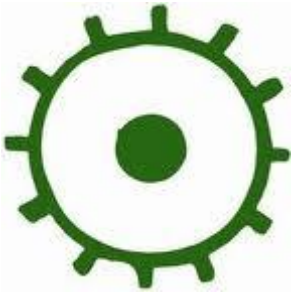
NON-MILITARISATION:
COUNTRIES WITHOUT ARMIES

Identification criteria and first findings

Christophe Barbey



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"Our planet is a solitary grain
in the cosmic darkness surrounding us.
There is no hint suggesting that help
could come from elsewhere than from us
to save us from ourselves."
Carl Sagan

"Using our human qualities at the best,
the greatest gift we can offer,
our sole, full and entire responsibility,
is to provide for, freely, the best possible future
for forthcoming generations."
Everyone

Because peace is the beginning of a lasting world,
Because peace is the beginning of a fulfilling life,
Because we can all hold the universe within a smile,
Living in peace is an open door to love and happiness.

Christopher Barbey holds a master in law. He is the coordinator of "***AIPRED***, Participative Institute for the Progress of Peace" where you are welcome to join to participate in the progress of peace. He lives partly in Geneva and partly in the Alps where he works to promote ways for States and institutions to be more peaceful and non-violent, through peace policies, by improving the place of peace in constitutions and by advocating for peace being recognized as a human right. He defines himself as an "irenologist" from the Greek word "irene" meaning peace: a peace activator.
He is also a poet and so forth a smile cultivator and a happiness dweller.

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However, the best acknowledgment we can give goes to those who in the future will be part of peace for all. May they always prevail.

"… to save succeeding generations from the scourge of war …"
Preamble, Charter of the United Nations

1. An age of peace

War is illegal. The Charter of the United Nations requires peaceful settlement of disputes and forbids the use of threat and force (article 2, sections 3 and 4, 33). All recognized countries of the world are now members of the United Nations (UN); the organisation is therefore universal. Without specifically wording it, the UN renders war illegal for all existing Nations. The exception provided for self-defence exists, but it is highly limited by the Charter (article 51) and other relevant elements of international law. However, for historical reasons, because the culture and tools of peace were or are not strong enough to guarantee the right of all to live in peace, international law and the United Nations' Charter do not forbid the tools of war: armies and weapons. Nevertheless, while some countries maintain huge armies and stockpiles of weapons, thus burdening humanity with the costs and indignities of war, other countries chose not to have an army and to forward therefore the cause of peace, for a better future for humanity, by totally renouncing for themselves to such tools.

In 1989, while preparing a referendum meant to abolish the Swiss army[1], I became familiar with the existence of these "countries without armies". Had other countries done what was asked of the Swiss people? I discovered that, small as they are, almost unnoticed and mostly unknown, a considerable number of countries without armies do exist. In the following years, I realized that they felt vulnerable; that they were discreet about their informal status of unarmed nations. As a scholar or simply because of care and common sense, I felt partly responsible for their security and therefore cautious not to reveal their existence in ways that would hinder what seemed to be a fragile safety. Times have changed. The awareness of their existence is rapidly growing; they have a security record that is almost perfect, and they are now more often than not taking their part in world affairs, sometimes in their specific role as "unarmed nations". The time is therefore ripe for the clarification of their status and to look peacefully at the way ahead.

If countries can survive and live well without having an army, why should others have one? This question will need to be answered in a responsible

[1] The official reference and results for the referendum:
http://www.admin.ch/ch/f/pore/va/19891126/index.html.
All quoted websites were accessed September 2015.

way, as soon as possible. However, this is not the purpose of this study. First, because this is a democratic issue: it is the people themselves who must decide on the ways and means chosen for ensuring their security, locally as well as globally. Secondly, before we can talk about more countries willing and ready to abandon the tools of war, we need to know better which ones have already done so, how they went about it, what this brings to them and to the rest of the world and, last but not least, how they remain safe and manage their security without the need to resort to an army. This is the humble aim of this study.

We began by determining and applying the criteria needed to identify the army-less countries. At early stages of this research, the line between militarised and non-militarised countries seemed blurred. As we will see, it sometimes still is. However, we did find sufficient distinctions for drawing a clear line between them because as we discovered all armies have a special administrative statute. Having identified the army-less countries, we gathered information, as much as available, to explain why they do not have armies. Size can be an important or even a decisive factor as most of them are small countries. Yet, some of them that could have armies made the deliberate choice not to have one. We discovered that they fare rather well – some could add happily – while not having an army. We realized that, given their fairly large number, it was not possible at this stage to make a comprehensive study of all their local peace and security policies and issues. Nevertheless, the general overview of their security means allows us to affirm that living without an army is both possible and safe. Finally, we have findings indicating that the situation of the people and the institutions of these countries are or may be better than in the ones supporting the costs and burdens of having an army. To confirm these findings and because more historical research is urgently needed as some of those who made the choice not to have an army are now gone or aging, we call for more "non-militarisation studies".

There are many lessons to be learned and shared from the peace achievements of the non-armed countries; some are presented hereafter, others will be part of future work. These countries are an integral part of our world, of a universal culture made up of our peaceful differences and of a human civilisation meant to last. In our opinion, peace does progress for them as for all, but it can also be improved.

The future is in the making.

2. Methodology and definitions

Monitoring the countries without armies began 25 years ago. A world list of countries and territories was compiled, comparing available military figures, legal backgrounds and sometimes results from local information and visits. It thus became possible over the years to define the criteria and the data needed to establish a reliable list of "countries without armies". Our focus here is on the situation as it is in 2015. There have been in the past many other situations of non-militarisation and processes of demilitarisation that are worth researching and presenting[2]. However, this is beyond the scope of the present study.

We will start by explaining briefly some of the terminology and definitions we use and make some distinction relating to other fields.

A *country, a Nation-State or a State* is an independent political entity, recognized as such by the international community. Usually, membership of the UN is sufficient to identify such a country and as no territory with a disputed status is directly concerned by our present study, we have little use for a more specific definition. Nevertheless, 3 countries of our list, though largely considered as independent, are not members of the UN. Niue and the Cook Islands are too small to support the duties and costs of UN membership, while the Vatican City State (hereafter the Vatican) retains its neutrality and has therefore an observer status at the UN[3].

Here we focus exclusively on Nation-States. However, it is worth mentioning that because of the creation of demilitarised or non-militarised *un-independent territories*, including all the possible "future territories" of humanity (the moon, outer space, all celestial bodies, Antarctica, Spitsbergen and to some extent the deep sea-bed), the expansion of militarisation in unconquered territories is not permitted anymore. Various forms of *peace zones* have also been created, to some extent with similar effects[4].

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[2] For Europe, Ahlström Christer, *Demilitarised and Neutralised Territories in Europe*, Åland Islands Peace Institute, 2004. Pennsylvania was non-militarised for a while: Howard Hodgkin, *La Pennsylvanie, un pays sans armée*, Society of Friends, Paris, 1937, available here: http://www.swiss-quakers.ch/ge/library/e-documents/6276-LaPennsylvanieUnPaysSansArmee.pdf. There are other cases.

[3] For a long time the UN was reluctant to admit small States as members. However, all small States of clear or cleared international status gained membership of the UN and therefore full recognition during the 90's. Stephen R. Snyder, *UN-Welcome: The United Nations' Political Aversion to the European Microstates*, Thesis. University of Michigan, 2010.

[4] On territories without armies: http://www.demilitarisation.org/spip.php?article181. On peace zones: http://www.demilitarisation.org/IMG/pdf/peace_zones.pdf.

For the purpose of this study, we usually use either the terms *countries without armies*, *army-less countries* or *unarmed countries* and indeed *non-militarised countries*. "Countries without an army" is less precise as it could nevertheless imply the existence of a navy or an air force despite the absence of grounds forces. "Countries without armies (plural)" is used rather than "countries without an army (singular)" as it also expresses the absence of foreign forces. However, this is still not precise enough as there may be at times foreign military forces present in some of the concerned countries[5]. Unarmed countries is not fully accurate either, as one can be, as we will show, well "armed" or said withtout referring to arms and military language, can be well "equipped" with the weapons of peace and nonviolence.
Non-militarisation[6], as a new generic noun, partly helps to clarify the terminology. It is the permanent status of a country, a society or a territory, that by fact and perhaps by law, has no national military institution or that is without military forces as defined hereafter.
It is necessary to distinguish non-militarisation, a *status*, from *demilitarisation*, a *process* of dismantling military forces and disposing of weapons. If the demilitarisation process is total and lasting, then it leads to a permanent status of non-militarisation[7].
An *army* is a military force, usually governmental, established to prevent the use of force by others or to undertake military action itself. It is composed of persons (soldiers and officers), most often equipped with heavy weapons (war weapons) and almost always organized hierarchically. When attached to a country, it has its own administrative status, usually under its own ministry, and the persons belonging to the force usually have a differ-

[5] There are two issues. The only military base present in a country without an army we know of is the NATO base in Iceland. For Palau, the Marshall Islands and Micronesia we are not aware of the presence of any US bases, but cannot be sure. Secondly, there are legally defined rights of peaceful passage for vessels, including warships, through territorial waters (United Convention on the Law of the Sea, UNCLOS, articles 17 to 32) .
[6] The term was devised by *APRED* during a summer workshop in Croatia in 2001.
[7] Because the word "demilitarization" is used both for partial demilitarisation processes, like decommissioning of weapons, and for territories where it is forbidden to have military activities, we prefer being more precise and making a clear distinction between "status" (non-militarisation) and "process" (demilitarisation). This may have as a result that the definition of demilitarisation we use may differ from definitions or even legal terminology as used elsewhere, in particular with the long standing and legal practice applied in the case of demilitarised territories and specifically the demilitarised Åland Islands, though these islands have been, indeed and in fact "non-militarised" for more than a century and a half. Eriksson Susanne, Lars Ingmar Johansson & Barbro Sundback, *Islands of Peace. Åland's Autonomy, Demilitarisation and Neutralisation*, Åland Islands Peace Institute, 2006.

ent status from that of other civil servants. These men – soldiers and officers – are trained to use violence against other human beings, and they are in times of war legitimised to capture, maim or kill anyone declared to be a military enemy and to destroy whatever is declared to be a military target[8].
When we use the term army, we use it in a generic sense meaning all armed forces intended for war, defensive or offensive, regardless of the type of arm: air force, navy, special forces or an army in the more limited sense of "ground forces".
Then there is a long list of *police* and *paramilitary forces* that can be either in the army, in the police, in both or administratively independent. To determine which of these forces amount to being an army, we will thoroughly examine the list of these forces hereafter, in the course of presenting the factual identification criterion.

3. Identifying the countries without armies

To determine which independent countries are army-less, we use two combined criteria: a legal criterion and a factual criterion.
The legal criterion is determined by the following question: "is there anything in the constitution or the legal order of the country regarding the status of armed forces which indicates that the country is army-less?" This criterion has or would have the advantage of being a rather solid basis for the transparency and sustainability of the non-militarised status and situation. It is also, in dignity and peace, the expression of "law over force". However, it is not automatically met by all countries on our list and even so needs to be confirmed by facts.
The factual criterion is determined by the following question: "does the field information acquired for each country under review confirm or ascertain that this country has no army?" This criterion comes with subcategories:
It would show a lot of integrity and be very convenient if we could fully rely on what the countries themselves say about their status, including legally. However for various reasons, they are not always keen to affirm publicly, including in their legal order, that they are army-less. Some countries sometimes pretend to have an army while they have none in fact - or the opposite, they have an army in fact while stating they have none. More

[8] The definition of soldiers and military objectives used in humanitarian law is only partly useful for our purpose. It addresses "persons openly bearing arms" which makes them "combatants". It does not determine an administrative status and the definition is only valid "in times of war or similar conflict situations"; fourth Geneva Convention, article 4 and 13. www.icrc.org.

factual information than what the countries say about their situation is therefore required.

The purpose or mission of the armed forces under scrutiny may be useful information, but it is not decisive either. The professions of policeman or soldier differ significantly, yet on occasion it is possible to shift forces from one mission to the other, at least if there is the equipment needed for military missions. Another possibility would simply be to have more men in the police in order to compensate the absence of a regular army. We shall look into this more thoroughly hereafter.

The existence of heavy weapons in a given country could be another indication of the existence or not of an army. Nevertheless, there are exceptions since coast guards, air police or more rarely border patrols have vehicles, vessels or aircraft sometimes equipped with small heavy weapons such as small canons, big machine guns and so forth.

Beyond the combination of these first three approaches, when in doubt we have added a forth element of information: if there are paramilitary forces in a given country, what is their administrative status? Are they civilians (civil servants) or soldiers with a special status? Moreover, are these forces under a special ministry or part of the police? With this indication, the factual criteria could be considered clear and complete as all the countries filling the previous requirements while also maintaining paramilitary forces have them either within the police or within the same ministry, with a civil servant status for their men, whereas the ones that seemed to have armies adopted a special administrative status for these forces and their men.

We did not include in the identification process the fact that seven of the countries that otherwise fulfil the criteria have no armies for themselves, yet they have defence or friendship treaties with other countries, some of these treaties permitting the presence of foreign forces. These countries are nevertheless independent, chose freely to associate with another country for defence issues and all of these treaties are reversible. Whatever defence options they choose, these countries have no national armies; they produce no military practices of their own, in their own territory and using their own population and resources. Though they may be defended by another country, at the core of their independence, they stand army-less. Therefore, they belong to our list. These treaties and their effects are presented in the next chapter.

Figure 1: Alphabetical list of the identified countries

Andorra	Nauru
Cook Islands	Niue
Costa Rica	Palau
Dominica	Panama
Grenada	Samoa
Haiti	San Marino
Iceland	Solomon Islands
Kiribati	Saint Kitts and Nevis
Liechtenstein	Saint Lucia
Marshall Islands	Saint Vincent and the Grenadines
Mauritius	Tuvalu
Micronesia (Federated state of)	Vanuatu
Monaco	Vatican City State

3.1 The legal criterion

First of all, we need to highlight the fact that there is no general international obligation requiring a country to have an army or not. Because of the existence of the countries without armies, there never will be[9]. However, there may be bilateral or multilateral treaties imposing or forbidding the existence of armed forces to an international actor or in a given country or territory.

[9] Somehow more importantly than the permission or the obligation to have an army or not, we recall the obligation to settle disputes peacefully (United Nations Charter, article 2 § 3, 33) and that is without the use of threat or force and therefore without the recourse to an army (article 2 § 4). Further, one could question whether the very existence of an army, even if used only for defense, deterrence or dissuasion, constitutes or not a form of threat, benign or not and moreover if a country has no army itself to defend itself or repell such a threat.

Secondly, we must bear in mind that every country is largely free, according to international law, to rule or not on what will appear in its own constitution. Yet there is a strong legal tradition for constitutions to include human rights, the means by which the constitution may be revised and the powers and organization of public institutions, including the distribution of powers among the various elements of the state: legislative, executive and judiciary and case being, the relations among local states and their federation. This is not without influence on what follows as the absence or the existence of an army, but also the powers of war and peace and who they belong to – legislative or executive – should be constitutionally regulated[10].
Thirdly, we will only look at constitutional provisions ruling security issues in a narrow sense: police and army clauses. Though related to the power of the State and to some extent to human rights, these security clauses are not always present in a given country's constitution. Again because these topics are of high importance, we consider that peace and security policies, including police and army issues, should be constitutionally organized.
Finally, we would like to highlight the fact that the place of peace in constitutions is much larger than military or police issues and that it can still be significantly improved; comprehensive peace policies, encompassing mainstreaming peace and violence prevention mechanisms through all State activities, when integrated and designed through a constitution and ideally a ministry of peace, can be very concrete, efficient and long-lasting, thus enabling Nation-States to become peace-prone and examples of peace at the service of their population[11].

The legal criterion: Detailed analysis

Is there anything in the constitution or the legal order of the country regarding the status of armed forces which indicates that the country is army-less?

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[10] We did not look here at clauses attributing the powers of war, in total or partially, either to the executive or to the legislative; none of the countries without armies are concerned. A more comprehensive study of this issue can be found in various contributions in Mekhantar Joël and Porteilla Raphaël (eds.), *Paix et constitutions* (peace and constitutions), CREDESPO, ESKA, Dijon, 2014.

[11] A detailed inventory of the possibilities a constitution can offer to introduce peace mechanisms in public and private practice can be found in Christophe Barbey, *La démarche constitutionnelle (…)*, in *Paix et constitution*, p. 401-406. Partly summarized and translated in: Christophe Barbey, *Peace and constitutions*, in *Peace in progress 18*, Catalan International Peace Institute, November 2013. http://www.icip-perlapau.cat/e-review/issue-18-november-2013/index.htm

a. Countries where the legal criterion is expressly met.

Three countries fully meet the criterion: **Costa Rica**, **Kiribati** and **Panama.** There is no army in these countries and under the constitution no army may be established. In Costa Rica and Panama, it is stated that the police can be reinforced in case of emergency[12]. Even then an army cannot be created.

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[12] Legal dispositions are quoted when possible with the official version in the original language. If need be a translation, official or not, is then provided.

Costa Rica: Artículo 12. Se proscribe el Ejército como institución permanente. Para la vigilancia y conservación del orden público, habrá las fuerzas de policía necesarias. Sólo por convenio continental o para la defensa nacional podrán organizarse fuerzas militares; unas y otras estarán siempre subordinadas al poder civil; no podrán deliberar, ni hacer manifestaciones o declaraciones en forma individual o colectiva.

Translation. Article 12. The army as a permanent institution is abolished. There shall be the necessary police forces for surveillance and the preservation of the public order. Military forces may only be organized under a continental agreement or for national defence; in either case, they shall always be subordinate to the civil power: they may not deliberate or make statements or representations individually or collectively.

Panama: Título XII: Defensa nacional y seguridad pública

Artículo 310.- La República de Panamá no tendrá ejército. Todos los panameños están obligados a tomar las armas para defender la independencia nacional y la integridad territorial del Estado. Para la conservación del orden público, la protección de la vida, honra y bienes de quienes se encuentren bajo jurisdicción del Estado y para la prevención de hechos delictivos, la Ley organizará los servicios de policía necesarios, con mandos y escalafón separados. Ante amenaza de agresión externa podrán organizarse temporalmente, en virtud de la ley, servicios especiales de policía para la protección de las fronteras y espacios jurisdiccionales de la República. El Presidente de la República es el jefe de todos los servicios establecidos en el presente Título; y éstos, como agentes de la autoridad, estarán subordinados al poder civil; por tanto, acatarán las órdenes que emitan la autoridades nacionales, provinciales o municipales en el ejercicio de sus funciones legales.

Artículo 311.- Los servicios de policía no son deliberantes y sus miembros no podrán hacer manifestaciones o declaraciones políticas en forma individual o colectiva. Tampoco podrán intervenir en la política partidista, salvo la emisión del voto. El desacato a la presente norma será sancionado con la destitución inmediata del cargo, además de las sanciones que establezca la Ley.

Artículo 312.- Sólo el gobierno podrá poseer armas y elementos de guerra. Para su fabricación, importación y exportación, se requerirá permiso previo del Ejecutivo. La ley definirá las armas que no deban considerarse como de guerra y reglamentará su importación, fabricación y uso.

Translation. Article 310. The Republic of Panama shall not have an Army. All Panamanians are required to take arms to defend national independence and the territorial integrity of the State. For the preservation of public order, the protection of life, honor and property of those who live under the jurisdiction of the State and for the prevention of punishable acts, the Law shall organize the necessary police services, with authority and a separate roster. In the face of external aggression and by authority of the Law, special police services may be organized temporarily for the protection of the frontiers and jurisdictional spaces of the Republic. The President of the Republic is the Chief of all services established in the present Title; and they, as authorized agents shall be subordinated to civil power; therefore, they shall obey the orders issued by the national, provincial or municipal authorities in the exercise of their legal functions.

This emergency clause has never been used, despite the fact that Costa Rica was invaded twice[13]. No such clause for emergency reinforcement of forces exists in the constitution of Kiribati[14].

Another country meets the criterion, but in times of peace only: **Liechtenstein**. There is no army in times of peace, but a force can be established in case of need. Nothing in the constitution determines whether the force is to be autonomous (a full military force) or if it is to be part of the police. Again the clause has never been used, including during the two World Wars while the country was at risk and undefended[15]. The constitution of Liechtenstein was largely revised in 2003, but this clause was left unchanged[16].

Japan meets the criterion of expressly banning the army in its constitution (preambule and mostly article 9), but the factual criterion is not met as the country has one of the strongest armies in the world[17].

Article 311. The police services are not deliberative and their members may not make statements or political declarations in an individual or collective manner. Neither may they intervene in partisan political activities, except to cast a vote. Violation of the present provision, shall be penalized with immediate removal from office, in addition to the penalties established by Law. Article 312. The Government alone may possess arms and implements of war. For their manufacture, importation and exportation, previous permission is required from the Executive Authority. Arms which are not considered as arms of war, and their importation, manufacture and use shall be defined and regulated by law.

[13] Leonard Bird, *Costa Rica. The unarmed democracy*, Sheppard Press, London, 1984, p. 107 and 127.

[14] **Kiribati**. Disciplined forces. Article 126. No disciplined force shall be established other than the Kiribati Police, the Prison Service, the Marine Protection Service and the Marine Training School.

[15] Though there is a monetary and border union between Liechtenstein and Switzerland, there is no defence agreement, which would violate both countries' neutrality. During the wars, the Swiss built their defenses along the Rhine, leaving Liechtenstein totally undefended.

[16] **Liechtenstein**. Artikel 44. 1) Jeder Waffenfähige ist bis zum zurückgelegten 60. Lebensjahre im Falle der Not zur Verteidigung des Vaterlandes verpflichtet. 2) Ausser diesem Falle dürfen bewaffnete Formationen nur insoweit gebildet und erhalten werden, als es zur Versehung des Polizeidienstes und zur Aufrechterhaltung der Ordnung im Innern notwendig erscheint. Die näheren Bestimmungen hierüber trifft die Gesetzgebung.

Translation: Article 44. 1) Every man fit to bear arms shall be required, until the completion of his 60th year, to serve in the defence of the country in the event of emergency. 2) Except in this event, armed groups may only be formed and maintained to the extent deemed necessary for the provision of the police service and the preservation of internal order. Further detailed provision in this regard shall be laid down by law.

[17] **Japan**. Chapter II. Renunciation of war. Article 9**.** Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

b. Countries where the legal criterion is met through an intentional constitutional silence.

Why rule on something, an army that does not exist? There may be no need for a constitution to mention an inexistent military institution, especially if discretion is at stake. Identifying such a constitutionally intended silence requires either information on the drafting of the constitution (a source of information rarely available to us as it is mostly to be found in local archives) or by a cross-analysis of the constitution. Such cross-reading is possible if, for example, the constitution is lengthy on police issues but silent on the army; this implies that the constitutional rulers intended to define security issues the way they did. If they had intended to rule on the army – a topic of similar importance and of similar legal rank as the police – they would have done so as well, in the text of the constitution.

In **Nauru**[18], **Tuvalu**[19] and the **Vatican**[20], the police is described or mentioned in the constitution in sufficient detail for us to conclude that, legally,

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Meanwhile, with a budget of $59.3 billion in 2013, Japan has the 6th largest military budget in the world. Stokholm International Peace Research Institute, *2013 SIPRI military expenditures database*, www.sipri.org.

[18] **Nauru**. Power of Parliament to establish Public Service Board and to make special provisions regarding police. 69.-(1.) Parliament may make provision for either or both of the following:- (a) vesting the powers and functions of the Chief Secretary under clauses (1.) and (2.) of Article 68 in a Public Service Board consisting of the Chief Secretary, who shall be Chairman, and not less than two other persons who are not members of Parliament; and (b) subject to clause (2.) of this Article, vesting in the public officer in charge of the Nauru Police Force the powers and functions of the Chief Secretary under clause (1.) of Article 68, in so far as they apply to or in respect of public officers in the Nauru Police Force. (2.) Where Parliament makes provision under paragraph (b) of clause (1.) of this Article -(a) it shall also make provision for establishing a Police Service Board consisting of not less than three persons, who are not members of Parliament, of whom one shall be the Chief Justice, who shall be Chairman, one shall be the Chief Secretary, and one shall be a person elected by members of the Nauru Police Force in such manner and for such term as are prescribed by law; (b) the power of the public officer in charge of the Nauru Police Force to appoint persons to hold or act in offices in the Nauru Police Force shall be subject to such consent, if any, of the Police Service Board as is required by law; and (c) the Chief Secretary or, where Parliament has made provision for a Public Service Board, the Public Service Board, shall not exercise the powers or perform the functions under clauses (1.) and (2.) of Article 68 in so far as they apply to or in respect of public officers in the Nauru Police Force. (3.) An appeal lies to the Police Service Board from a decision of the public officer in charge of the Nauru Police Force under this Article to remove a public officer from office or to exercise disciplinary control over a public officer at the instance of the public officer in respect of whom the decision is made. (4.) The Police Service Board shall exercise such other powers and functions as are conferred on it by law and shall, subject to this Article and any law, regulate its own procedure. (5.) Except as otherwise provided by law, no appeal lies from a decision of the Police Service Board.

[19] **Tuvalu**. There is a provision regarding the police, but nothing more.

no other armed forces could be established, except perhaps in emergency situations, without a similar constitutional decision. In **Iceland**, a single military clause regarding the bearing of arms by men in case of danger was abrogated in 1999 and not replaced by any other mention of military issues. If the constitutional law-makers, at both times, had wanted to rule on the army otherwise, they would have done so[21].

c. The legal criterion is met through an international agreement and the constitution is silent[22].

The constitutions of the following countries are totally silent on police and army issues and the treaties they have with other countries are of various nature regarding defence issues, but these countries would all require the

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157. The Police Force. (1) An office of Chief of Police is established as an office in the Tuvalu Police. (2) The Chief of Police shall be appointed in accordance with section 159(5)(a) (which relates to the appointment of the Chief of Police). (3) Excluding the Chief of Police, members of the Tuvalu Police of or above the rank of Inspector (or the equivalent rank as defined by or under an Act of Parliament) may be appointed, removed and disciplined in the same manner, with any necessary modifications, as members of the Public Service under section 155 (the Public Service). (4) Other members of the Tuvalu Police may be appointed, removed and disciplined by the Chief of Police, subject to appeal to the Public Service Commission in the case of removal or disciplinary action.

[20] **Vatican State**. Constitution of the 26th of November 2000. Article 14. Il Presidente della Commissione, oltre ad avvalersi del Corpo di Vigilanza, ai fini della sicurezza e della polizia può richiedere l'assistenza della Guardia Svizzera Pontificia.

Translation (by the author): "The President of the commission (head of the executive organ and head of the legislative body), in addition to supervising the police, can for security or police purposes call upon the Pope's Swiss guard". "Corpo de vigilanzia" was renamed in 2002 "Corpo de gendarmeria del Stato del Vaticano", name which states better what it is. The Swiss Guard is, as its name implies, a guard.

[21] **Iceland**. The bearing arms clause used to read as follows (Official translation from Icelandic language): Article 75: "Every person able to carry arms shall be obliged to take part in the defence of the country, as may be further provided by law".

There was a project to rewrite the constitution of Iceland, and the draft contains a total ban on compulsory military service: "Article 31. Prohibition of compulsory military service. A compulsory military service may never be introduced into law".

http://www.stjornlagathing.is/other_files/stjornlagarad/Frumvarp-enska.pdf.

In a consultative vote held on October 20, 2012, the voters largely (> 66%) approved the proposed text. http://en.wikipedia.org/wiki/Icelandic_constitutional_referendum,_2012.

However, the parliament elected in 2013 has, to our knowledge, put the process on hold. http://www.opendemocracy.net/can-europe-make-it/thorvaldur-gylfason/democracy-on-ice-post-mortem-of-icelandic-constitution (Article dated 19th of June 2013).

[22] Iceland also has a collective security agreement with NATO providing for defense to be arranged through a sub-treaty with the USA. This treaty with the US also recalls that Iceland has been "unarmed for centuries". http://www.mfa.is/foreign-policy/security/defence-agreement

cooperation of another State should the idea of establishing or re-establishing an army ever emerge.

Two fully similar friendship treaties link **Andorra** with France and Spain. They have little direct influence on the security policies of Andorra. However, they contain a clause that guarantees Andorra's sovereignty and stipulates that in case of grave danger, France and Spain have a duty to consider the situation together with the Andorran government and to discuss appropriate measures[23].

The treaties and constitutional acts linking the **Cook Islands** and New Zealand clearly delegate to New Zealand a responsibility to assist the islands, in a large sense, on security issues, in cooperation with them. Should the Cook Islands want to establish an army, and should they have the means to do so, New Zealand would necessarily be involved[24].

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[23] **Andorra**. Traités de bon voisinage, d'amitié et de coopération entre la République Française, le Royaume d'Espagne et la Principauté D'Andorre, 1.12.1994. Article 3 : La République Française et le Royaume d'Espagne respectent la souveraineté et l'indépendance de la Principauté d'Andorre ainsi que l'intégrité de son territoire. Ils s'engagent en cas de violation, de menace de violation de la souveraineté, de l'indépendance ou de l'intégrité territoriale de la Principauté, à procéder entre eux et avec le Gouvernement andorran, à des consultations en vue d'examiner les mesures qui pourraient se révéler nécessaires afin d'en assurer le respect.
Translation (UN Official): The Kingdom of Spain and the French Republic shall respect the sovereignty and independence of the Principality of Andorra and its territorial integrity. In the event of violation or threat of violation of the sovereignty, independence or territorial integrity of the Principality, they undertake to hold consultations with each other and with the Andorran Government in order to consider such measures as may be necessary to ensure respect thereof. Though Andorra has no such intention, would the establishment of an army be compatible with a friendship treaty concluded with the two countries totally surrounding Andorra? Would it be friendly (the treaty title uses the terms "of good neighbourhood") to establish an army, while the only countries an army could at first be used against are the countries which are a party to such a friendship treaty? Moreover, because for historical reasons the French President is also Head of State for Andorra (as is the bishop of Urgell) they would have a say on the issue. It is interesting to note here that a treaty of "friendly relations among nations" supercedes, and therefore somehow forbids, the possible existence of an army.

[24] **Cook Islands**. We reproduce here an extract of the "Joint centenary declaration" on the Principles of the Relationship between New Zealand and the Cook Islands. It clearly reflects the legal situation of their relations and recalls all previous documents :
Defense and Security. 1. The Government of the Cook Islands has full legal and executive competence in respect of its own defense and security. Section 5 of the Cook Islands Constitution Act 1964 thus records a responsibility to assist the Cook Islands and not a qualification of Cook Islands' statehood. 2. In accordance with its constitutional responsibilities, the Government of New Zealand will continue to assist the Government of the Cook Islands with the defense of the Cook Islands as may be requested from time to time by the Government of the Cook Islands. 3. The Signatories undertake to: a. cooperate with and assist each other in regard to their defense and national security in accordance with their respective capacities; and b. consult regularly on de-

The acts and treaties between **Niue** and New Zealand are similar, with similar effects, to the ones between the Cook Islands and New Zealand[25].
The treaty **Monaco** has adopted with France is of a cooperative nature[26]. Nevertheless, and whenever possible in consultation with the government of Monaco, it gives full power of defence to France.

d. The legal criterion is met through an international agreement and the constitution is not silent.

The constitution of **Palau** was adopted in 1979 and is silent on defence issues, except for the fact that only a vote of the people may permit the delegation of defence issues to another state. The Compact of free associa-

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fense and security issues and advise each other of any risks that may affect either or both Signatories as they become known.

[25] **Niue**. Constitutional act of 1974 ratified by both Niue and New Zealand. (Emphasis added) 6. External affairs and defense. Nothing in this Act or in the constitution shall affect the responsibilities of Her Majesty the Queen in right of New Zealand for the external affairs and defense of Niue. (…) 8. Co-operation between New Zealand and Niue. Effect shall be given to the provisions of sections 6 and 7 of this Act, and to any other aspect of the relationship between New Zealand and Niue which may from time to time call for positive co-operation between New, Zealand and Niue **after consultation** between the Prime Minister of New Zealand and the Premier of Niue, and in accordance with the policies of their respective governments; and, if it appears desirable that any provision be made in the law of Niue to carry out these policies, that provision may be made in the manner prescribed in the constitution, but not otherwise.

[26] **Monaco**. Cooperation treaty with France, 24th of October 2002 Article premier. La République française assure à la Principauté de Monaco la défense de son indépendance et de sa souveraineté et garantit l'intégrité du territoire monégasque dans les mêmes conditions que le sien. La Principauté de Monaco s'engage à ce que les actions qu'elle conduit dans l'exercice de sa souveraineté s'accordent avec les intérêts fondamentaux de la République Française dans les domaines politique, économique, de sécurité et de défense. Une concertation appropriée et régulière y pourvoit en tant que de besoin.

Article 4. La République française peut, à la demande ou avec l'agrément du Prince, faire pénétrer et séjourner sur le territoire de la Principauté de Monaco les forces nécessaires à la sécurité des deux États. Toutefois, cette demande, ou cet agrément, n'est pas requis lorsque l'indépendance, la souveraineté ou l'intégrité du territoire de la Principauté de Monaco sont menacées d'une manière grave et immédiate et que le fonctionnement régulier des pouvoirs publics est interrompu.

Translation. Article 1. The French Republic ensures the defence of the principality of Monaco's independence and sovereignty, and guarantees the integrity of the Monegasque territory under the same conditions as its own. The Principality of Monaco undertakes to exercise its sovereignty in accordance with the fundamental interests of the French Republic in the political, economic, security and defence spheres. This will be provided for through appropriate and regular consultations as needed.: (…)

Article 4. The French Republic may, upon request or with the assent of the Prince, introduce and station in the territory of the Principality of Monaco the forces necessary for the security of both states. However, this request or assent is not required when the sovereignty or the integrity of the territory of the principality of Monaco are under serious and imminent threat, and when the normal activities of public institutions are interrupted.

tion with the United States of America came into force in 1994, following nine referendums, a constitutional ruling and an amendment to the constitution. The constitution of Palau requires a ¾ majority vote, by the people, for permitting nuclear activities, whereas the Compact allows such a possibility to permit the passage of nuclear powered vessels and weapons. The necessary ¾ majority required to allow nuclear passage and therefore popular acceptance of the compact was never reached, despite eight attempts. As a result, following a constitutional ruling, an amendment of the constitution allowed for a decision by a simple majority (50% plus one vote) for the adoption of the Compact only[27] and this majority was finally achieved.

[27] **Palau**. Article II. Sovereignty and supremacy. (…) Section 3. Major governmental powers including but not limited to defense, security, or foreign affairs may be delegated by treaty, compact, or other agreement between the sovereign Republic of Palau and another sovereign nation or international organization, provided such treaty, compact or agreement shall be approved by not less than two-thirds (2/3) of the members of each house of the Olbiil Era Kelulau and by a majority of the votes cast in a nationwide referendum conducted for such purpose, provided, that any such agreement which authorizes use, testing, storage or disposal of nuclear, toxic chemical, gas or biological weapons intended for use in warfare shall require approval of not less than three-fourths (3/4) of the votes cast in such referendum. First amendment. Section 14. (a) To avoid inconsistencies found prior to this amendment by the Supreme Court of Palau to exist between section 324 of the Compact of Free Association and its subsidiary agreements with the United States of America and other sections of the constitution of the Republic of Palau, Article XIII, section 6 of the constitution and the final phrase of Article II, section 3, reading "provided , that any such agreement which authorizes use, testing, storage or disposal of nuclear, toxic chemical, gas or biological weapons intended for use in warfare shall require approval of not less than three fourth (3/4) of the votes cast in such referendum," shall not apply to votes to approve the Compact of Free Association and its subsidiary agreements (…).
Compact of Free Association with United Sates of America. Title three: Security and defense relations.
Article I. Authority and Responsibility. Section 311. The territorial jurisdiction of the Republic of Palau shall be completely foreclosed to the military forces and personnel or for the military purposes of any nation except the United States of America, and as provided for in Section 312.
Section 312: The Government of the United States has full authority and responsibility for security and defense matters in or relating to Palau. Subject to the terms of any agreements negotiated pursuant to Article II of this Title, the Government of the United States may conduct within the lands, water and airspace of Palau the activities and operations necessary for the exercise of its authority and responsibility under this Title. The Government of the United States may invite the armed forces of other nations to use military areas and facilities in Palau in conjunction with and under the control of United States Armed Forces.
Section 313: The Government of Palau shall refrain from actions which the Government of the United States determines, after consultation with that Government, to be incompatible with its authority and responsibility for security and defense matters in or relating to Palau.
Article II: Defense Sites and Operating Rights. (...) Section 324: In the exercise in Palau of its authority and responsibility under this Title, the Government of the United States shall not use, test, store or dispose of nuclear, toxic chemical, gas or biological weapons intended for use in

Since then defence is totally delegated to the United States of America under the Constitution and through the Compact of free association.
The constitution of the **Marshall Islands** contains numerous clauses on defence issues. There is a clause delegating and regulating foreign affairs and defence issues via both the cabinet and the parliament. There are two human rights clauses: one is forbidding, in times of peace, the quartering of troops in private homes without the consent of the owner, and in times of war unless provided for by law. This clause is of great value since foreign troops are allowed in the country under the treaty with the United States of

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warfare and the Government of Palau assures the Government of the United States that in carrying out its security and defense responsibilities under this Title, the Government of the United States has the right to operate nuclear capable or nuclear propelled vessels and aircraft within the jurisdiction of Palau without either confirming or denying the presence or absence of such weapons within the jurisdiction of Palau.
Article III. Defense Treaties and International Security Agreements. Section 331: Subject to the terms of this Compact and its related agreements, the Government of the United States, exclusively, shall assume and enjoy, as to Palau, all obligations, responsibilities, rights and benefits of: (a) Any defense treaty or other international security agreement applied by the Government of the United States as administering authority of the Trust Territory of the Pacific Islands as of the day preceding the effective date of this Compact; and (b) Any defense treaty or other international security agreement to which the Government of the United States is or may become a party which it determines to be applicable in Palau. Such a determination by the Government of the United States shall be preceded by appropriate consultation with the Government of Palau.(…)
Article V: General Provisions Section 351. (a) The Government of the United States and the Government of Palau shall establish a joint committee empowered to consider disputes which may arise under the implementation of this Title and its related agreements.(…) (d) Unresolved issues in the joint committee shall be referred to the Government of the United States and the Government of Palau for resolution, and the Government of Palau shall be afforded, on an expeditious basis, an opportunity to raise its concerns with the United States Secretary of Defense personally regarding any unresolved issue which threatens its continued association with the Government of the United States.
Section 352. In the exercise of its authority and responsibility under this Compact, the Government of the United States shall accord due respect to the authority and responsibility of the Government of Palau under this Compact and to the responsibility of the Government of Palau to assure the well-being of Palau and its people. The Government of the United States and the Government of Palau agree that the authority and responsibility of the United States set forth in this Title are exercised for the mutual security and benefit of Palau and the United States, and that any attack on Palau would constitute a threat to the peace and security of the entire region and a danger to the United States. In the event of such an attack, or threat thereof, the Government of the United States would take action to meet the danger to the United States and Palau in accordance with its constitutional processes.
Section 353(a) The Government of the United States shall not include the Government of Palau as a named party to a formal declaration of war, without the consent of the Government of Palau.

America. The other clause provides for an alternative service to compulsory military service should the later be established[28].

The constitution of the **Federated States of Micronesia** simply states that national defence is a power of the legislative branch[29]. As said, security issues are of too great importance to be left out of the constitution and solely left to the parliament, moreover if they are delegated to another State. However, as defence is here ensured by a treaty with a foreign state, it is useful for the parliament to have some autonomy regarding the contents and revisions of this treaty.

Since 1986, two treaties with similar texts, called a "Compact of free association", linked both, though separately, the Marshall Islands and the Federated States of Micronesia to the United States of America. Two different treaties, one for the Marshall Islands and one for Micronesia, were adopted during the 2003 review processes of the Compacts. However, the texts still remain exactly the same regarding all defence issues[30]. They state that State

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[28] **Marshall Islands** *(in order of appearance in the constitution).* Article 2. Bill of Rights. Section 2. Slavery and Involuntary Servitude. (1) No person shall be held in slavery or involuntary servitude, nor shall any person be required to perform forced or compulsory labor. (2) For the purposes of this Section, the term "forced or compulsory labor" does not include: (…) (c) any service required by law in lieu of compulsory military service when such service has been lawfully required of others.
Section 9. Quartering of Soldiers. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in the manner prescribed by law.
Section 11. Conscription and Conscientious Objection. No person shall be conscripted to serve in the armed forces of the Marshall Islands except in time of war or imminent danger of war as certified by the Cabinet, and no person shall be conscripted if, after being afforded a reasonable opportunity to do so, he has established that he is a conscientious objector to participation in war.
Article V. The executive. Section 1. Executive Authority and Collective Responsibility of the Cabinet. (…)
(3) The executive authority so vested in the Cabinet shall include but shall not be limited to the following powers, functions, duties and responsibilities: (…) (d) the Cabinet shall be responsible for conducting the foreign affairs of the Marshall Islands, whether by treaty or otherwise: Provided that no treaty shall be finally accepted and no ambassador or other head of diplomatic mission shall be appointed by the Cabinet, without the approval of the Nitijela, signified by resolution.
(e) The Cabinet shall be responsible for making such provision as may be reasonable and necessary for the security of the Marshall Islands: Provided that no armed force shall be raised or stationed in the Marshall Islands in peacetime except by Act;

[29] **Federated States of Micronesia.** Article IX. Legislative. Section 1. The legislative power of the national government is vested in the congress of the federated states of Micronesia.
Section 2. The following powers are expressly delegated to congress: (a) to provide for the national defense; (…).

[30] **Marshall Islands** and **Federated States of Micronesia**. Compact of Free Association with the United States of America:

powers regarding defence issues are entirely delegated to the United States of America regarding defence itself and partially delegated regarding defence treaties with other countries. The Compacts are highly detailed and the burden placed on these countries' autonomy regarding defense and international relations is high. However, effective communication processes and conflict mechanisms are provided for within the Compacts[31].

e. Countries where the legal criterion is not met: side clauses mention the army.

These countries are **Dominica, Grenada, Mauritius, Samoa, Solomon Islands, Saint Kitts and Nevis, Saint Lucia** and **Saint Vincent and the Grenadines**.

The clauses are of various sorts, but mostly human rights clause. The one indicating that an alternative service to military service is not forced labour is present, with exactly the same wording, in the constitutions of Dominica, Grenada, Mauritius, Saint Lucia, Saint Vincent and the Solomon islands. It is a solid remnant of the Commonwealth guided emancipation process from the British Empire[32]. This clause is also found, with different wordings, in the constitutions of St Kitts and Nevis[33], Samoa[34] and Tuvalu[35]. There also

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Title three: Security and defense relations. Article I Authority and Responsibility. Section 311. (a) The Government of the United States has full authority and responsibility for security and defense matters in or relating to the Marshall Islands and the Federated States of Micronesia. (b) This authority and responsibility includes: (1) the obligation to defend the Marshall Islands and the Federated States of Micronesia and their peoples from attack or threats thereof as the United States and its citizens are defended;

[31] Section 313(…) (b) The consultations referred to in this Section shall be conducted expeditiously at senior levels of the Governments concerned, and the subsequent determination by the Government of the United States referred to in this Section shall be made only at senior interagency levels of the Government of the United States. (c) The Government of the Marshall Islands or the Federated States of Micronesia shall be afforded, on an expeditious basis, an opportunity to raise its concerns with the United States Secretary of State personally and the United States Secretary of Defense personally regarding any determination made in accordance with this Section.

[32] 4.- Protection from slavery and forced labour. (…) 2. No person shall be required to perform force labour.

3. For the purposes of this section, the expression "forced labour" does not include- (...) c. any labour of a member of a disciplined force in pursuance of his duties as such or, in the case of a person who has conscientious objections to service as a member of a naval, military or air force, any labour that person is required by law to perform in place of such service;

[33] **St Kitts and Nevis**. Protection from slavery of forced labour. 6. (…) (2) No person shall be required to perform forced labour. (3) For the purposes of this section, the expression "forced labour" does not include (…) c) any labour required of a member of a disciplined force in pursuance of his duties as such or, in the case of a person who has conscientious objections to service as a member of a defense force, any labour that person is required by law to perform in place of such service (...) The clause has an interpretation goes along

exists in the constitutions of Saint Kitts and Nevis, Saint Lucia and Saint Vincent a clause protecting the religious freedom of soldiers[36]. These clauses have no application in the absence of an army and they do not imply that an army could be constitutionally re-established without a constitutional change because military service, of similar importance but of greater consequences on citizens, should then imperatively be mentioned in the constitution. A different clause regarding conscientious objection is found in the constitution of Kiribati[37] but for conscientious objection to service in "disciplined forces", which is accurate as such forces exist. In Saint Kitts and Nevis there is a general interpretation clause stating that defence force includes naval, military or air force[38].

f. The legal criterion is not met because the constitution or the law provides for the existence and the organisation of an army.
In 2 other countries, the army is rather fully described in the constitution or in the law although in fact there is none. In **Haiti,** the army was abolished by a decree in 1995 but the constitution so far remains unchanged[39]. To

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[34] **Samoa**. Freedom from forced labour. 8. (1) No person shall be required to perform forced or compulsory labour. (2) For the purposes of this Article, the term "forced or compulsory labour" shall not include (…) (b) Any service of a military character or, in the case of conscientious objectors, service exacted instead of compulsory military service.

[35] **Tuvalu**. Slavery and forced labour, 18. (1) Subject to the provisions of this Part, (...) no one shall (…) (f) be required to perform forced labour. (2) For the purposes of this section (…) (b) forced labour does not include (…) (iii) labour required in accordance with law of a member of a disciplined force as a member of that force; or (iv) in the case of a person who proves that he has a conscientious objection to compulsory service as a member of a naval, military or air force - labour which he is required by law to perform in place of such service; (…).

[36] Article 9(2) Except with his own consent (or, if he is a person under the age of eighteen years, the consent of his guardian) a person attending any place of education, detained in any prison or corrective institution or serving in a naval, military or air force shall not be required to receive religious instruction or to take part in or attend any religious ceremony or observance if that instruction ceremony or observance relates to a religion which is not his own.

[37] **Kiribati**. Protection from slavery and forced labour, article 6. (…) (2) No person shall be required to perform forced labour. (3) For the purposes of this section, the expression "forced labour" does not include (…) (c) any labour required of a member of a disciplined force in pursuance of his duties as such or, in the case of a person who has conscientious objections to service as a member of a disciplined force, any labour that that person is required by law to perform in place of such service;

[38] **St-Kitts**. 119. Interpretation 1. In this Constitution, unless the context otherwise requires (…) "defence force" means a naval, military or air force;

[39] **Haiti**. The Decree abolishing the army was pronounced on the 26th of April 1995. The articles of the constitution regarding the army are §264 to 268 available here:
http://pdba.georgetown.edu/Constitutions/Haiti/haiti.html.
More references or research on this event is needed.

change the constitution and constitutionally abolish the army, a double vote of the parliament is needed, each in two successive legislatures.
In **San Marino,** the army is described in a law, but as we will see the existing forces do not amount to being an army, nor are they acting as one[40].
In summary, for the twenty-six countries under review, four totally ban the army and four intentionally refrain from mentioning an army in their constitution. For these eight, in order to re-establish an army at the same legal level, the constitution would need to be changed. For seven others, an international treaty would need to be changed. For five of these seven, the constitution would need to be changed because of the constitutional rank of military affairs. However this is also unlikely because of their size. For the two others (Marshall Islands and Micronesia), the constitution supposes, in our opinion as an exception to the general principle of the army being a constitutional issue, that a parliamentary decision could be sufficient for a decision on military matters. Nevertheless, the parliaments of these two countries would need to pass a new law and so forth the present situation does not allow the existence of an army without changing the law. For these fifteen countries, the legal criterion is fulfilled: the existing law does not permit having an army. For nine others, the constitution does not reflect the absence of an army, nor does it give indications as to how an army should be regulated if ever created. For the last two countries, Haiti and San Marino, the law permits the existence of an army. For these eleven countries where the constitution or the law does not sufficiently clarify the status of military affairs, we will rely on facts only in order to determine if the country has an army or not.

3.2. The factual criterion

First, we need to set the limit between what is an army (or part of an army) and what are civilian forces. The limit is necessary for all countries of the world, yet in this study, it is necessary only for the largest countries as the others, anyhow, do not have the necessary means for setting up an army.
The definition of an army is noted above. For paramilitary forces, we distinguish the ones we can totally exclude from being military forces from the

[40] In fact there is no "Constitution of San Marino" as a whole. There are various ancient texts, to which was added a human rights law in 1974 and a law regarding military corps: *Legge 26 gennaio 1990 n.15 (pubblicata in data 14 febbraio 1990): Regolamento Organico e Disciplina dei Corpi Militari.*
http://www.consigliograndeegenerale.sm/contents/instance18/files/document/20965leggi_4498.pdf

ones that are more problematic; concerning the latter, we will examine their respective missions, equipment and administrative status.
Using this analytical framework, we can totally exclude as not being a military armed force:

- Police forces intended for public safety and criminal investigation. These police forces sometimes include a small security analysis unit devoted to security intelligence and the prevention of crime.
- A very small special intervention unit made up of a few specialists within the police and not amounting to a well-sized permanent troop. This small force may be used for anti-hostage operations, special guards and transports, etc. On the other hand, a permanent anti-riot squad or counter-insurgency unit is a troop, and its status needs to be determined differently.
- Law enforcement units. Some administrative units have police or law enforcement powers. Land management, forestry and fisheries, sanitation are some examples. These units are too specialized to constitute an army.
- Prison guards cannot be considered army personnel as they can hardly leave their prisons to serve elsewhere.
- Nor can civilian fire brigades.
- Rescue units. Civilian rescue units are, by definition, non-military. Armies often have such rescue units as well, for their own use or for civilian purposes. However, we have no cases of an army composed only of a rescue unit and thus having the necessary military infrastructure or weaponry.

A closer analysis is needed for countries where there are:

- Customs, border patrols, air police and coast guards. These units regulate, overview and control what happens at a country's borders and at sea for customs, police and administrative purposes. They do not or are not meant to protect the border in a military sense, despite the fact they know or have intelligence of what goes on at the border. Nevertheless, they sometimes possess military equipment, e.g. most coast guard vessels and some police aircraft do have small cannons or heavy machine guns on board. As long as the purpose of the force and its mission remain clearly civilian ones and as long as the number of these weapons is limited to the quantity needed for such border or sea missions and insofar as these forces are not intended and equipped for war and remain civilian forces they do not need to be considered large enough or equipped to form an army.
- Humanitarian missions and peacekeeping operations. All such international missions have a civilian mission attached to it and many unarmed countries participate or have participated in such missions. However,

their participation never had the capacity to build a military force, at home or abroad, even if their personnel sometimes acquired military training.

- Corps of engineers. Most armies have and often use engineers for civilian purposes. Practically, such a corps in itself could not constitute an army due to the absence of sufficient personnel, eventually of weapons.
- Reserves of personnel regularly trained for military or security pruposes at the disposal of the authorities for the police, the army or even special forces and available on short notice. To our knowledge, no country in the world has ever considered or implemented the possibility of having an un-permanent army without having some permanent infrastructure for it. Regular training and modern warfare equipment would make this impossible.
- Anti-riot squads and counter-insurgency units. These forces, that are usually permanent have, in theory, an internal security purpose. Like other special forces standing outside the police (intelligence, forces meant to fight piracy, smuggling, drugs and organized crime, illegal fishing or immigration, etc.), these forces could be shifted quite easily toward external military security. Sometimes, they are even called "defence forces". Whether they constitute an army or not depends on the type of equipment they have and on the type of missions they handle (police-like or war-like). Notwithstanding the fact that in case of danger any police or paramilitary force could be required to bear arms, and although the civilian missions assigned to all the forces here under review seem satisfactory, we have, as mentioned, chosen to examine the civilian status of these forces, with the aim of ensuring and confirming the fact that the countries on our list maintain permanent civilian forces only.
- The question of military advisers, public or private, and of private military and security companies (modern mercenaries) must be raised in this introduction as well. So far we have no information indicating that the countries under review have ever made plans to use or have ever used private military companies to design or implement their defence policy or to ensure their security at large. Nor do we have information indicating that such companies are present in any of the countries under review, for general security or for recruitment of personal. Yet both possibilities cannot be excluded, so this issue will be the object of continued scrutiny[41].

[41] http://www2.ohchr.org/english/issues/mercenaries/index.htm, www.eda.admin.ch/eda/en/home/topics/intla/humlaw/pse.html, http://www.icoca.ch/en. See also: http://www.business-humanrights.org/Home for country and company reports and monitoring.

The public data on police and paramilitary forces still suffers from a few flaws. The calculation methods may differ from one country to another; the data is not always collected or updated in similar ways or at similar times; it may shift from year to year and the smaller the country, the fewer the resources available for collecting such data. However, we have done our best to find reliable sources of information and to cross-check using more than one source. Nevertheless, we cannot vouch for total accuracy or precision of the data quoted[42]. Yet we do consider the information we have to be sufficient to attain the degree of certainty needed for our study.
The figures in brackets indicate the numbers of policemen for a thousand inhabitants; the world average is 3/1000~[43].

The factual criterion: detailed analysis

Does the field information acquired for each country under review confirm that this country has no army?

a. Countries where the police is the only force equipped with arms and where there are no permanent special units within that police.

Andorra has a police force of 240 persons (3/1000), including customs and mountain rescue brigades[44].

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[42] Our basic sources of information are governmental and local information, when publicly available. However, at this stage of our research, for various reasons including autonomy of sources, we chose not to ask for figures directly from the governments.
Regarding military forces, the yearly "*Military Balance*" published by the International Institute for Strategic Studies, IISS, London, 2012 edition, quoted "MB page X", contains information on military and paramilitary forces, especially regarding the number of men therein and quite often on the weaponry at their disposal.
Regarding police forces we used: Das Dilip K. (ed.), *The World Police Encyclopaedia*, Vol. 1, Taylor and Francis, 2005, Vol. 2, Routledge, New York, 2006, quoted "WPE page X" and United Nations Office on Drugs and Crime (UNODC), *International Statistics on Crime and Criminal Justice*, Helsinki 2010, table 1, page 135, though it does not cover all small states. An updated version the UNODC database can be found here:
http://www.unodc.org/unodc/en/data-and-analysis/statistics/crime.html (criminal justice systems resources, 1st folder). For the Americas, we could also rely on M. Bromley and C. Solmirano, *Transparency in Military Spending and Arms Acquisition in Latin America and the Caribbean*, SIPRI Policy paper n° 31, January 2012, Stockholm. More information is also available here and in related links and quotes:
http://en.wikipedia.org/wiki/List_of_countries_by_number_of_police_officers.
Regarding data on population, we used:
http://en.wikipedia.org/wiki/List_of_countries_by_population, (accessed 28.1.2014), which relies on country or UN data. The figures used are as updated as possible, ranging from 2010 to December 2013.

[43] The figure concerning the number of policemen (and related civilian forces) for a 1000 inhabitants (N/1000) is given to show the proportion, not as a precise figure.

Liechtenstein has a police force of 120 persons (3/1000), including administrative services[45].

Monaco has a police force of a little more than 500 persons, including a coast guard, though there is no report of it having heavy weapons. There is also a palace guard of 100 persons, which brings the total to the very high ratio of 17 policemen for 1000 inhabitants (17/1000)[46].

Nauru has a police force of 100 persons (8/1000)[47].

Niue has a police force of 15 persons (9/1000)[48].

b. Countries where there are special units within the police that may have some light to medium-sized weapons.

The **Cook Islands** has a police force and a small coast guard of 100 persons (7/1000)[49]. The country participates in the "Pacific Joint Patrol Boat Program" meant to ensure law enforcement in all national and economical exclusive waters of the participating Pacific States. The programme is partly financed by Australia and New Zealand[50]. All the countries of the South Pacific, including the ones listed below have at least one of these patrol boats except Niue and Nauru.

Costa Rica has a police force and a civilian coast guard of 9800 persons (2012) (2/1000). The police force includes a small special force (60 to 80 persons) and a few small unarmed aircrafts. The coast guard has vessels with small cannons. These figures include city police[51].

Dominica has a police force of 444 persons (another reference indicates 392) (6/1000), including a special intervention unit and a coast guard with a patrol boat[52].

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[44] http://www.policia.ad. WPE 19.

[45] http://www.landespolizei.li. WPE 503.
http://polis.osce.org/countries/details?item_id=26.

[46] WPE 567.
http://polis.osce.org/countries/details.php?item_id=55#Country_Profile_Section_282,
http://en.wikipedia.org/wiki/Law_enforcement_in_Monaco,
http://www.police.gouv.mc/322/wwwnew.nsf/Home.

[47] WPE 588. http://www.freedomhouse.org/report/freedom-world/2015/nauru.

[48] http://www.gov.nu/wb/pages/central-agencies.php.

[49] http://en.wikipedia.org/wiki/List_of_countries_by_number_of_police_officers.

[50] http://en.wikipedia.org/wiki/Pacific-class_patrol_boat. The Pacific patrol boat program is presently being updated.

[51] http://www.fuerzapublica.go.cr. WPE 202. MB 384
http://en.wikipedia.org/wiki/Military_of_Costa_Rica.

[52] WPE 245.

Grenada has a police force of 1030 persons (another reference indicates 800) (10/1000), including a rural police force (200), a coast guard service and a special service unit of approximately 80 persons[53].
Iceland has a police force of 700 persons (2/1000), including a special service unit of 27 persons and a coast guard unit of 130 persons[54]. There was a debate in Iceland about the international peacekeeping force they sustain (~ 100 men), during which it was specified that it could not be a disguised way to establish a military force or a substitute for it. The civilian nature of the force was thereby confirmed[55].
Kiribati has a police force of circa 600 persons (3/1000)[56] and a patrol boat.
The **Marshall Islands** have a police force of 628 persons, 137 in the national police and 491 in the local police and the sea force (11/1000)[57].
Micronesia (federated states of) has around 450 persons distributed among the federal police and all the local states' police forces (4/1000)[58].
Palau has a police force of 160 persons, plus a coast guard estimated at 30 persons (9/1000)[59].
Samoa has a police force of 520 persons, including coast guard and fire services (3/1000)[60].
The **Solomon Islands** has a police force of circa 1130 persons, to which must be added the 250 persons of RAMSI[61], an international force brought in and still present to quell the unrest and lawlessness that plagued the country in 1998 and the following years (2/1000)[62].

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[53] http://www.rgpf.gd. WPE 338. http://en.wikipedia.org/wiki/Coast_Guard_of_Grenada.
[54] http://logreglan.is. MB 125. WPE 373.
http://en.wikipedia.org/wiki/Military_of_Iceland.
http://en.wikipedia.org/wiki/Icelandic_Police. Starting in 1994 and established in 2001 as the Iceland Crisis Response Unit (ICRU), Iceland has sent civilian personnel on peacekeeping operations. Clive Archer, T*he Nordic States and Security*, in *Small States and International Security: Europe and Beyond*, Clive Archer, Allyson J.K Bayles and Anders Wivel *eds*. Routledge, 2014, p. 104.
[55] http://en.wikipedia.org/wiki/Iceland_Crisis_Response_Unit.
[56] WPE 293. http://en.wikipedia.org/wiki/Law_enforcement_in_Kiribati.
[57] WPE 538.
[58] WPE 557.
http://en.wikipedia.org/wiki/Law_enforcement_in_the_Federated_States_of_Micronesia.
[59] http://palaugov.org/executive-branch/ministries/justice. WPE 646.
http://en.wikipedia.org/wiki/Law_enforcement_in_Palau.
[60] http://www.police.gov.ws. WPE 710.
http://www.mfat.govt.nz/Countries/Pacific/Samoa.php#defence.
[61] www.ramsi.org
[62] WPE 755. http://en.wikipedia.org/wiki/Law_enforcement_in_the_Solomon_Islands,
http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236476

Saint Lucia has a police force of circa 850, including a special service unit (5/1000)[63].
Saint Vincent and the Grenadines has a police force of 730 persons, including a special service unit (8/1000)[64].
Tuvalu has 70 persons in the Tuvalu police force, including the coast guard (6/1000)[65].

c. Countries with troops within the police or special troops with a police function in the civilian sphere, under a similar ministry and having little armament.

Haiti has a police force of around 10,000, a very low figure (1/1000). The objective is to reach 15,000 by 2016[66]. There are numerous sections in the police force. Some of the personnel live in barracks and constitute therefore permanently available troops, though they are policemen and not special troops. They have barely any heavy weaponry[67]. It must be noted that there are also around 7,500 persons in MINUSTAH, the United Nations stabilizing mission, which raises the ratio to a small but more usual one (2/1000)[68]. Without this external help, Haiti would have one of the lowest rates of security personnel in the world.

Haiti's acting President until the end of 2015, Michel Martelly, clearly stated that he wanted to restore the army[69]. So far, his efforts have been limited to creating a small corps of 41 engineers and technicians, all trained in Ecuador. The force was set up without the parliament's approval or even a budget line, and there are no public indications as to how these men were recruited[70]. There is no information indicating that they have heavy weapons and they are too few to be considered as forming an army. However, the situation will have to be monitored regularly in the future.

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[63] http://www.rslpf.com. WPE 705. http://www.rss.org.bb.
[64] http://www.security.gov.vc. WPE 707.
[65] WPE 863. http://en.wikipedia.org/wiki/Law_enforcement_in_Tuvalu.
[66] http://www.minustah.org/developpement-de-la-police-nationale-dhaiti-cap-sur-2016.
[67] WPE 357. http://en.wikipedia.org/wiki/Haitian_National_Police.
[68] http://www.un.org/en/peacekeeping/missions/minustah/facts.shtml.
[69] See the letter Oscar Arias, former President of Costa Rica and Nobel Peace Prize laureate, sent on December 9th 2011 to President Michel Martelly of Haiti calling on him not to reestablish the army:
http://www.dadychery.org/2011/12/12/full-text-of-the-open-letter-from-oscar-arias-sanchez-to-michel-martelly.
[70] Among others:
http://www.radiotelevisioncaraibes.com/nouvelles/haiti/martelly_reconstitue_l_arm_e_en_catimini.html.

Mauritius has a police force of 10,500 persons, including 1,500 persons in the special mobile force and 500 in the coast guard (9/1000). These figures do not include administrative personnel (~700 persons)[71].

The presence of a strong special force within the police in Mauritius is due to three factors: Five communities of different origin populate the country: Hindus and Muslims, two communities originally from India (~60% of the population), people of African descent (~35%) and two small minorities of Caucasians (~4%) and Chinese (~1%). These communities coexist fairly well, but there have been, though not recently, occasional violent clashes between them. Part of the island's economy depends on luxury tourism and holidays for high officials of other countries, which require and pay for effective public protection services. While all the other countries without armies are part of regional security organisations, Mauritius, although a member of the African Union, is located on the edge of the western Indian Ocean with, to the far north, Somalia and its pirates and the troubled zone of the Middle East. As a result it suffers to some extent from geographical isolation and therefore requires more security means.

However, Mauritius has maintained a "no army" policy, meeting its safety needs and keeping risks at bay through the police.

Panama has a police force of 12,000 (4/1000) including an anti-riot squad, a few very small armed airplanes and a coast guard[72]. Though retaining some forces from the disbanded army, the country has made a clear choice to move away from its militaristic past. The conflict in Colombia at its southern border has legitimized a rather strong border force there and the protection of the Panama Canal requires some special measure of security preparedness, hence the slightly higher number of men.

San Marino has various forces and sometimes claims to have an army. They are mainly the "gendarmerie" (100 persons) which performs specialized police functions and the "Guardia di Rocca" (guard of the roc) that ensures border control (30). It is said that there is an artillery battalion in the "Guardia"; however, with thirty persons at the most and only one known cannon, the force cannot manage much in the way of artillery. There are also a civilian police force (80) and various other ceremonial bodies (6/1000).[73]

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[71] Graeme R. Newman (ed.), C*rime and Punishment Around the World*, ABC-CLIO, Santa Barbara, California, 2010, vol. 1, p. 140.
http://police.govmu.org/English/Pages/default.aspx. MB 444, WPE 545.

[72] http://www.policia.gob.pa. MB 397, WPE 650.

[73] http://www.esteri.sm/on-line/en/home/link/police-department.html. WPE 712.

Saint Kitts and Nevis has a security police force of 450 persons and in addition, under the same Ministry of foreign affairs and national security, a so-called "defence force" of 200 persons. This leads to the very high ratio of 12/1000[74]. Nevertheless, the force was partly established to prevent Nevis from seceding (after Anguilla managed to do so) and because the relations between the two parts of the federation remain difficult. It must also be noted that the force was dismantled and re-established a couple of times, depending on the ruling party at the time and was finally integrated, along with the police, in the same ministry[75].

Vanuatu has a force of 700 persons, including a small paramilitary mobile force (Vanuatu Mobile Force) and a coast guard. There was as well a seceding problem at the time of independence. The forces are all under the command of the head of the police. This has not however always been the case (3/1000)[76].

Both in Saint Kitts and Nevis and in Vanuatu the forces are small, have no international mission and no known heavy armaments. They are mainly used for police support work, anti-drug activities and coast guard missions. Therefore, though the nature of the force and the terminology used to define them is not always clear, their functions and their size as well as their political reattachment to civilian authorities are sufficient for us to consider they are army-less.

The **Vatican State** has sometimes been said to be the most highly militarised country in the world. There are 150 Vatican policemen ensuring police, traffic services and entrance admissions to the various official buildings and museums of the city. There are around 150 Swiss guards acting as the Pope's personal guard and performing ceremonial duties. Finally, there is a special section of the Italian police, working only for the Vatican and accomplishing general security tasks, including investigations, mainly among tourists and visitors. All these policemen may not be living in the Vatican City and they are certainly not all citizens of the Vatican. All in all, there are more than 300 armed persons working at the Vatican for a total

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http://en.wikipedia.org/wiki/Military_of_San_Marino.

[74] WPE 701. http://en.wikipedia.org/wiki/Saint_Kitts_and_Nevis_Defence_Force.

[75] Dion E. Phillips, *In the Matter of the St-Kitts and Nevis defence force*", University of the West Indies, Barbados, 2000.
http://www.open.uwi.edu/sites/default/files/bnccde/sk&n/conference/papers/DEPhillips.html

[76] https://en.wikipedia.org/wiki/Vanuatu#Military.
Miranda Forsyth, *A Bird That Flies With Two Wings, Kastom and State Justice Systems in Vanuatu*, Australia University Press, 2009, page 150, available here:
http://press.anu.edu.au/wp-content/uploads/2011/05/ch051.pdf.

population of around 850 persons and this produces the incredible ratio of 350 armed persons for a 1,000 inhabitants (350/1000). However, the figure is more accurate, though still very high (18/1000), if compared to the number of visitors the city daily receives. Nevertheless, none of these armed persons have military functions[77].

In summary, we have five countries where the police is the only armed force. We have fourteen other countries that do have additional small specialised forces. For these nineteen countries, we can state without any doubt the absence of military forces as governmental institutions. In the seven other countries there are troops or special forces. For Mauritius, Panama and the Vatican State, there is a rather clear will not to have an army. For Vanuatu, the will to place all the forces under the same police heading makes it clear that they do not want to claim having an army. For Saint Kitts and Nevis and for San Marino, although all forces are small and under clear civilian control by the same ministry as the police, with no heavy weapons and have obvious police or border like missions, the political intentions for the existence and status of these forces should be clarified. For Haiti, despite the present intent to have an army, the existing forces are too small to amount to one.

3.3 Other elements of research

A few other elements are neded for our research to be somewhat comprehensive.

a. The number of policemen in countries without armies.

Do countries without armies need more policemen? The figure below indicates the number of policemen for each country without an army. As mentioned above, the world average is around 300 policemen for 100,000 inhabitants or 3/1000[78]. The table shows that eleven countries without armies out of twenty-six are below or close to the average. All the highly populated countries without armies feature in the world average, except Mauritius which, as seen, has special security challenges. Then the scale rises regularly. Figures for Monaco and San Marino are partly incorrect because of

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[77] http://www.vaticanstate.va/content/vaticanstate/en/stato-e-governo/struttura-del-governatorato/corpo-della-gendarmeria.html,
http://en.wikipedia.org/wiki/Swiss_Guard#Pontifical_Swiss_Guard,
http://www.guardiasvizzera.va/content/guardiasvizzera/en.html,
http://en.wikipedia.org/wiki/Corps_of_Gendarmerie_of_Vatican_City.

[78]http://www.unodc.org/pdf/criminal_justice/State_of_crime_and_criminal_justice_worldwide_2010.pdf, p.19, §48

their ceremonial guards, which increase the numbers while having little influence on security issues for the population. However, Monaco is still very high, indeed because it is a "high class" country. The Vatican is a particular case as well, where the number of security personnel relates to the security needs for the number of visitors rather than for the number of inhabitants. It must also be noted that the number of policemen in a small country cannot be reduced below a certain minimum.

Figure 2: Ratio policemen / population for non-militarised countries

Countries without armies	**Population**	**No. of Police**	**Ratio**
Haiti	10,413,211	17,500	0.1680%
Costa Rica	4,667,096	9,800	0.2099%
Iceland	325,620	700	0.2149%
Solomon Islands	581,344	1,300	0.2236%
Vanuatu	264,652	700	0.2645%
Samoa	189,000	520	0.2751%
Kiribati	106,461	300	0.2819%
World average			*0.3000%*
Andorra	76,098	240	0.3157%
Liechtenstein	36,942	120	0.3252%
Panama	3,405,813	12,000	0.3523%
Micronesia (federated state of)	101,351	450	0.4442%
Saint Lucia	169,115	850	0.5026%
Tuvalu	11,323	70	0.6194%
Dominica	71,293	444	0.6235%
San Marino	33,540	210	0.6268%
Cook Islands	14,974	100	0.6711%
Nauru	9,945	75	0.7575%
Saint Vincent and the Grenadines	109,000	850	0.7798%
Mauritius	1,257,900	10,763	0.8556%
Palau	20,901	180	0.8612%
Niue	1,613	15	0.9375%
Grenada	103,328	1,030	0.9970%
Marshall Islands	56,086	628	1.1214%
Saint Kitts and Nevis	54,000	650	1.2037%
Monaco	36,136	600	1.6620%
Vatican City State	839	300	35.7568%

All the ones with a very small population – Cook Islands, Nauru, Niue and Tuvalu – are in this situation, with an average between 7 and 9/1000. We must also add that in the Pacific, these countries have a huge maritime territory to cover and that, except for Nauru, they are archipelagos with scattered land territories.
Once all these countries are removed from consideration, it is in the Caribbean Islands, which are located on the routes for drug smuggling, and in the Marshall Islands and Palau that the rates are rather high. Further research would be needed to explain this.
Nevertheless and overall, the analysis of the table is sufficient to show that replacing an army by more policemen is not a trend, if it was ever an option.

b. One country recently remilitarised

The process had been gradual within the police, but on the 21st of April 2006 the **Maldives** islands passed a law which removed the defence forces and the coast guard (3000 persons) from the police and placed them under their own ministry, the ministry of Defence and National Security[79].

c. Countries with very small armies

Beyond the field of our study, there are 13 other countries that have fewer soldiers in their military forces than those in the special police force of Mauritius (1500). The difference is that these countries intend their forces to be military forces (however small or potent), separate from the police with a different purpose and usually with much heavier weaponry. All these countries and many others could be good candidates for complete demilitarisation. The existing forces could be reintegrated into the police or demilitarised, although as we will see, demilitarisation is not a process to be carried out without proper assessment and caution, even if it does not always happen when planned or expected. These countries are: Antigua and Barbuda (245 persons in the armed forces), Bahamas (860), Barbados (610), Belize (1050), Cape Verde (1200), Comoros (500), Equatorial Guinea (1320), Gambia (800), Guyana (1100), Luxembourg (900), Seychelles (650), Timor-Leste (1300) and Tonga (450)[80].
Antigua and Barbuda, Barbados and the Bahamas always meant to have armies (for the Bahamas it is only a naval force). Belize used to have a

[79] https://en.wikipedia.org/wiki/Maldives_National_Defence_Force.
[80] For sources and references see note 42.

territorial dispute with Guatemala and received therefore strong military assistance from Great Britain. Gambia had no army for a short period (1981-1984). The Comoros Islands has been repeatedly subject to military turmoil, island secessions, coups and mercenaries' interventions. Timor Leste has integrated part of the forces existing during the civil war into a new army. This has proven a poor choice as clashes between police and army later occurred and led to killings and a major political crisis. Tonga – its king – has always claimed to have an army, fully but poorly equipped with air, naval and ground forces. Political change may lead to a change of this situation. We have few clues as to why Cape Verde, Equatorial Guinea and Seychelles maintain armies, but they do.

Among them, Luxembourg deserves a special mention. It has no army serving for the country's defence. As such, it is a country without an army. Nevertheless, Luxembourg has a well trained and equipped army of 900 persons[81] serving in peace operations abroad for the UN, NATO or the "Eurocorp" (a military unit made up of soldiers from various European Union countries)[82]. This situation is unique: a country with an army serving and used only in other countries.

For the rest of the world, it can be noted that half of the existing countries have armies with less than 20'000 soldiers or with less than 3 soldiers for 1000 inhabitants, which is equal or less than the world average for policemen[83]. This figure indicates that for most countries of the world, police issues receive more attention or more men than international security or military concerns. All these countries could benefit from the non-militarisation example and should reconsider the ratios between risks and costs, between military security and long term peacebuilding.

3.4 Identifying the countries without armies, some conclusions

It may come as a surprise to discover that in the world there are 26 countries out of 196 or one out of eight that have no army. However, given the risks and damage, the costs brought about by military systems to populations and to the dignity of humanity and its history, it is not surprising that some non-military alternatives have either naturally emerged or been intentionally developed.

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[81] http://www.armee.lu and http://en.wikipedia.org/wiki/Military_of_Luxembourg

[82] http://www.eurocorps.org

[83] http://en.wikipedia.org/wiki/List_of_countries_by_number_of_military_and_paramilitary_personnel.

The legal aspects of non-militarisation can be largely improved and the distinction between what is an army and what is not can be more sharply defined, including by the countries themselves.
However, it is interesting to note that a clear administrative line between the countries with an army and the ones without one could be drawn. This shows or recalls that an army is always in need of a special and separate status making it a major public institution outside the regular administration. Such a status also makes it harder to exert administrative and democratic control over its activities.

4. Choosing not to have an army

Choosing to have an army or not is a rare and exceptional choice. Once an army is set into the fabric of a country, it becomes a "hard to undo" institution. This partly explains why nineteen (three-fourths) of the non-militarised countries were created without giving themselves an army, while only seven underwent a demilitarisation process.
For the smallest countries of the world having an army is not feasible. Yet as soon as the possibility arises, some countries prefer not having one while some choose otherwise. Once the decision is taken or once the impossibility of having an army is duly recognized, all these countries devise policies and make security choices integrating the fact that they have no army. At first, in a broad perspective, they have four options: to stand independently, to rely on and forward collective security, to call upon a protector or to remilitarise. Although all these major options can be reversed, once taken they must be sustained by regular security evaluations and policy choices.

4.1 Causes of non-militarisation

Here we will distinguish contingencies – could the country have an army? – from choices.
The motives or the reasons behind the decisions not to have an army often overlap and can change over time. All the countries without armies appear in one or more of the following categories:

a. Size is the only factor that would bar the possibility of having an army. It can be either or cumulatively the size of the territory, of the available manpower or of the resources needed to set up and run an army that are insufficient. For some countries size is decisive, for others it is only influential. To use a measure of comparison, no country in the world smaller than 300 square kilometres or with less than 80'000 inhabitants has an army.

Thirteen countries without armies, half of them, are in this category[84]. Except for Antigua and Barbuda (84'000 inhabitants) with 245 men in their army, no national army in the world has less than 500 men.
For Niue (1'600 inhabitants) the size of the population is decisive. For Nauru and Tuvalu (both ~ 10'000 inhabitants) and the Cook Islands (15'000) the small size of the population is more or less decisive. Yet even if they ever had the will, the need or a use for an army, it is highly doubtful that they could pay for it. The situation of the Vatican is different. In 1929 when it regained sovereignty from Italy through the Lateran treaties, the Vatican City had no possibility of setting up an army because of its geographical size (0.44 km^2, more or less 4 football fields). However, long ago, the "Pontifical States" had large territories and military forces. So, although the Vatican probably did not consider the possibility of having an army in 1929, it would be interesting to discover under what terms it considered the issue, if it did, and how this is related to the status of neutrality it then adopted (article 24, first Lateran treaty)[85]. These five countries are confronted with the geographical impossibility of having an army of their own. It is important to note that only two of them have an official protector: Niue and the Cook Islands. For Nauru with Australia and for the Vatican with Italy, though there are no known official defence treaties, it can be presumed from their links or geographical situation that they have an informal protector.
Among the eight other countries smaller than the smallest country having an army, six made and expressed a clear choice not to have an army; two by

[84] Starting with the smallest in size: Vatican, Monaco, Nauru, San Marino, Liechtenstein, Tuvalu, Marshall Islands, Cook Islands, Niue, Saint Kitts and Nevis (10 countries less than 300^{km2}). Andorra, Palau and Dominica for populations (3 more countries bigger than 300^{km2} but with less than 80'000 inhabitants).

[85] **Vatican**. Art. 24: La Santa Sede, in relazione alla sovranità che le compete anche nel campo internazionale, dichiara che Essa vuole rimanere e rimarrà estranea alle competizioni temporali fra gli altri Stati ed ai Congressi internazionali indetti per tale oggetto, a meno che le parti contendenti facciano concorde appello alla sua missione di pace, riservandosi in ogni caso di far valere la sua potestà morale e spirituale. In conseguenza di ciò la Città del Vaticano sarà sempre ed in ogni caso considerata territorio neutrale ed inviolabile.
Translation: Art. 24: In regard to the sovereignty appertaining to it also in the international realm, the Holy See declares that it desires to remain and will remain outside of any temporal rivalries between other States and the international congresses called to settle such matters, unless the contending parties make a mutual appeal to its mission of peace; it reserves to itself in any case the right to exercise its moral and spiritual power. Consequently, Vatican City will always and in every case be considered neutral and inviolable territory.
http://www.vaticanstate.va/content/dam/vaticanstate/documenti/leggi-e-decreti/Normative-Penali-e-Amministrative/LateranTreaty.pdf

demilitarising (Dominica and Liechtenstein), four by treaty (Andorra, Marshall Islands, Monaco and Palau) and two remained or remain more indecisive: San Marino because it does not really reckon if it has an army or not; St-Kitts and Nevis because the decision to have a force or not was made several times (depending on the political party in charge) and because the force, though a civil one, still exists. However, the size of both these countries shows that they have a limited capacity for having an army.

It is interesting to note that among these thirteen countries smaller than 80'000 inhabitants or 300 km^2, six of them had an army at some point in history, two of them deeming it too small to sustain it (Monaco and Liechtenstein)[86]. All the countries having a defence treaty with another country, except Micronesia that is slightly bigger and more populated, are in this category as well.

b. As smallness counts, so does vastness. Too scattered or too large a territory compared to the available resources might make it un-defendable or very hard to defend. This was certainly an important factor in the decisions made by Iceland[87] as well as for all the archipelagos: Cook Islands, Kiribati, Marshall Islands, Micronesia, Samoa and Tuvalu.

c. History is also an important factor. Non-militarisation may be a new concept, but this reality begun in Andorra in 1278. Because of an arbitration decision taken by the Pope, the country had at the times two rulers, an Earl and a Bishop. Which ruler would the Andorran men serve? Moreover, would there be a risk of having them serve against the other ruler and therefore against men of their own families serving the other side? This tradition of having two rulers, though now symbolic, wasn't changed when a new constitution was adopted in 1993. The country officially recognises that it does not have an army[88]. Monaco and Liechtenstein demilitarised in the 18th and 19th centuries. In Samoa, there was a very strong non-violent movement in the 1920's[89]. The case of Iceland is particular and deserves more research because, though well defended at the time, the country chose independence, neutrality and not to have an army in 1944 during World

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[86] Dominica, Liechtenstein, Monaco, St-Kitts, San Marino, Vatican had armies (or so called defence forces).

[87] Only 2.8 inhabitants for one square kilometre.

[88] Andorra's Universal Periodic Review, Human Rights Council 2010, Government report, § 6, available here:
http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/AD/A_HRC_WG.6_9_AND_1_Andorra_eng.pdf.

[89] Michael J. Field, *Mau : Samoa's Struggle against New Zealand Oppression*, Auckland : Reed, 1984.

War II. In our opinion, this was a courageous decision. Like Costa Rica (1948), all these countries have by now a rather strong tradition of not having an army. In St-Kitts and Nevis as in Vanuatu there were secession movements during independence, thus explaining the presence of small defence forces, later integrated into the police. Finally, more research is needed to explain why between 1962 and 1983, among numerous ex-members of the British Empire, fourteen countries (more than half the ones on our list) gained independence without giving themselves an army, while others of similar size or situation chose otherwise.

d. It is through history as well that the seven countries who have a protector acquired one. All of them had previous historical ties, sometimes old and strong, with their protector. Except for Andorra and Monaco, the protectors are the ex-colonial power.

e. Region is another important factor. There are countries without armies on all continents except Asia. However, they are mainly found in Europe, in the Caribbean Basin and in the Pacific Ocean. In Europe, all the very small States are demilitarised. Among the small Caribbean States, only 3 out of 8 have armies (Antigua and Barbuda, the Bahamas and Barbados). In the Pacific only 2 out of 13 have an army (Fiji and Tonga). In these three regions, the presence of unarmed countries is mutually reinforcing and has led to various types of local cooperation, including for regional collective security.

f. Strategic reasons are important. Armies gone bad or with no clear mission, later reintegrated or not in the police; reliance on collective security or protectors; the possibility to recruit men in case of danger: all of these factors influence the security policies of these States. Costa Rica disbanding its army only after ratifying a strong international security treaty is another strategic example. As we will see in the next sections, these choices have almost always been efficient and are confirmed by the fact that none of the countries where the possibility to create a force in case of danger exists have ever used this possibility, or by the fact that, except for Haiti and Solomon Islands[90] where there were and still are acting international peacekeeping missions, no army has ever had to intervene for the protection of any of these countries.

g. If not having an army may have been at first a courageous choice, the advantages of such a situation over time does make it an incentive. It

[90] Peake Gordon and Studdard Brown Kaysie, *Policebuilding: The International Deployment Group in the Solomon Islands*, in International Peacekeeping, vol. 12, n° 4, pp. 520-532.

must first be mentioned that the people of these countries, when asked, are most often proud of being army-free and of participating therefore in what they see as the progress of peace. They realize what it means to be free from the draft, from military political and social influence and from military spending. The peaceful existence of Costa Rica since the abolition of the army in 1948, in a region where dictatorships and civil wars for a long time prevailed, speaks for itself. A closer analysis has revealed that, in fact, these countries are very safe. We will show below that living there is most often equivalent to living well.

h. The political choices made by the 13 countries that, compared to other ones, could have an army and then the way these choices are expressed do not automatically describe the motives behind the decisions. First we present here the way these choices are manifested.

Costa Rica, Panama, Haiti and Grenada underwent a total demilitarisation process because the army was defeated or had "gone bad". The first two expressing in their constitution their resolution never to have an army again. Iceland and Kiribati expressed a similar constitutional choice. Iceland did this repetitively as the constitution evolved and, as we will see hereafter, the country also manifested this choice during the so-called "Cod Wars" (1959-1982). For Kiribati, there was before independence a political debate about the creation of an army or not. The political party opposed to setting up an army won the last elections and therefore the constitution was written without permitting the existence of an army[91]. So in Kiribati, through elections, it is the people themselves who made the choice. Micronesia expressed that choice through a defence treaty. Mauritius and Vanuatu both manifested a policy of maintaining all the armed forces within the police. Mauritius progressively enlarged its security capacities within the police. Vanuatu once had a clash between the police and the defence force that was solved by bringing them both under the same command. Solomon Islands, after the outburst of violence in 1998 established a ministry for peace, as did Costa Rica[92]. How much was the non-violent past of Samoa influential? For Samoa, Saint Lucia and Saint Vincent, their choice is not expressed in any way we know of so far. More research, mostly local, will be needed to fully

[91] Roniti Teiwaki: *Management of Marine Resources in Kiribati*, University of the South Pacific, 1988 and Barrie Macdonald, *Cinderellas of the Empire: Towards a History of Kiribati and Tuvalu*. University of the South Pacific, 2001.

[92] For peace ministries around the world see: http://www.i4pinternational.org.

understand how and why some countries chose independence without an army whereas none of the recently founded countries made that choice[93].

i. Once it is considered that a country could have an army or do without one there are political, social, cultural and peace related reasons behind the choices not to have an army. Social cohesion – instead of an elite needing protection or prestige – is certainly an important factor, present in most if not in all the non-militarised countries. A feeling of national identity, though also a pretext to have an army in other countries, is nevertheless present in all the un-armed countries. Further, more research will be needed to discover or uncover how much the existence of other countries without army was influent on each decisions; to learn which countries decided that the risk of not having an army was worth it and how much the peace policies they may have developed since their independence or demilitarisation have been fruitful, thus encouraging others to do so.

4.2 Seven processes of demilitarisation leading to non-militarisation

The history of non-militarisation is still largely to be written. The narratives of peace therein enshrined are important to understand the processes at work and when accurate the possible lessons learned. These stories give proper credit to the countries who totally demilitarised, to what they presently experience and to what they achieve regarding non-armed peace. To further explain non-militarisation and approach some of its advantages, we here present the seven demilitarisation processes undertaken by non-militarised countries.

Monaco was the first to undergo, at least partially, such a process. It was initiated in the middle of the 18th century for ballistic reasons: the rock of Monaco is a stronghold, towering over the harbour. Until that time, it was impossible to shoot cannonballs onto the old city and the castle-palace. When the range of cannons became sufficient for shooting directly at the town from the neighbouring mountain, Prince Honoré III of Monaco wisely realized that such vulnerability could not be protected by military means and that from a military perspective the country was doomed. He renounced an expensive and useless modernisation of the artillery[94], thus initiating the

[93] In reverse order of appearance, Timor Leste, Montenegro, ex-Yugoslavia at large, ex-soviet Empire as a whole. And though they still have a contested status: Kosovo, Abkhazia and Palestine.

[94] http://fr.wikipedia.org/wiki/T%C3%AAte_de_Chien.

progressive decline of the military forces of Monaco, now limited to the Prince's guard.

It is interesting to note that a situation of total vulnerability, recognized at the proper time, has led over the centuries to a strong situation of peace and prosperity.

In 1868, **Liechtenstein** was the first country to undergo at once a total demilitarisation. It did so for economic reasons. Maintaining an army, though it had only 50 soldiers, was at the time just too expensive[95]. As mentioned above, the country faced both World Wars undefended and remained unscathed.

How many countries are facing similar situations – if not all – where military spending is hindering development and well-being?

The third country to demilitarise was **Costa Rica** in 1948. There were three main reasons for this.

The first one is socio-economic. Costa Rica has a rather cohesive population; at the time, it was mostly composed of small coffee planters. There was no mining in the country and no major economic elite in need of a strong army. There was therefore, already then, a strong democratic culture over which the small military forces had little power. Because of this background, Costa Rica was generally spared the plague of dictators and coups that were frequent in Central America.

The second reason for demilitarisation was strategic. After the 1948 civil war, peace could only be assured by the disbanding of the army. There was a stroke of genius there: first to consider and attempt such an unusual proposal as not to have an army. Then to find ways to make the situation last by including in the constitution the legal grounds needed to avoid the recreation of an army. And finally, to reallocate the funds made available toward education and development, thus giving the benefit of the abolition of the army to the people themselves and gaining thereby their support for this very special measure.

Simply said, the civil war began when a right-wing government, associated with the communist party in order to gain a majority, refused to admit it had lost the elections. Because this government was associated with the communists, the United States, at the very start of the Cold War, refused to give it support. Meanwhile, forces from the political centre took up arms for a civil war of 44 days (~ 2'000 people died). They won, with the help of an international brigade of 600 men previously set up to topple all the dictators

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[95] Beattie, David, *Liechtenstein: A Modern History,* I.B. Tauris, London, 2004, p. 30.

of Central America. Because of this brigade, the United States also refused to support the junta. Therefore, as they could not rely on the remnants of the defeated official army nor maintain their power against or within the army without the help of brigade, the issue was solved by disbanding the army and sending the brigade away[96].

The third reason explaining the demilitarisation is equally important: the coming into force, with the signature of Costa Rica – the last one needed – of the security treaty of the Organisation of American States (OAS). By signing the treaty a few days before abolishing the army, the government set up an international collective security net around the country. And it came into use right away. The political forces that had been defeated and fled the country a few months earlier, hearing that the army was being disbanded and the brigade gone, attempted an invasion from a neighbouring State. This invasion failed without a fight when the border from which they operated was closed and their supply lines cut off by an order of the OAS security commission[97].

Years later, when the fact that Costa Rica has no army started to be duly recognized and accepted and as rumours against this reality and fears about it faded, Costa Rica began taking a clearer stand in favour of peace and peacebuilding activities. In 1983, the country unilaterally adopted a "perpetual non-armed neutrality" regime and because of its peaceful policies it now hosts the Inter-American court of human rights and the United Nations University for Peace[98]. Non-militarisation brought 60 years of peace, democracy and prosperity to the country, while all the other Central American countries suffered from dictatorships and civil wars. It was Costa Rica that helped to end these wars and to start the restoration of democracy in Central America at the instigation of Oscar Arias, President at the time and then winner of the Nobel peace prize in 1988. The country is very active on the international scene in promoting peace in various ways. It is also a pioneering country for ecotourism and renewable energy. In our opinion, the example of Costa Rica is a shining light in human history and in the efforts to end the plague of war.

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[96] Kyle Longley, *The Sparrow and the Hawk: Costa Rica and the United States during the Rise of José Figuéres*, University of Alabama Press, 1997.

[97] Leonard Bird, *quoted*, p. 12 and 107s.

[98] http://www.corteidh.or.cr/index.php/en, www.upeace.org.

The forth country to demilitarise was **Dominica**[99] in 1981. The story is simple. Take a corrupt government, as proven, with an ousted prime minister backed by the army. Fighting results between the police and the army and for the good of all the police wins (five persons die)[100]. Consequently and out of necessity, the army is disbanded.

Dominica is a good example, among others, of what can happen when police forces and military forces are of equal strength and take the risk of fighting each other[101]. These situations are best resolved by integrating all forces into the police; these so called military forces are never large and they rarely have war-like missions. If need be, the example of Dominica shows that small armies, too small to have a potential for war and therefore without a clear purpose, can or have easily become negative factors for internal security. It also shows that with or without an army, police missions do remain important and require proper management.

The fifth country to demilitarise was **Grenada** in 1983. The United States invaded the country after a revolution that went awry. The defeated army was simply not reconstituted.

The situation in Dominica and Grenada shows that invoking external military threats as a justification for the setting up of an army may turn into a situation where the very institution set-up for the country's protection becomes an internal security problem. It also shows that after such military internal abuses – if not already in times of peace – people can effectively realize that instead of resorting to military solutions, better choices are to be made. Non-militarisation or total demilitarisation offers a great prospect in this respect. But to be considered the possibility of resorting to non-militarisation must be known beforehand by the people at large, as well as by the people in charge. Following the good example of Costa Rica, these two countries were able to undergo demilitarisation.

The sixth country to demilitarise was **Panama**. Following Costa Rica's example, Panama's demilitarisation was initiated in 1989 after the United States invaded the country and defeated the local army in order to capture Gen. Manuel Noriega, then chief of the army and president of the country. Demilitarisation was complete and concluded in 1994 with the insertion of

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[99] Not to be confused with the Dominican Republic. Dominica is located in the Caribbean Sea, between Martinique and Guadeloupe.

[100] Dion E. Phillips, *The Defunct Dominica Defense Force and Two Attempted Coups in the Nature Island*, in Caribbean Studies, vol. 30, n°1, 2002, p. 52-81.

[101] Similar situations occurred, to our knowledge in Vanuatu, Timor Leste and or in reverse in Tunisia where the army refused to intervene during the Arab spring revolution.

the illegality of an army in the country's constitution. The soldiers that were not decommissioned were, following due security checks, integrated into the police. The war had left very few armaments available, none of them of major strategic importance. These, mostly a few small airplanes, were demilitarised or attributed to the police force. More interestingly, the political party that had been created long before to support the military regime progressively reintegrated politics, accepting and participating in the demilitarisation of the country, undergoing thereby a total change of doctrine[102]. It must be noted also that the country, though army-less, has been capable not only of obtaining from the United States the full respect of the 1977 treaty giving back the "Panama canal zone" to the country on the 31st of December 1999, but also of obtaining in the process the total closure of all the American military bases present in the country.

The seventh country to demilitarise was **Haiti** in 1995. The army was instrumental in the coup that ousted Jean-Bertrand Aristide in 1991. It was virtually defeated at his re-instalment by US-UN forces in 1994, but nevertheless the President decided to abolish its remnants[103]. History has it that he was encouraged to do so by a poll presented to him by Oscar Arias affirming that the Haitian population did want to abolish the army[104]. However, it seems that the DDR (demilitarisation, demobilisation and reintegration process) was poorly done and ineffective, leaving the men without much pay and sometimes retaining possession of their weapons. It has been shown that some of the officers who were sent home in 1995 are the ones that came back in 2004 to throw Aristide out of power and that they are also some of those who intervened by occupying barracks in 2013 to support the governmental idea of a reestablishment of an army[105].

The example of Haiti shows how cautiously demilitarisation must be carried out, first in order to gain control over the weapons and to secure proper reintegration of demobilized soldiers and then to make it last through benefits for the country and the people. A constitutional change should, in our opinion, be part of that lasting process.

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[102] Robert C. Harding: *Military Foundations of Panamanian Politics*, Transaction publishers, 2001.

[103] Laurent Beaulieu, *Comment l'armée haïtienne fut démantelée*, in Volcans, n° 22, 1996, available here: http://pauillac.inria.fr/~maranget/volcans/06.96/comment.html.

[104] We have a manuscript copy of the poll. See also: http://www.author-me.com/nonfiction/haiti.html.

[105] As an example: http://www.alterpresse.org/spip.php?article12875

Defeating an army or rendering it useless is not necessarily a prerequisite for abolishing it. However, this is what happened in five of the seven demilitarisations leading to non-militarisation. Of course, one would want to avoid going as far as a military combat or defeat for demilitarisation to occur. But if this happens, it offers as good an occasion as any for considering the possibility of abandoning having an army.

These seven total demilitarisations show that such a process is possible, that it is not in itself a threat for the future of the country, that it can even be an improvement and that it can occur in a time of crisis or post-crisis as well as in times of peace. All the recent cases are located in the Caribbean basin, the original example of Costa Rica having been followed by four other countries.

Not having an army can be a choice or arise out of circumstances. On our geographically limited planet, whenever new countries are created or countries are redefined, choosing not to have an army is an issue that will need to be raised, an option that will need to be presented to the people.

5. Securing peace without having an army

Security of "Small States" has been the topic of numerous political conferences and the literature on the subject is abundant. However, although almost all the non-militarised countries fall into the small States category, there has never been, at least publicly, work directly devoted to the specific aspects of the security for the un-armed countries. These countries have always been included in larger circles and in regional debates thus creating a security "umbrella", indeed efficient, but never directly addressing the security aspects of non-militarisation. We will therefore take a short look at army-less security and at the way these countries handle it.

How a country can last and thrive without having its own military protection may seem to be of crucial importance. However, it is not always so and as we shall see, military aspects of security should not be overestimated.

The first reason for giving military issues sufficient but no undue attention is the fact that the non-militarised countries have a perfect record regarding international military incidents. Since World War II[106], their gaining independence or the time their army was disbanded, none of them have ever

[106] Monaco was invaded by the Germans, while Andorra, Liechtenstein and San Marino retained their independence.

been directly involved in an international armed conflict. Militarised countries do not have an equivalent record[107].

Similarly, internal major incidents have been rare and though military forces were sometimes present or even decisive once the problem had arisen, it is not certain these were needed beforehand. As seen, Costa Rica was invaded twice by internal opponents in 1948 and 1955. Collective security was sufficient, without resorting to force, to solve the problem. While it had no army, the Maldives Islands was invaded in 1988 by opponents supported by Tamil rebels from Sri Lanka. With the help of Indian troops, they were arrested within a few days. Before the abolition of the army, an international peacekeeping operation was organised in Haiti to restore democracy. UN forces are still present in the country doing reconstruction and police work. In the Solomon Islands, after heavy internal turmoil, an international peacekeeping mission was set up in 2003. It is still partly present. These incidents all originated in internal politics and should or could have benefitted from better policies and from police responses established early enough to prevent the need to resort later to military operations. In all these situations, relatively peaceful solutions were found through collective security and without military hostility. Though every situation is particular, in our opinion, the fact that these countries have no army has been a peace-creating factor, if not before the incidents, at least through the process of resolving them; moreover without aggravating the situation. Again compared to the record of the rest of the world for the similar period, these incidents are few and far between. Moreover, however unfortunate in themselves, none of them produced a major military conflict.

The second reason not to place undue emphasis on military issues is that the dangers these countries face cannot be answered with military means. The greatest danger some of them face is sea rise due to climate change. It may totally destroy Tuvalu and the Marshall islands and largely reduce the territory of many more. Moreover, it will make some of them uninhabitable or uncultivable because of the salinisation of fresh water sea rise entails. It must also be noted that if the Marshall Islands are flooded, the nuclear waste present there since the nuclear testing's of the United States of Amer-

[107] Lotta Themnér and Peter Wallensteen, *Armed Conflicts, 1946-2012*, Uppsala conflict data program, p. 4, Uppsala, 2013, available here: http://jpr.sagepub.com/content/early/2013/06/28/0022343313494396.full.pdf+html. See also, Heidelberg Institute for International Conflict Research, *Heidelberg conflict barometer 2014*: http://www.hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2014.pdf

ica in the 50's could spill into the oceans[108]. Another danger these countries face is vulnerability to criminal activity, which requires police forces rather than military responses.

The third reason to properly weight military issues comes from the security studies related to "Small States". It is noteworthy to mention that once a country is deemed small, the fact that it has an army or not is considered to be of minor importance, including in official reports[109]. If a country is small, it has at the most a small army, which would however make very little difference in any military conflict. Deterrence is limited as well towards other small countries or eventually small armed groups. Therefore the existing forces, when they exist and in the absence of effective military threats are doing police support, international and relief missions that can be and are done similarly by police forces in other circumstances.

The last and yet the best reason not to overrate military issues in security policies is that the countries without armies have more potential for comprehensive peace policies than if they had a military apparatus; they are free from highly demanding military budgets and from the influence exerted on politics by military systems and by hard-security experts. Because they cannot resort to military force, non-militarised countries have a more peaceful approach to conflict, a greater or even an absolute need for conflict prevention and for peaceful conflict-solving methods. Therefore the peace policies they have spontaneously or purposefully developed so far and the ones they will develop in the future are of great importance for them as worldwide for the progress of peace.

Before presenting a brief inventory of the traditional security means used by the non-militarised countries for external as for internal security, we would like to highlight or empower non-armed States and others through two ex-

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[108] Risk of Nuclear waste spilling mentioned in the Stakeholders Report to the Universal Periodic Review of Human Rights in the Marshall Islands, Human Rights Council, May 2015, § 21 available here: http://www.ohchr.org/EN/HRBodies/UPR/Pages/MHSession22.aspx.
Note however, the article by Gene Keyes, *To Give Life: Possibilities for a Nonkilling Military*, in *Nonkilling Security and the State,* Joám Evans Pim ed., page 103, which details what peaceful armies, men and logistics, could do regarding climate change.
http://nonkilling.org/pdf/nksecurity.pdf

[109] Advisory group of the Commonwealth, *A Future for Small States: Overcoming Vulnerability*, Commonwealth Secretariat, London 1997, p. 121-126. The fact that a country may not have an army is slightly mentioned, though not addressing it, in recommendation 10.31 p. 124 on enhancement of security forces. Similarly, Ron Crocombe, in *Enhancing Pacific Security*, Pacific Forum, Apia, 2000, mentions the absence of armed forces in some Pacific countries but without elaborating on the issue, p. 18-23.

amples showing how these countries have faced in the past, with success, two major cases of duress.

5.1 Two peace narratives

Sustaining the choice not to have an army can be done through comprehensive planning, risk assessment and the adoption of adequate peace and security policies. But it may also be necessary to react to situations for which foresight is only partly available. A predisposition for ethics, human rights, peace and nonviolence and the very fact of not being able to resort to military force may lead, in such situations, toward less damaging solutions than force and violence. As acts speak better than words, among others, two examples were chosen from the history of Iceland and Liechtenstein.

In Iceland, independence from Denmark – at the time occupied by Germany – was acquired during World War II in 1944. Though there were British and US troops stationed in the country to prevent Germany from invading it and to guarantee the northern routes between America, Europe and the Soviet Union, deciding not to have an army at this particular time was a special decision. This decision was reinforced by the choice to remain neutral, even if this lasted only until the country entered NATO as a founding member in 1949. The absence of an army, neutrality or NATO membership did not keep Iceland from starting a war – a non-violent war however – against two other NATO members, Germany and mainly Great-Britain. The conflict known as "the Cod wars" lasted episodically from 1959 until 1982, when Iceland's demand for an exclusive economic zone of 200 nautical miles was finally recognized by granting to all the seaside countries of the world, in the international treaty on the law of the sea, a similar zone[110]. The conflict was about the right of the Icelanders to exploit and fish their nearby waters, at the time the main asset of the country. The non-violent means used was an automatic trawl-net cutter invented by the Icelandic coast guard. Once cut, such a net sinks; because the nets are big and heavy, there is only one per ship. So the loss of a net meant the loss of a fishing season. Many nets were cut. And sadly, once a cable snapped back at a trawler-boat, thus killing an English fisherman and at another time an Icelandic engineer was electrocuted when two boats collided[111].

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[110] United Nations Convention on the Law of the Sea, 10th of December 1982. http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm

[111] Guðmundsson, Guðmundur Hörður. 15. *Annað þorskastríðið. Tímabilið 19. maí 1973 til nóvember 1973*. Short essay for history class at University of Iceland.

The example of *Liechtenstein* is another example of humanity and courage, of non-violent power in the midst of war. At Yalta in 1945, the major powers had agreed that all Soviet Union nationals found in the territories conquered by any of the Allies should be returned to the USSR. Many Russians or inhabitants of the territories occupied by the USSR such as Ukraine, the Baltic States and others fought during the war against USSR, against communism or the Stalinist regime. Handed over, they were treated as traitors and executed or send to detention camps. While European countries too often closed their eyes on this murderous practice, Liechtenstein, in order to preserve the lives of some 500 refugees, refused to bow under the pressure of the USSR. 300 refugees later immigrated to Argentina, while the other 200 who freely chose to return to USSR were all executed during the return trip[112].

Two things must be noted from these incidents. First, a small country with ingenuity and persistency can defeat or repel a major power and win its cause even without having an army. Secondly and just as important: when all wars will kill less than the cod wars did – two persons died and by accident rather than from combat – then humanity will have reached a great degree of peace, dignity and progress towards life carinf processes.

5.2 International and internal security

The security of non-militarised countries is ensured both by innovative and traditional – though unarmed – measures. Once said and understood that peace is to prevail in all situations, we do not have the means to consider all possible security issues these countries face or may face and all the means needed to address them. This chapter is therefore neither a comprehensive security assessment nor a policy paper. We hereafter only present an indicative overview of some of the security methods these countries use, or of some of the means at their disposal, thus demonstrating nevertheless that means for non-armed security are available and that non-militarisation is therefore viable.

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http://www.lhg.is/media/thorskastridin/15._Gudmundur_Hordur_Gudmundsson._Annad_torskastridid._Timabilid_19.mai_1973_til_november_1973..pdf

[112] Geiger P. and Schlapp M.: *Russen in Liechtenstein. Flucht und Internierung der Wehrmacht-Armee Holmstons 1945–1948*, (Russians in Liechtenstein. Flight and internment of the Wehrmacht Army Holmstons 1945-1948). Vaduz, Zürich, 1996.

International security

Unarmed countries participate in and benefit from the international *collective security* system. In our opinion they even reinforce it, as they need it more than if they could rely on a national army or for the vast majority of them (19) on a protector State. As seen, the possibility of relying on collective security has been directly used for major situations in Costa Rica, in Haiti and in the Solomon Islands. But is has been also through numerous diplomatic efforts and by building international law in favour of peace and non-military solutions.

All these countries are active members of security organizations. As seen, all but three (Cook Islands, Niue and Vatican) are members of the *United Nations*. The smallest countries members of the UN had to create special strategies to face the high costs of UN participation, including for some of them common offices in New York.

They have also been actively creating or participating in *regional security organisations.* These organisations play a major role for their security thinking and in organizing various aspects of their security. They are all respectively members of the African Union, the Organisation of American States or the Organisation for Security and Cooperation in Europe. They are all also, in their own regions, members of the Pacific Forum or of the Caribbean Regional Security System. Both these organisations have a comprehensive approach to all the security problems of their region and members, and both have set up for their members in times of need special operations linked to security and/or disaster relief and recovery. To some extent, these countries have shown that regional collective security can replace or supplement the absence of a national military security apparatus or of protectors.

Some of these countries are officially *neutral*[113]. The concept of neutrality does not have the influence it had in the past; however it still deserves attention. First, because we consider that not having an army is in itself equivalent to and should automatically grant a status of neutrality, unless otherwise stated by the countries themselves (i.e. Iceland joining NATO therefore renouncing its neutrality). Secondly, because non-armed countries claiming the status of non-armed neutrality (as Costa Rica did in 1983) shed light on the fact that neutrality does not automatically imply the obligation for the neutral to defend its territory by military means in order to avoid its use by belligerent parties. The existence of non-armed neutral countries

[113] Costa Rica, Haiti, Iceland and Vatican. May be others.

supposes that neutrality can be defended by diplomatic and non-violent means only. Such non-armed tools and the possibility of non-armed neutrality, therefore gain credibility and visibility as they are or could be recognized in fact and by law as valid peacemaking mechanisms.

One of the powers countries without armies and small countries at large possess is the power to *sign treaties;* the high number of signing small countries enables these treaties to come into effect faster. As an example, countries without armies have literally no direct national interest in the recently adopted Arms Trade Treaty[114], except eventually for a few police weapons. Nevertheless and to enhance the world's progress towards peace, proportionately, more countries without armies than countries with armies had ratified the treaty at the time the requisite number of ratifications was reached[115]. Largely speaking, though it could still be improved, their record on signing peace and disarmament treaties is above the average[116].

Generally speaking, the international security of the non-militaries countries shows that standing on peace and trust rather than on force is possible. It also demonstrates, and rather brilliantly, that collective security can be reliable and very efficient to build situations or regions in which the risk of military incidents is nil, moreover than not because of the absence of military forces and threats.

Internal security

Presenting the way these countries handle their internal security and the peace and security policies they design, especially if these policies differ from the ones used by the countries that have armies, will require further research. Nevertheless some elements deserve to be presented here.

First, *the record* for internal security of the countries without armies is very good as well. There are or could be, there have been threats to the security of the people and of the institutions. These threats should never be underestimated. However, they have been officially studied[117] and to our knowledge they are regularly monitored. We mentioned the Solomon Island's turmoil and Haiti's political difficulties. There has been seceding move-

[114] Arms Trade Treaty, adopted by the General Assembly of the United Nations, 2 April 2013. http://www.un.org/disarmament/ATT

[115] 7 countries without armies ratified the treaty out of the 50 needed; that is 14% of the ratification, while the countries without armies – with little interest in the treaty – amount to 13% of all independent countries.

[116] APRED's database on countries without armies, http://www.demilitarisation.org/spip.php?rubrique90.

[117] See note 109.

ments at independence in Saint Kitts and Nevis (1983) and in Vanuatu (1980), which brought both countries to establish a small so called "defence force". In Saint Kitts and Nevis the independence of Nevis is still an issue, while in Vanuatu one can say the issue is solved. Mauritius also had at the times to overcome difficulties between its various communities, but there as well peace, common sense and the great economical progress of the country have made things easier[118]. Most other security threats these countries face are police or border issues, which do not differ much from police issues elsewhere. Therefore internal security should, in our opinion, be viewed as an issue pertaining to the progress of peace and quality of life rather than as a matter of threat and should be handled by the police rather than by the military.

Secondly, there are two elements of internal long-term security of the non-militarised countries that are worth mentioning as they are valid lessons learned for other countries.

Democracy is an essential element of security for the people as for the institutions. To a great extent, it assures the realization and the progress of the free rights of the people and provides for a rather peaceful and stable political order and at best for the realisation of a just economical order[119]. Moreover, democracy and non-militarisation can only go together as the absence of an army leaves little space and means for an authoritarian regime to build up. This is demonstrated by the fact that since their independence or their demilitarisation, all the countries without armies, except to some extent the Vatican, have enjoyed stable democratic regimes. This also shows how much an army can be of a burden for a democracy or conversely how much non-militarisation can help democracy. As most of these countries are in the developing world, this is a major achievement.

Further, it is reasonable to say that any development mechanism or state reconstruction policy should consider the possibility of having a complete demilitarisation component, as well as it always has an inclusive democratic dimension. However, drawing on the experiences of Costa Rica and Haiti, such policies must be well designed to ensure that the demilitarisation is properly carried out, that non-militarisation is sufficiently safe and sustainable and that it gains long-term popular support.

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[118] Albert Cho, *The Rainbow and the Pot of Gold: Ethnic Diversity and Economic Development in Mauritius*, Thesis, Harvard, 2002.

[119] Christophe Barbey, *Links between Peace, Democracy and Human Rights*, in *Ideas and Realities of Democracy: Meeting the Challenges of Contemporary Citizenship*, Contrastes, Revista Internacional de Filosofía, Suplemento 20 (2015), pp. 185-200, Malaga, Spain.

Human rights deserve attention as well, even if the human rights treaty-signing record of these countries is average and could therefore be better[120]. There again, considering that most of these countries are developing ones, this is also a sound achievement. This issue deserves more consideration: a higher human rights record would speak in favour of the non-militarised countries, both for their international reputation and for their security in view of the fact that human rights are a peace building and stability factor[121].

6. Realms of progress

The present study demonstrates the large existence of non-militarisation. It also shows that non-militarisation is rather safe. However, to see peace progress and prevail beyond or despite the existence of wars and armies and better, to set higher standards of peace[122] there is a need to demonstrate that living without an army is not only possible, but that it improves the quality of life for the beneficiaries of peace and security.

Studies regarding non-militarisation are rare[123]; more are needed. Here are some possibilities.

If not having an army diminishes the risks of being involved in a war and of being drafted to learn violence, it diminishes accordingly the possible threats to the rights to life and security and offers so forth more possibilities and prospects for a better, longer and more respected life. This could probably be demonstrated by comparing the *human rights record* and the *life span expectancies* of the people in the countries without or with armies.

There is as well space for a *gender* study as it does appear – but needs to be confirmed – that the situation of women is better in the non-militarised countries[124].

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[120] APRED's database on countries without armies, http://www.demilitarisation.org/spip.php?rubrique90.

[121] See note 119.

[122] When asked if peace was a human right, the Advisory Committee of the Human Rights Council, though rather in favour of the possibility of such a right, simply framed its report by setting "necessary standards of peace". http://www.ohchr.org/EN/HRBodies/HRC/AdvisoryCommittee/Pages/RightToPeace.aspx

[123] Besides our own previous publications in French and all the specific works mentioned herein, there may be some works in Spanish and there is the publication by Pr. Akira Maeda: *Guntai no nai kokka : 27 no kuniguni to hitobito* (In Japanese: Without an army, 27 countries and people). Tokyo: Nihon Hyōronsha (2009). Though unprecise and differing in its various languages, there is also a wikipedia list of countries without military forces: https://en.wikipedia.org/wiki/List_of_countries_without_armed_forces.

Similarly, *education* rates seem higher[125]. Confirming it through a detailed study would be a very good scientific indication that what Costa Rica has held as a governmental and empirical policy since its demilitarisation – peace through education – is true and effective.
Personal safety studies could be carried on as it would be interesting to compare levels of *criminality* among countries without or with armies, assuming that not having an army should lead to less violent societies. *Small arms regulations* deserve close attention as well.
Economic security and well-being are similarly important. There are countries without armies in all economical situations, from the ones with a very high human development to the ones with a low human development. However and though this is improving, because these countries are small statistics are not yet available for all of them. Nevertheless, most of them (19) have a medium development rate or higher, which again shows, as most of them are in the south, that they have been progressing well[126]. A comparative study, highlighting differences with similar countries having armies will be very useful.
Among them, the economical success of Mauritius is certainly an example of successful development. For Costa Rica, a study shows that there are links between demilitarisation and development which mutually reinforce each other[127]. A lot of these countries were under close scrutiny a decade ago as being tax havens or for money laundering. Most of them have done what is necessary to be taken off the bad lists, thus showing a capacity for resilience and compliance with international standards[128].
The way *peace studies* and the study of international relations benefit or will benefit from the history and examples of countries without armies is still to be written. Here are however a few other suggestions.

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[124] For both the issues of gender and education, a quantity (statistical) and a quality research is needed. The yearly Human Development Report gives hints that the situation could be better in these countries, though more precise analysis is needed. http://hdr.undp.org/en/content/human-development-index-hdi
[125] Among others, again the Human Development Report.
[126] APRED's database on countries without armies, http://www.demilitarisation.org/spip.php?rubrique90.
[127] Geoff Harris, *Central American Demilitarisation: a Model for Small Countries?*, in Achieving Security in Sub-Saharan Africa. Cost Effective Alternatives to the Military, Geoff Harris (ed.), Institute for security Studies Africa, Pretoria, 2004, p. 196.
[128] See lists published by the OCDE http://www.oecd.org/countries/monaco/listofuncooperativetaxhavens.htm or the Financial Action Task Force http://www.fatf-gafi.org /

First, the leaders of the countries who chose demilitarisation or non-militarisation at the time of independence or during major struggles are men and women of honour. Yet few of them have testified on the reasoning and choices made at the time, assuming to create, live in and sometimes rule countries with no armies. These *non-militarisation stories* are worth knowing.

Then the present and past *peace and diplomatic policies* of these countries deserve full attention, not only to extract the possible lessons learned, but because these countries are often active for the progress of peace. As examples, in 2011 Costa Rica made a statement at the General Assembly of the United Nations noting with some disappointment that none of the non-militarised countries – the very ones that have achieved full disarmament – were members of the disarmament conference. It has since gained an observatory status there[129]. Or in April 2014, the Marshall Islands filed a complaint before the International Court of Justice against all the nine nuclear powers for failing to fulfil their obligation to enter in good faith into negotiations for nuclear disarmament[130]. These two countries take quite seriously their role in favour of the progress of peace.

Finally, it is because the military risk can be totally evacuated from their internal affairs – if not from all international affairs – that *comprehensive peace policies* can start to be designed, tried and implemented without the negative influence of one of the most violent institutions men have ever designed; an army. Granting peace as a right[131] in constitutions[132], requiring therein peace policies, designing such policies encompassing education for

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[129] General assembly of the United Nations, 65th session, 133th meeting, 27th of July 2011, official record, p. 26, A/65/PV.113

[130] Registry of the International Court of Justice: http://www.icj-cij.org/docket/index.php?p1=3&p2=1 and http://www.nuclearzero.org

[131] On aspects of peace in constitutions and the human right to peace: Christophe Barbey, *Nonviolence of States, some Best Practices*, paper presented at IPRA 2014, http://www.demilitarisation.org/spip.php?article172.

[132] On occasion or systematically, constitutions already contain or could contain provisions favourable to peace in Preambles and in state goals and principles of State action. As an example, article 6 of the constitution of the Swiss canton of Vaud states: "Goals and principles. 1. Goals (...) 2. Principles. In all its activities, the State shall: (...) c): see that justice and peace prevail, and supports conflict prevention efforts. Translation by the author, emphasis added. Original text in French, German or Italian: http://www.admin.ch/ch/f/rs/131_231/a6.html. Sometimes peace is present in articles concerning foreign affairs or public order. Some countries constitution's ban war: Japan, Italy, San Marino, Bolivia and Ecuador. Quite often as well constitutions state which authority, executive or legislative, has the power of peace or war. Various chapters of the book "*Paix et constitutions*" (quoted) address this issue.

peace, peaceful conflict management and violence prevention mechanisms[133], establishing ministries for peace or governmental offices responsible for the mainstreaming, progress of and the evaluation of these peace policies[134] will indeed be easier to do in the absence of a military apparatus.

7. Living without an army

There are at present almost no signs indicating that more countries will totally disarm in the near future, but there are many potential candidates.

The people want peace and the international community wants peace. Between them, Nation-States hold or cling to the powers of war. Yet, the peaceful existence of the non-militarised countries demonstrates that it is not the institution of the sovereign State *per se* that causes war: some States, at least on their own behalf, make war impossible. Others allow this – the existence of war – by giving to themselves and to others the powers of war: arms and armies.

The rationale put forward by these States to maintain such war means is not the concern of this research study. By showing it possible for States to go beyond the vicious circle created by military forces (legitimising themselves by affirming a perpetual risk of war and in many cases by stating an army exists because another one exists, yet feeding it all through the military industrial complex) non-militarisation, and to our humble extent this study, offer a possibility to disperse the constant shadow of war hanging over our civilization. By showing that it is possible – and one could add that it is relatively easy – for a country to survive and to live well without resorting to the existence of an army and its weaponry, non-militarised countries eliminating the potential means for war, show that it is possible to see beyond the security deadlock superseeding most debates that could take place about it.

However, non-militarisation as of today does neither provide for worldwide security at once nor does it subsume a method of disarmament that could encompass for humanity all present security issues and needs. For that to happen, a stronger worldwide determination to establish peace is needed; non-militarisation is part of it.

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[133] See Sustainable Development Goal n°16.1: https://sustainabledevelopment.un.org/topics or the global peace index, http://www.visionofhumanity.org/#/page/indexes/global-peace-index.

[134] See note 92.

Inasmuch, non-militarised countries are demonstrating that living without an army is possible and therefore that totally eliminating the risk of war – because it is possible for some – must be considered by all, and for all.

More importantly for long term peacebuilding, refusing and eliminating the risks of war by leaving aside the burdens of military practice opens new avenues towards higher standards of peace in all realms of society. By making war impossible, non-militarised countries enable more peaceful societies to emerge, more comprehensive and less conflictive peace policies to be designed, more humane institutions to be created.

Yet however groundbreaking this study may be, it is only a first step. The advantages of the absence of an army need to be more thoroughly documented and presented. More often than not, the non-militarised countries need to acquire fuller awareness of their existence as such, to clarify their status and to gather and share more information about their situation. They need to value their potentials for the progress of peace, for themselves and for future generations. Nevertheless, leading the way towards a war-free world, they show that a peaceful and therefore sustainable world is within reach.

Choosing institutions that totally eliminate the risk of war creates the possibility of a world in which each and every human being, every one of us will be able to thrive happily, to live our lifes to the greatest extent while encouraging others and ourselves to understand and undertake the endeavours of peace and so forth to achieve the lasting well-being of all humanity on Earth.

We are all part of it.

"The same species who invented war
is capable of inventing peace.
The responsibility lies with each of us"

Seville Statement on violence, final words.
Adopted by UNESCO, 16th of November 1989[135].

[135] http://www.unesco.org/cpp/uk/declarations/seville.pdf

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ABSTRACT

The existence of countries without armies has been a reality for centuries. The decolonisation process has increased their number to twenty-six. This working paper defines and applies the legal and factual criteria needed to identify the countries having no national army. It then presents some of the reasons and motives explaining the choices of these countries, thus describing their army-less situation. It presents the total demilitarisation process that led seven of these countries to abandon having an army, so forth entering into a status of non-militarisation. The nineteen other non-militarised countries never had an army. The report then presents a short overview of the way these countries assume their security needs despite the absence of an army.

Studying, monitoring and presenting these countries has produced a wide range and a great diversity of findings, starting with the fact that they are all but one democratic. By identifying the countries without armies with sufficient certainty, by presenting the basis of their statutes with the relevant historical and legal references and by showing that these countries are indeed safe, this study poses the foundations for more research – and advocacy – about non-militarisation.