument in a context of uncertainty, proving to be much more dynamic and flexible than the previous one, but hard to realize if the budgetary allocations envisaged are not fulfilled (ARGENTINA, 2007).

In this way, it establishes that the planning begins with the dictation of the Directive of National Defense Policy (DPDN) and concludes with the elaboration, also by the national strategic level, of the Plan of Military Capabilities (PLANCAMIL) which will determine the model of evolution of the military instrument, possible and necessary, for the medium term. It should be noted that the PLANCAMIL, in which the possible and necessary military instrument crystallizes, is currently under review.
Decree no. 683/2018 (ARGENTINA, 2018) updates the Decree No. 727/2006, through which the Law No. 23,554 of national defense is regulated. Regarding the modifications, the motivation of the new decree establishes mainly that the need to change the existing regulation (727/2006) of the defense law would arise:

(...) from the very moment when it is observed that by a regulation surplus at the time of the determination of the particulars and details necessary for the application of the existing legislation, it is not appropriate to restrict the potentialities for the national defense. (ARGENTINA, 2006a. Authors translation).

If we analyze the first article reformed - Decree No. 727/2006, Article 1 - we see that in its drafting was established that: “The Armed Forces, a military instrument of the national defense, will be employed before attacks of external origin perpetrated by Armed Forces belonging to another State/ s (...)” (ARGENTINA, 2006a. Authors translation). In the article, now reformed by Decree No. 683/2018, the new text establishes that:

The Armed Forces, military instrument of the national defense, will be employed in deterrent or effective form before aggressions of external origin against the sovereignty, the territorial integrity or political independence of the Argentine Republic; The life and freedom of its inhabitants, or any other form of external aggression that is incompatible with the Charter of the United Nations. (ARGENTINA, 2018. Authors translation).

The fulfilment of this primary mission does not affect the provisions of Law No. 24,059 of homeland security and the restructuring of the Armed Forces Act No. 24,948, regarding the scenarios in which the use of the military instrument is foreseen and the provisions that define the scope of said intervention in support operations for the homeland security. From the comparison between the two articles, it emerged that the fundamental difference between them is: the aggression of external origin which will determine the use of the armed forces to constitute the object of the national defense, should be perpetrated by armed forces belonging to another State/s, whereas in the new text such requirement does not exist.

The present decree modifies the previous one and retakes the spirit of the Law No. 23,554 of National Defense seeking to not restrict the potential for national defense. It does not mean, as stated in its text, that it enables the Armed Forces to intervene in matters of homeland. The spectrum of action of the AFs expands, pliable to the global reality, which implies within the restructuring to assume new responsibilities without the detriment of the main functions.


On July 30th, 2018, the last DPDN was issued, which establishes the central guidelines of the National defense policy of the Argentine Republic. It undertakes an appreciation of the Global and Regional scenario, characterized by increasing complexity and uncertainty, with the preeminence of the military power of the United States of America and the counterweight of China and the Russian Federation. The regional and global powers modernized their defense strategies and their armed forces. This update showcases the growing integration between traditional and non-traditional forms of aggression and influence (Bienen, 2017). The latter
refers to non-military actions aimed at destabilizing the population and the Governments of the opposing nations.

The belligerents combine political, diplomatic, informative, cyberspace, military and economic instruments (Brown, 2018). Massive dissemination of fake news and the replacement of regular troops by irregular organizations or private military companies shape some of the trends of the past decade. The armed forces of the 21st century is constituted as flexible organizations with a strong technological component, in contrast to the military organizations of the twentieth century (Burmaoglu & Sarıtas, 2017). International terrorism configures one of the main problems of the 21st century agenda. These phenomena become more complex as they confluence with other crimes and complex criminal phenomena.

At the regional level, it establishes that in the 21st century, South America has managed to consolidate itself as a peace zone, characterized by the absence of inter-State conflicts, respect for human rights and the promotion of the democratic system of government, as well in the commitment to non-proliferation and peaceful uses of nuclear energy (Abdenur, Mattheis, & Seabra, 2016). The Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials (ABACC) plays a key role in promoting mutual trust and transparency.

The DPDN-2018 considers drug trafficking as one of the main problems of transnational security (ARGENTINA, 2018b). Regarding terrorism, the region would not represent a high priority scenario for the direct projection and action of this scourge, without forgetting what happened to the two attacks that Argentina suffered: The Embassy of the State of Israel and the Mutual Association Israelite Argentina (AMIA) in the years 1992 and 1994.

Regarding the strategic positioning of the Argentine Republic in defense matters, the country does not transit competitive processes with other states that derive in a probability and/or will of damage through direct military threats. Argentina holds a cooperative strategy in the neighborhood, regional and global spheres. In accordance with its commitment to the consolidation of South America as a peace zone, Argentina projects a defensive strategic positioning and fully adheres to the principles of peaceful resolution of disputes, non-intervention in the internal affairs of other States and unrestricted respect for the rules of international law, multilateral treaties and inter-State cooperation mechanisms (Abdenur, Mattheis, & Seabra, 2016). The lack of identification of direct conventional threats does not imply that Argentina lacks risks and challenges for national defense. Some risks and challenges are displayed in table 1:

<table>
<thead>
<tr>
<th>Risks</th>
<th>Challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competition for strategic resources</td>
<td>The use of outer space for military purposes</td>
</tr>
<tr>
<td>External attacks on strategic objectives</td>
<td>Weakening of multilateralism</td>
</tr>
<tr>
<td>Use of cyberspace for military purposes</td>
<td>The South Atlantic and the Falkland Islands, South Georgia and South Sandwich</td>
</tr>
</tbody>
</table>
Impact of transnational criminality

Source: Adapted from DPND-2018

The DPND-2018 defines priorities and guidelines for the reform of the national defense system (ARGENTINA, 2018b). The objective is to establish the parameters that will guide the reform of the military instrument of the nation concerning its organization, doctrine, training, strategic planning, deployment, training, administration, and use of human resources and material. It also establishes criteria relating to the modernization, recovery and acquisition of material, all to ensure the full adequacy of the national defense system to the emerging strategic challenges of the global, regional and national scenarios, and to the existing restrictions (ARGENTINA, 2018b). This adequacy will necessarily imply a delivery to be contemplated in future budgets to cope with the structural changes. As discussed above, the Military Capabilities Plan (PLANCAMIL), which emerged from the "Capability-Based Planning" model, is under review and could not be precisely realized by budgetary questions. In addition, it states:

The mission of the ARMED FORCES, the military instrument of the national defense system, is to enlist, train and support the means placed at their disposal, as well as the fulfillment of the functions and responsibilities assigned by the legal plexus in force in order to guarantee its effective employment in the context of military planning. (ARGENTINA, 2018b. Authors translation)

According to DPND-2018, the military instrument of the nation should prioritize, in peacetime, the development of the following types of operations: Monitoring and control of sovereign spaces; protection of strategic objectives; support for foreign policy; support for the Homeland Security system; community support and; support for the generation of scientific knowledge. The instructions for the reform of the national defense system are given in terms of deployment, joint military action, military doctrine, resource planning, equipment, research and development, personnel, intelligence and structure of the Ministry of Defense, Joint Staff and Armed Forces.

Defence Budget

The assignments given to AFs in each country have a great influence on the budget allocated to them, so that with the increase of the assignments, it is also necessary to increase the available resources. The literature also points out that, in addition to the needs generated through attributions, defense expenditures also depend on political, strategic and economic factors (Kollias, Paleologou, Tzeremes, & Tzeremes, 2018).

Everything analyzed previously can hardly be realized, if it is not accompanied by a budget agreed that allows carry out the policy of defense of the country, with strategic analysis and planning in short, medium and long term. In this sense and as established by the World Bank, Argentina is who, mainly from the year 1990, less invests in defense among the countries of the region. It is logical to understand that due to the current crisis, priorities at the national level are others, which directly affect development as a nation and the well-being of citizens. It
does not imply that in the contract that the Federal State has with its people in terms of security and defense, it is put aside. The following data represent the situation:

![Figure 1 - Percentage of GDP expended on Defense](https://datos.bancomundial.org/)

According to Ugarte (2018), the most characteristic aspect of the defense policy in Argentina has been the budget distribution scheme in defense established between 1993 and today: 80 to 86% in personnel, 15 to 17% in operation, 3 to 5% in Investments, for a budget of 1% of GDP. This characteristic has prevented for 25 years the renewal of the Argentine war material and have only enabled the realization of modernizations, often unfinished for lack of funds.

In 2017 Argentine spent in national defense 0.9% of its gross domestic product (GDP) when the average of the region is 1.6% and the global average 3%. Apart the amount of resources that the country spends on defense (which adds up to almost $5 billion a year), the biggest concern is that over 80% of that budget goes into wage payments. It is true that one of the concerns among the scholars of the topic is that much of their budget is allocated to staff. The reality is that with such a low percentage of GDP in defense, there is no margin for investment and modernization. The AFs has reduced its staff and is in the process of optimization in the organization. Another important fact that can shed light on the issue is the percentage of military personnel in relation to the country’s workforce as seen on table 2. Again, Argentina is the lowest of the countries analyzed.

---

7 Available in https://datos.bancomundial.org/
Table 2 - Military workforce vs. total workforce

<table>
<thead>
<tr>
<th>Country</th>
<th>Year</th>
<th>Total% of the workforce in the country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chile</td>
<td>2017</td>
<td>1.4</td>
</tr>
<tr>
<td>Uruguay</td>
<td>2017</td>
<td>1.3</td>
</tr>
<tr>
<td>Bolivia</td>
<td>2017</td>
<td>1.4</td>
</tr>
<tr>
<td>Peru</td>
<td>2017</td>
<td>0.9</td>
</tr>
<tr>
<td>Brazil</td>
<td>2017</td>
<td>0.7</td>
</tr>
<tr>
<td>Argentina</td>
<td>2017</td>
<td>0.5</td>
</tr>
</tbody>
</table>

Source: Adapted from Banco Mundial - https://datos.bancomundial.org/

Final Remarks

Of all the analyzed aspects throughout the work, we can extract several elements that mark the Defense Policy of Argentina. Clearly, as one of the main issues, the strategic criterion of separating the fields of action of its forces in National Defense and Homeland Security was adopted. The Armed Forces (AFs) can only intervene with their combat elements in pursuit of the National Defense, except in the case of an internal commotion exception, where it is necessary to declare a "State of Siege". It arises from a consensus and gives the possibility to the political power to have its Armed Forces as a last resort in the field of Homeland Security, and for that, they have the support of Police Forces and Security Forces (National Gendarmerie and Naval Prefecture of Argentina).

Decree 727/2006 modified Law No. 23,554 of National Defense of 1988, specifying mainly that the Armed Forces "will be used against aggressions of external origin perpetrated by armed forces belonging to another State (s)", that is, only against regular armies of another State, when originally in the Law, the action against "aggressions of external origin" was established. In this sense, the actions of the Armed Forces against the so-called "new threats" (Transnational Threats) were strictly excluded, considering them as belonging to the scope of Homeland Security. As mentioned in the previous analysis in this paper, this is a rigidity in the concept that detracts from it and can lead to strategic errors. Each State must consider the hierarchy of the same, based on the threat it represents for its integrity, sovereignty and the security of its citizens.

Decree 683 of the year 2018, modifies the Decree 727/2006, mainly in returning to the previous concept of aggressions of external origin, maintaining the spirit of the Defense Law. It also supports that it does not affect the provisions of the legislation regarding the areas of

---

8 Exceptional circumstance in which the inhabitants are limited to the full exercise of their rights, by the State. https://derecho.laguia2000.com/derecho-politico/estado-de-sitio
National Defense and Homeland Security. This makes it clear that it does not enable the Armed Forces to operate in Homeland Security, an aspect that remains fully in force.

Although the Law of Defense arises from a political consensus and establishes the fundamental bases related to national defense, it dates from the year 1988. The world, after the fall of the Berlin Wall in 1989, has gone through significant changes that modify the spectrum global geopolitical. For this reason and to avoid successive modifications and updates through instruments such as decrees, the possibility of promulgating a renewed Defense Law should be analyzed.

Despite everything analyzed, there is experience and background in the Armed Forces regarding the use of the Military Instrument in tasks of Maintenance Operations / Imposition of Peace within the framework of the mandates of the United Nations Organization, carrying out activities that are banned internally in Argentina. Besides these activities, there are also antecedents of Operativo Frontera (Border Control) and Escudo Norte (North Shield) operations, together with the Police / Security Forces (drug trafficking), and the control of electoral events in the national elections.

In the "National Defense Planning Cycle", strategic planning and force design will be carried out based on the "capabilities" planning method to replace the model based on "conflict hypothesis". The same, in the current revision, cannot be specified with the current budget, which for over 20 years is below 1% of GDP. With a vision of the future, this situation will evolve favorably as the same happens at the country level. In short, in matters of defense, Argentina is on the way in a slow but sure process and with firm convictions to remain valid in this uncertain world. This should be a State policy that lasts over time.
References


