

**SPAIN'S ANNUAL REPORT FOR THE  
COMMITTEE OF WOMEN IN NATO FORCES  
(2005-2006).**

I.- The incorporation of the woman to the Spanish FAS has been an important landmark for attainment of work equality between men and women in our country. It is not up to 1988, when by the Real Decree-law 1/1988, of February 22, it is regulated, for the first time, the incorporation of the Woman to the Armed forces, although with access limitations to certain Bodies and certain destinations.

At the present time, the women can already access to the same destinations that the men, included those of tactical or operative type. In fact, the career professional today in day is exactly same for men and women, specific quotas neither particularities don't exist for none of the two sexes. Therefore, men and military women have the same tasks, formation, responsibilities, wages, and disciplinary régime

II.- Nevertheless, for the effective attainment of this equality, they have been made or different normative initiatives and performances are developing directed to FAVOR THE INCORPORATION AND PERMANENCY OF THE WOMAN IN THE FAS AND to AVOID ANY TYPE OF DISCRIMINATION FOR REASON OF GENDER:

-In the Law 17/99, of May 18, of Régime of Personal of the Armed forces, and in their normative of development certain measures have been contemplated directed to the protection of the maternity, so much in the selection process (it allows to postpone the physical tests with square reservation), like in the assignment of destinations (it facilitates the change of work position for reasons of pregnancy and nursing, previous medical report).

- The Ministerial Order 102/2004, of May 16, for which the permits are regulated by legal guard and for nursing for the Military Professionals, adapting the concession of the permission for legal guard and for nursing to the structure and specific functions of the Armed forces. The enjoyment of this permits will discharge the applicant of the realization of guards, services, or similar activities that interfere with the exercise of these rights.

- The Real Ordinance 306/2005, of March 18 for the one that modifies the Regulation of the personnel's military professional destinations, approved by Real Ordinance 431/2002, of May 10, by means of which the time of reservation of the destination of the military professionals has been enlarged in situation of voluntary excedencia for

the care of the children, that is to say 12 months or 15 and 18 months as they are numerous families of general or special category.

- Real Ordinance 890/2005, of July 22, for which modifies the Regulation of the personnel's military professional evaluations, in which is regulated the pregnancy like possible cause of postponement of the training course for the upper employment

-The Real Ordinance, 1314/2005, of November 4, the Regulation of retributions, established, in its article 17, that during the enjoyment of the permission of maternity or paternity won't take place reduction in the economic rights.

- Also, it is pointed out that the woman's consolidation in the FAS and the gender questions and equality is principles that govern the normative elaboration of this Department (E.g. the new Law of Troop and Seamanship,), as well as its performance.

- Finally, it is necessary to point out that the gender perspective is taken account in the elaboration of normative dispositions and in general in all the activities developed in the Ministry of Defense.

### **III.- Apart from those legislative initiatives, the following measures have been developed during the last year : :**

The Council of Secretaries by means of Agreements of March of 2005, 4 has approved:

) Five measures to favor the incorporation and the woman's integration in the Armed forces, published by means of the Order DEF/524/2005, of March 7. The grade of execution of the measures is the following one:

1<sup>a</sup>. I CENTER OF STUDY ON THE WOMAN'S SITUATION IN THE ARMED FORCES (OBSERVATORY OF THE WOMAN IN THE FAS).

The Observatory is a dependent collegiate organ of the Undersecretary of Defense whose composition and functions are regulated in the Instruction number 123/2005, of July 18, of the Undersecretary of Defense.

In October 18 were constituted the Observatory and February 27 it celebrated an extraordinary meeting presided over by the Mrs. Vice-president Primera and the Mr. Minister of Defense. In this extraordinary meeting a report was exposed elaborated by the Observatory on the woman in the FAS.

As for their composition, it has been attempted, insofar as possible, to reach a balance presence of men and women as well as of feminine representation of different military categories.

- The Observatory takes charge, among other functions, of elaborating studies on the gender impact in the work environment castrates you and the analysis on the paper and the woman's contribution in the Armed forces.

## 2<sup>a</sup>. THE PROGRAM FOR THE CREATION OF INFANTILE CENTERS (nurseries)

The above mentioned Agreement of March agreed the establishment of a program for the operation and creation of Infantile Centers (Nurseries) in military Establishment to the object of facilitating the reconciliation of the family life and professional of the members of the Armed forces and of the civil personnel to its service.

This program established more than 20 nurseries distributed in eight Autonomous Communities, and the possibility of going revising the priorities for its creation.

Madrid, Galicia, Andalusia, Castilla-La Mancha and Extremadura are already collaborating with this initiative of Defense, through the respective Agreements signed in this respect. They are concluded in their phase of administrative procedure and signature slope, the Agreements of collaboration with the Communities of Aragon. And Murcia.

Regarding the situation of the foreseen centers, 2005-2006 are working for this course the nurseries located in the Arsenal of The Ferrol (Coruña), the Guardia REal ( El Pardo, Madrid), in the Center of Supply of Material of Intendency (Madrid), in the Naval Base of Rota (Cádiz), and it is working in different levels in most of those foreseen in this Agreement of Council of Secretaries.

## 3<sup>a</sup>. MEASURES FOR THE ADAPTATION OF THE LODGINGS TO THE CONDITIONS OF LIFE OF THE WOMAN IN THE ARMED FORCES.

In the adaptation of lodgins in the Units of Defense the gender principle is applying. In this sense, it remarks that all these works (lodgings, wardrobes, sport facilities, sociocultural centers, nurseries etc.) they have been planned keeping in mind the gender approach and the specific necessities of the professional women of the FAS.

## 4<sup>a</sup>. COMPOSITION OF THE ORGANS OF EVALUATION.

By instructions of the Undersecretary of Defense, of April of 2005, 18 , it is guaranteed the woman's presence in the evaluation organs for the promotion, selection to courses and assignment of destinations of

special responsibility or qualification, whenever women exist with the employment required to be part of the mentioned organs.

5<sup>a</sup>. APPLICATION OF THE European COMMUNITY DECISIONS TO THE CONCEPTUAL DELIMITATION OF THE OFFENCES OR AGGRESSIONS IN THE LABOUR ENVIRONMENT

It has been carried out a report on the normative disciplinarian's adaptation from the FAS to the Directive one 76/207/CEE of the Council of the European Communities, relative to the application of the principle of treatment equality between men and women in what refers to the access to the employment, to the formation and the promotion professionals, and to the work conditions, and the Directive one 200/73/CE of the European Parliament and of the Council of September 23 2002 for the one that modifies the previous one.

The conclusions of the above mentioned report determine that the normative one effective he/she responds, in that he/she makes to the disciplinary environment castrates you, to the approaches expressed in the directive ones community and to the purposes that pursue.

B) Other Measures to favor the equality among women and men adopted by ORDER PRE/525/2005, OF MARCH 7 and of the Plan of Equality of Gender in the General Administration of the State for Order APU/526/2005, OF MARCH 7.

1<sup>a</sup>. In the page web of the Ministry of Defense a specific section of the Woman's constituted Observatory has been constituted in the FAS, where it figures, the normative ones on woman and reconciliation in the FAS, statistical and electronic mail address, among other data. observatoriodelamujer@mde.es,

2<sup>a</sup>. The Ministry of Defense carries out the official statistics of disintegration regarding the gender with the biggest possible level.

One of the functions commended to the woman's Observatory in the FAS is in fact the elaboration of statistics on the feminine community that integrates the Armed forces.

3<sup>a</sup>. Regarding military personnel's selection, it has been attempted, insofar as possible, that the composition of the tribunals and of the selection commissions for the access is adjusted to the approach of parity, or, at least, have feminine presence, when it is possible. In this sense it is necessary to keep in mind that it is sometimes difficult to find women with the precise military employment to be part of the tribunals.

4<sup>a</sup>. The General Administration of the State will offer the parity between men and women in the composition of its collegiate organs and experts' committees. " This approach has been kept in mind in the composition of the collegiate organs and committees in the environment of this Department.

oo Advisory Council of Personal: he/she has made sure and guaranteed the presence of at least a member of each sex for each category of Official, Suboficiales and Troop and Seamanship.

the woman's oo Observatory in the FAS: in the appointment of the vowels it will be looked for the presence paritaria of men and women, as well as the feminine presence of different military categories.

In conclusion, we can affirm that the woman's presence in the environment castrates a consolidated reality it is been, although, it is necessary to continue working to continue assuring the effective equality between men and women in the breast of our Armed forces.

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