

## ***Military Jurisdiction and Domestic Legislation***

### *History*

Like most Latin American countries, when Argentina gained its independence from Spanish rule in 1810, it continued to enforce colonial military criminal legislation. [1] In 1815, 1816 and 1817, Argentinian laws expressly gave force of law to colonial legislation, as long as it was not incompatible with the new system of government, by clearly remitting to the authority of the Spanish sovereign with regard to matters relating to military justice. [2] In particular, it is worth mentioning the Spanish military ordinances (*ordenanzas*) promulgated by Carlos III in 1768, which, with some amendments, remained in force "in the new country for 85 years, including after the National Constitution of 1853 had been approved". [3] They stayed in force until 1895 when military criminal and procedural law was first codified. Nevertheless, from very early on, the emancipating army was provided with regulations for the punishment of any wrongdoing perpetrated by the troops. These included the Special Military Ordinances for the Cuyo Army (*Ordenanzas Militares Especiales del Ejército de Cuyo*) issued by General San Martín and approved by the Argentinian Government. They were known for their "severity and roughness in the punishment of offences". [4] Similarly, New Disciplinary Rules for the Army and the Squadron (*Nuevas Reglas de Disciplina Para el Ejército y la Escuadra*) and Penalties for Military Offences on Land and Sea (*Penas para los Delitos Militares en tierra y agua*) were issued by General Belgrano. In the first few decades of existence of the newly-formed Argentinian nation, several fruitless attempts were made to draw up and adopt a military criminal code and so, in 1924, a commission was set up to draft a Code of Military Justice.

The National Constitution of Argentina had been adopted by the General Constituent Congress in 1853. This was later amended by the 1860 *ad hoc* National Convention and again in 1866 and 1898. The Constitution made no reference to military jurisdiction. In 1875, a commission was set up to draw up a Code of Military Justice and in 1881 a draft Naval Code was submitted to the parliament. On 7 September 1881, President Roca submitted the "Draft Military Criminal Code" to Congress for its consideration. In 1894 the "Military Codes for the Army and the Navy" [5] were adopted. The entry into force of these Codes meant that the colonial military criminal legislation ceased to apply once and for all. Nevertheless, as pointed out by Zaffaroni and Cavallero, the new legislation was "seen as precipitate and premature to the extent that work immediately began on a replacement". [6] And so, at the end of the 19th century, further new military criminal legislation was adopted and remained in force until 1951, namely, the Code of Military Justice or Bustillo Code, named in honour of its author José María Bustillo. The latter was appointed Judge Advocate General for the Army and Navy (*Auditor General de Guerra y Marina*), with the rank of Brigadier General (*General de Brigada*). [7]

The Code of Military Justice was not adopted as a single set of provisions: in January 1898, regulations relating to the organization and jurisdiction of military courts (Agreement I) and military criminal procedure (Agreement II) [8] were adopted, to be followed in November of the same year by regulations relating to substantive criminal law (Agreement III). [9] In 1905, several amendments were introduced as a result of Law Nº 4708. The Bustillo Code distinguished between peacetime and wartime, both for the purposes of how military courts were to be organized and in terms of jurisdiction, procedures and the types of punishment applicable. In this way, the Bustillo Code laid the foundations for current military criminal jurisdiction in Argentina. During the first half of the 20th century, several unsuccessful attempts were made to reform the Bustillo Code. [10]

The Bustillo Code remained in force until 1951 when a new Code of Military Justice [11] was issued. The 1951 Code was drafted by the Armed Forces, under the leadership of

the Judge Advocate General for the Armed Forces, Colonel Oscar Ricardo Sacheri. It is important to point out that the new Code of Military Justice was adopted in the wake of the substantive reforms made to the National Constitution in 1949. The 1949 Constitution included a reference to military courts and so the Code of Military Justice of 1951 states in article 1 that "Military jurisdiction, as established under article 29 of the National Constitution, is exercised by the military tribunals and authorities determined by this Code". [12]

Following the "Liberating Revolution" ("*Revolución Libertadora*") of 1955, the 1949 constitutional reform ceased to apply. In 1956, the new government repealed the 1949 reform and reinstated the National Constitution of 1853, together with its 1860, 1866 and 1898 amendments. In 1957, the 1853 Constitution was amended once again. [13] Despite the fact that, when it came back into effect, the 1853 Constitution contained no specific reference to military courts, the Code of Military Justice of 1951, and article 1 in particular, remained in force and still applies today, a state of affairs which remains rather anachronistic. In about 1974, armed opposition groups became increasingly active in Argentina. The death squad known as the *Alianza Anticomunista Americana* (AAA), American Anti-Communist Alliance, also appeared. On 6 November that year, the government of María Estela Martínez de Perón decreed a state of siege. [14] In 1975, the Argentinian Government ordered the launching of a major military operation in the province of Tucumán. [15] A few months later, the military operation was extended to the whole country. [16] It is worth highlighting Directive N° 404/75 issued in the course of these operations by the Commander in Chief of the Army. It stated that since the intervention of the Armed Forces had been authorized by the country's executive authority, such "operations constitute the carrying out of an act of military service [and] consequently, military personnel are subject to military jurisdiction". [17]

On 24 March 1976, the Argentinian Armed Forces carried out a *coup d'état* and a Military Junta, made up of the Commanders in Chief of the Army, Navy and Air Force, assumed power. The National Congress and the Provincial Congresses were dissolved and the state of siege which had been imposed by the previous government was extended. Public freedoms and judicial guarantees were suppressed and the press was censored. As documented by the Inter-American Commission on Human Rights [18], extrajudicial executions, torture, forced disappearances and arbitrary detentions were systematically carried out. The National Commission on the Disappearance of Persons (*Comisión Nacional sobre la Desaparición de Personas*), set up by the Argentinian Government when democracy was restored in 1983, compiled 8,960 cases of forced disappearance and indicated that the true figure may have been even higher. [19] Under the Argentinian military dictatorship, military criminal jurisdiction underwent an extraordinary process of expansion. Through the use of emergency powers, military courts were given broad-ranging jurisdiction, especially over civilians. [20] In 1976 the first Military Junta issued a decree that created new offences - some of which criminalized use of the right to strike, increased the penalties for others and granted jurisdiction to the military courts. [21] The use of military courts to try civilians in times of public disorder or emergency was repeatedly endorsed by the Argentinian Supreme Court. [22]

With the return to institutional normality which began at the end of 1983, the question arose of whether or not members of the military responsible for the gross human rights violations committed under the dictatorship should be brought to trial. Shortly before leaving power, the *de facto* military government had issued a Self-Amnesty Law (*Ley de autoamnistía*) [23] but it was set aside by the National Congress. [24] The new civilian government ordered the former Commanders of the first three Military Juntas to be subjected to a summary trial (*juicio sumario*) by the Supreme Armed Forces Council (*Consejo Supremo de las Fuerzas Armadas*), the senior court within the military justice system. [25] In 1984, Law N° 23,049, which amended several articles of the Code of

Military Justice, was issued. This reform stipulated that any offences committed by the Armed Forces and police and state security personnel between 24 March 1976 and 26 September 1983 were to come under the jurisdiction of the Supreme Armed Forces Council and to be dealt with by means of the summary procedure applicable in peacetime. Nevertheless, the Supreme Armed Forces Council refused to try its peers. [26] The Federal Chamber (*Cámara Federal*) took over responsibility for trying the former Commanders of the Military Juntas. On 9 December 1985, the Federal Chamber sentenced four of the nine former Commanders on some of the charges laid against them by the Public Prosecutor's Office (*Fiscalía*). The verdict, which was challenged by the prosecution, was confirmed by the Supreme Court of Justice on 30 December 1986.

Under pressure from the Armed Forces, the "Full Stop" Law ("*Ley de Punto Final*") was passed. [27] Later, following the military uprising by the so-called "*carapintadas*" ("painted faces"), the "Due Obedience" Law ("*Ley de Obediencia Debida*") was passed. [28] Both laws granted a general amnesty to members of the military and state security bodies for human rights violations committed under the dictatorship. In 1989 and 1990, President Carlos Menem pardoned over one hundred members of the military - including the former Commanders of the Military Juntas - who had not benefitted from either of the two amnesty laws. [29] On 25 March 1998, the "Full Stop" and "Due Obedience" Laws were repealed as a result of Law N° 24,952. The reference to them being null and void which had appeared in the original draft was removed, giving rise to the interpretation that it was only possible for legal proceedings to be re-opened for humanitarian purposes (in order to clarify the fate and whereabouts of the disappeared) but not in order to prosecute the crimes which had been committed. Nevertheless, in March 2001, the Fourth National Court for Criminal and Correctional Matters (*Juzgado Nacional en lo Criminal y Correccional Federal Nro. 4*) declared the "Full Stop" and "Due Obedience" Laws to be null and void. [30] In a momentous ruling at the end of 2001, the National Chamber for Federal Criminal and Correctional Matters (*Cámara Nacional en lo Criminal y Correccional Federal*) confirmed the decision of the Fourth National Court.

In 1994, a new Constitution was adopted. Like the previous one, it contains no specific reference to military jurisdiction. However, it is important to note that article 75 (22) of the new Constitution gives several human rights treaties "higher ranking than the laws". [31] Although the Inter-American Convention on Forced Disappearance of Persons was not originally among the treaties listed in the Constitution, it was later added. [32] It is worth recalling that article IX of the Convention says that following: "Persons alleged to be responsible for the acts constituting the offence of forced disappearance of persons may be tried only in the competent jurisdictions of ordinary law in each state, to the exclusion of all other special jurisdictions, particularly military jurisdictions. The acts constituting forced disappearance shall not be deemed to have been committed in the course of military duties". Nevertheless, the new Constitution did not lead to a restructuring of the military justice system and the 1951 Code of Military Justice remained in force.

### *The current situation*

Argentinian military criminal legislation consists of the 1951 Code of Military Justice together with subsequent amendments and additions. [33]

The military courts are answerable to the executive and, in particular, the Ministry of National Defence. All members of military courts are members of the Armed Forces. The different bodies within the military court system, such as the Supreme Armed Forces Council, the permanent courts martial, the Office of the Judge Advocate and the Office of the Armed Forces Attorney-General (*Fiscalía General de las Fuerzas Armadas*) form

part of the Ministry of Defence. [34] The Code of Military Justice authorizes "military personnel from the general services or their equivalent" and retired members of the military to hold posts within the military justice system. [35] Employees of the military justice secretariat are members of the military. Their rank and grade varies according to which court they are attached.

For the purposes of the structure of military criminal jurisdiction, the Code of Military Justice distinguishes between peacetime and wartime. In peacetime, military jurisdiction is exercised by the Supreme Armed Forces Council, the permanent courts martial, special courts and military examining magistrates (*jueces de instrucción*).

The Supreme Armed Forces Council has nine members who are appointed by the President of the Republic for a six-year period. Six of them must be from combatant or commando corps and hold the rank of general or its equivalent, with two being from the army, two from the navy and two from the air force. The other three must be lawyers from the various judge advocate corps attached to each branch of the armed services. The Council is presided by the officer who is highest in rank and the longest serving. There is a specific provision stipulating that it is accountable to the Ministry of National Defence. [36] It is the appellate court for cases within the military justice system as well as the trial court, from which there is no right of appeal, for senior officers, lawyers on the Supreme Council, members of courts martial and lawyers working within the military justice system. It is also responsible for settling any conflicts of jurisdiction which may arise within the military justice system.

There are two types of permanent courts martial: one for commanders and junior officers and one for non-commissioned officers and the rank and file. Depending on whether they have jurisdiction over one or more branches of the armed services, they are answerable to the Commander of the service in question or the Ministry of National Defence. The panel for permanent courts martial dealing with commanders and junior officers consists of a major general (*general de división*) or brigadier general (*general de brigada*), who presides over it, and six other officers with the rank of colonel. All must be officers from combatant or commando corps. The panels for courts martial dealing with non-commissioned officers and the rank and file are made up of officers from the combatant or commando corps. Each one must be presided by a colonel or lieutenant colonel and consist of six other officers with the rank of lieutenant colonel or major. The presidents and members of these types of courts are appointed by the President of the Republic for a four-year period. Courts martial are the trial courts or courts of first instance within the military system.

Special peacetime courts (*tribunales especiales en tiempo de paz*) can be instituted on the orders of the President of the Republic for troops who are on manoeuvres outside of their base or abroad. They are governed by the same rules as the permanent courts martial in peacetime.

The military examining magistrates are members of the military who have been appointed to the post by the President of the Republic. The rank required depends on the rank of the accused since the examining magistrate cannot be lower in rank than the latter.

In wartime, it is possible for military peacetime courts to carry on operating at the same time as military wartime courts. In wartime, military criminal jurisdiction is exercised by the commanders in chief; the commanding officers of each force, if they are operating independently or are incommunicado; special courts martial; and the armed forces police superintendents (*comisarios de policía*).

The special courts martial are not permanent bodies. They consist of a president and four or six members, depending on the circumstances. The president, prosecutor, judge advocate and clerk of each court are appointed by the relevant military commander from among the troops under his command. There are three kinds of special courts martial, depending on the rank of the accused (one for superior commissioned officers and commanders, one for lower-ranking commissioned officers and one for non-commissioned officers and the rank and file). Members of the courts martial must be officers of a rank not lower than that of the accused and the one with the highest rank and longest period of service is responsible for presiding.

Armed forces police superintendents are appointed by the commanders in chief of the army in the field or the officers in charge of divisions, corps or units of the armed forces that are operating independently.

The prosecutorial function (*Ministerio Fiscal*) is discharged by the Armed Forces Attorney-General in the case of the Supreme Armed Forces Council and by military prosecutors in the case of courts martial. The Armed Forces Attorney-General and other military prosecutors are appointed by the President of the Republic. The Attorney-General is accountable to the Ministry of National Defence. The prosecutors acting before permanent courts martial are military officers of the same rank as the members of the court in question. The Office of the Armed Forces Attorney-General is responsible for bringing legal action, is a party to all military criminal proceedings and is entitled to appeal. In wartime, the prosecutorial role is discharged by *ad hoc* prosecutors.

The Permanent Judge Advocate's Office (*Auditoría Permanente de Guerra*) is made up of a Judge Advocate General, who serves all branches of the armed services, various judge advocates who are assigned to courts martial and those who are attached to the high command of the different armed forces corps and units. The Judge Advocate General and the judge advocates assigned to permanent courts martial are appointed by the President of the Republic. In principle, but with some exceptions, the judge advocates come from the armed forces. The Judge Advocate General of the Armed Forces, who has the same rank, rights and privileges as the lawyer members (*vocales letrados*) and the Attorney-General, is answerable to the Ministry of National Defence. It is the responsibility of the Permanent Judge Advocate's Office to oversee the legality of investigating procedures and trials within the military justice system, to advise examining magistrates and trial judges and to assist military courts in drafting judgments. In wartime, the judge advocate function is exercised by field judge advocates or *ad hoc* judge advocates.

As far as the jurisdiction of military courts is concerned, the Code of Military Justice distinguishes between peacetime and wartime. However, military courts essentially have jurisdiction *ratione personae* at all times over any offences committed by "enlisted men" (*los "alistados"*) in the armed services (this includes those on active service as well as, in some circumstances, those in retirement), those doing compulsory military service, students in military institutions and colleges and retired members of the military, when in uniform or undertaking operational work.

In peacetime, military courts are responsible for trying "essentially military offences and breaches, these being deemed to be all infractions which, due to the fact that they may affect the existence of the military institution, are exclusively established and punishable under military law". [37] Members of the National Gendarmerie (*Gendarmería Nacional*) are treated as members of the military for the purposes of military criminal jurisdiction.

In wartime, military courts are responsible for trying the following offences: those directly affecting the rights and interests of the State or of individuals, if they are



committed by members of the military or military employees in the line of duty or in places which are under the exclusive authority of the military; those committed by members of the military in the course of carrying out a duty they have been ordered to undertake by their superior officers or at the request of the civilian authorities or when coming to the aid of the latter; and those committed by retired members of the military or civilians, as specified in the Code of Military Justice or in special laws. From the *ratione personae* perspective, in wartime military tribunals have jurisdiction over the following people: employees and operatives who do not have military status and have not been incorporated into the military but who are supplying services to military establishments or military facilities and who commit any offence in such places or in connection with their work; prisoners of war; civilians who are accompanying troops; and civilians who commit certain offences laid down in the Code of Military Justice in areas where military operations or war are taking place. Any citizens, employees or workers from official or private establishments which have been militarized by the executive during a state of war or in the event of "imminent danger" of war are also subject to military criminal jurisdiction. [38] In addition, military criminal jurisdiction in wartime can be extended to cover other offences and civilians by means of military edicts (*bandos militares*) issued by military commanders.

The Code of Military Justice defines a military offence as "any breach of military duty which is punishable under the code or other military laws and which is not classed as a breach of discipline, as well as any act made punishable as a result of edicts issued by the military authorities authorized to do so in wartime". [39] A broad range of infractions are listed in the Code: offences against the loyalty of the Nation, [40] offences against the authorities and constitutional order, [41] offences against discipline, [42] "political or subversive activities", [43] typically military offences [44] and ordinary criminal offences which have been 'militarized', [45] and other ordinary criminal offences. [46] The Code also allows for ordinary criminal offences committed in the line of duty to be subject to military jurisdiction. Article 878 defines a service-related act (*acto de servicio*) as: "anything concerning or connected with the specific duties incumbent on each member of the military as a result of belonging to the armed forces". [47] As well as this broad, generic definition, the Code classifies any act carried out when undertaking duties related to combat, security (for example, standing guard, manning checkpoints and going out on patrol), operating equipment, undergoing instruction (for example, going on exercises and manoeuvres and attending academies) or training as a service-related act. [48]

For peacetime the Code of Military Justice provides for an ordinary procedure, a procedure for special courts martial and a summary trial (*juicio sumario*). The power to order an investigation lies with the military commanders. In the ordinary procedure, once the investigative stage (*fase sumarial*), for which the military examining magistrate is responsible, has been completed and if the case has not been dismissed at that stage, charges are laid against the accused by the military prosecutor at a permanent court martial. After hearings have taken place, the court reaches its verdict and specifies what forms of appeal are available. In the case of special courts martial, the Code establishes another shorter procedure. The summary trial in peacetime can be used "when it is necessary to punish an offence immediately in order to keep up the morale, discipline and military spirit of the armed forces and when serious offences, such as treason, revolt, mutiny, looting, assault on a superior, an attack on the guard or the murder of a sentinel, are involved". [49] For some kinds of offences, the verdicts reached by military courts can be appealed before the Federal Chamber of Appeal (*Cámara Federal de Apelaciones*) with territorial jurisdiction over the place where the act that gave rise to the proceedings was carried out. The competent court in the case of other types of appeal is the Supreme Armed Forces Council. For wartime, an extraordinary procedure with similar features to the summary trial is established in the

Code of Military Justice. Verdicts reached as a result of summary trials, whether in peacetime or wartime, can only be appealed before the Supreme Armed Forces Council.

The counsel for the defence in military courts must always be an officer on active service or in retirement. Retired officers who act as defence counsel are, for those purposes, subject to the Armed Forces disciplinary system.

Law No. 23,049 of 1984, which amended several features of the Code of Military Justice, was introduced specifically to regulate the involvement of the "individual victim" ("*particular damnificado*") in military criminal proceedings. Nevertheless, such involvement is limited since it is confined to indicating measures of proof, requesting notification of the verdict and appealing against it. The involvement of the successors ("*causahabientes*") of the victims in proceedings is also limited in that it is only possible in the case of murder or "unlawful imprisonment which has not come to an end" ("*privación ilegítima de libertad no concluida*"). [50] The legal status and powers granted to the victim and his or her successors in military criminal proceedings cannot be said to compare to those available to someone wishing to bring a civil action for damages ("*parte civil*") in the ordinary courts.

## Footnotes

[1] The Ordinances of Felipe II of 1587, the Ordinances of Felipe IV of 1632, the Ordinances of Felipe V of 1771, the Military Ordinances of Carlos III of 1768, the Naval Ordinances of Carlos IV of 1793, the Royal Order of 1800 and the Shipping Registration Ordinances (*Ordenanzas de Matrículas de Mar*) of 1802.

[2] The Provisional Statute of 1815, the Decree of 12 November 1816 and the Temporary Regulations of 1817.

[3] Eugenio Raúl Zaffaroni and Ricardo Juan Cavallero, *Derecho Penal Militar*, Ediciones jurídicas Ariel, Buenos Aires, 1980, p.171. [Spanish original, free translation.]

[4] Santiago Mario Sinópoli, Verónica de la Torre, Natalia Millán, Daniela Borghini and Verónica Rodríguez Feldman, "Antecedentes históricos del sistema de justicia militar argentino", June 2002, on web [derechomilitar.metropoliglobal.com/artidoc/dermilargentina.htm](http://derechomilitar.metropoliglobal.com/artidoc/dermilargentina.htm). [Spanish original, free translation.]

[5] Law N° 3190 of 6 December 1894.

[6] Zaffaroni and Cavallero, op. cit, p.181. [Spanish original, free translation.]

[7] Santiago Mario Sinópoli, Verónica de la Torre, Natalia Millán, Daniela Borghini and Verónica Rodríguez Feldman, "Antecedentes históricos del sistema de justicia militar argentino", June 2002, on web [derechomilitar.metropoliglobal.com/artidoc/dermilargentina.htm](http://derechomilitar.metropoliglobal.com/artidoc/dermilargentina.htm).

[8] Law N° 3679 of 1898.

[9] Law N° 3737 of 1898.

[10] In 1915, 1917, 1923, 1932 and 1946.

[11] Law N° 14,029 of 4 July 1951

[12] Spanish original, free translation.

[13] Germán J. Bidart Campos, *Tratado elemental de derecho constitucional argentino*, Ed. Ediar, Buenos Aires 1992, Vol. I, pp. 115 to 118.

[14] Review of the International Commission of Jurists, N° 14, June 1975, p.1.

[15] Decree N° 261 of 1975.

[16] Decree N° 270 of 1975.

[17] Spanish original, free translation.

- [18] Report on the Situation of Human Rights in Argentina, document OEA/Ser.L/V/II.49, doc. 19, 11 April 1980, and Annual Report of the Inter-American Commission on Human Rights, 1981-1982, document OEA/Ser.L/V/II.57, doc. 6 rev.1, 20 September 1982.
- [19] Nunca Más - Informe de la Comisión Nacional sobre la Desaparición de Personas, Editorial Universitaria de Buenos Aires, Argentina, 1984, p.479.
- [20] Carlos H. Cerda, *"Evolution actuelle de la justice militaire en Argentine"*, in *L'évolution actuelle de la justice militaire - Huitième Congrès international*, Ankara 1979, Recueils de la Société Internationale de Droit Pénal Militaire et de Droit de la Guerre, Tom. VIII, Vol. II, p. 576.
- [21] Revista de la Comisión Internacional de Juristas, N° 116-17, June - December 1976, p.6.
- [22] Bidart Campos, op. cit., p.462.
- [23] Law N° 22,924 of 22 September 1983.
- [24] Law N° 23,040 of 1983.
- [25] Decree N° 158 of 1993.
- [26] Resolution of the Supreme Armed Forces Council dated 25 September 1984.
- [27] Law N° 23,492 of 12 December 1986.
- [28] Law N° 23,521 of 4 June 1987.
- [29] Decrees Nos. 1002 and 1004 of 7 October 1989 and Decrees Nos. 2741 and 2743 of 30 December 1990.
- [30] Judgment dated 6 March 2001, case N° 8686/2000, entitled "Simón, Julio, Del Cerro, Juan - abduction of 10-year-old juveniles".
- [31] 1994 Constitution, article 75 (22). [Spanish original, free translation.]
- [32] Law 24,556 of 18 October 1995.
- [33] National Decree 32,535 of 1947, Decree Law 6,746 of 1963, Law 23,049 of 1984, Law 22,971, National Decree 531 of 1987 and National Decree 712 of 1989.
- [34] See the web page of the Ministry of Defence: [www.mindef.gov.ar/Principal.htm](http://www.mindef.gov.ar/Principal.htm)
- [35] Article 7 of the Code of Military Justice. [Spanish original, free translation.]
- [36] Article 16 of the Code of Military Justice.
- [37] Article 108 of the Code of Military Justice. [Spanish original, free translation.]
- [38] Article 873 of the Code of Military Justice.
- [39] Article 508 of the Code of Military Justice. [Spanish original, free translation.]
- [40] Articles 621 to 641 of the Code of Military Justice. The following, among others, are classed as offences in this chapter: treason, incitement to commit hostile acts, and espionage or the revelation of national defence secrets.
- [41] Articles 642 to 655 of the Code of Military Justice. Among other offences, this chapter includes rebellion.
- [42] Articles 656 to 701, such as assaulting a superior, disrespect, insubordination, and insulting the sentinel.
- [43] Articles 700 to 702 of the Code of Military Justice. [Spanish original, free translation.]
- [44] Articles 708 to 757 of the Code of Military Justice, such as desertion, offences against the service, abandonment of service and abandonment of one's post or quarters.
- [45] Offences against property, perverting the course of justice, denial or obstruction of justice, bribery, administrative fraud or embezzlement.
- [46] Articles 870 to 871 of the Code of Military Justice. This chapter includes robbery and larceny.
- [47] Article 878 of the Code of Military Justice. [Spanish original, free translation.]
- [48] Article 879 of the Code of Military Justice.
- [49] Code of Military Justice. [Spanish original, free translation.]
- [50] Article 100 bis of the Code of Military Justice. [Spanish original, free translation.]