

SPAIN'S ANNUAL REPORT FOR THE COMMITTEE OF WOMEN IN NATO FORCES (2007-2008).

INTRODUCTION.

The following initiatives and activities were carried out in 2007, without prejudice to those reported for the year 2006, which we have considered appropriate not to repeat in this report.

POLICIES.

Through out 2007, several legal initiatives have been undertaken, focused on favouring the incorporation and permanence of women in the Spanish Armed Forces and preventing any kind of discrimination based on gender reasons:

a- Two important laws were passed in 2007: the *Ley Orgánica 3/2007*¹ (qualified constitutional law), passed on 22 March 2007, for the effective equality of women and men; and the Military Career Law 39/2007² (ordinary law), passed on 19 November 2007, which has come into force on 1 January 2008.

b- As for the *Ley Orgánica 3/2007*, the respect for the principle of equality has become a must in the Spanish Armed Forces and in the Security Forces and Corps. This is an ambitious legal initiative, because not only does it imply the equality of men and women before the law, but it also pursues the elimination of gender-based stereotypes or prejudices, and includes positive-discrimination measures intended to promote the equality of opportunities both in the public administrations and in the private sector.

c- In addition, it is very important to point out that gender equality has been defined as one of the five main principles declared by the Military Career Law. The aim is to get a positive gender impact, so, in that way, this law contains measures to ensure the equality of opportunities in the Armed Forces. In order to reach these goals, the law includes the following issues:

- Principles of gender equality.
- Affirmative actions regarding maternity (this situation is protected in different moments of the military career, such as access, promotion, administrative situations, formation teaching and improvement, assignments, etc).
- Reconciling career development and family life in the Armed forces.
- Military women having representation in evaluation boards.

d- In addition to the legal initiatives explained, it is also important to point out that the Law 7/2007, passed on 12 April 2007, establishes the new Public Workers' Statute. The Statute compiles very important measures on non-discrimination in the incorporation to the civil service and on reconciling family life and career development.

¹ & ² You will find these two laws in the website www.mde.es => *Observatorio de la mujer en las FAS.*

Both kinds of measures are not to be applied directly to the military men and women, but they may become applicable in default of specific regulation.

Apart from the aforementioned, the following governmental initiatives on the presence of women in the Spanish Armed Forces have been passed during the last year:

e-. Spanish Action Plan for the Application of the UNSC Resolution 1325:

The Ministry of Defence actively participated in the elaboration of the Spanish Action Plan for the Application of UNSC Resolution 1325, passed by the Council of Ministers on 30 November 2007.

The Spanish Government, taking account of all the international commitments signed to contribute to peace building and the need to integrate the gender perspective into armed conflicts, has drawn up this Action Plan for the Application of Resolution 1325, which revolves around the following objectives:

11. Strengthening women's participation in peace missions and in peace missions' decision-making bodies.

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32. Promoting the inclusion of the gender perspective in all peacebuilding activities.

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53. Ensuring specific training for personnel participating in peace operations, on matters of equality and about the different aspects of Resolution 1325, and in addition to foster knowledge and dissemination of Resolution 1325.

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74. Protecting the human rights of women and girls in conflict and post-conflict areas (including camps for refugees and displaced persons) and to foster women's empowerment and participation in the processes where peace accords are negotiated and applied.

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95. Incorporating the principle of equal treatment and opportunities for women and men in the planning and execution of activities for Disarmament, Demobilization and Reintegration (DDR), as well as specialised skills training in that regard for all personnel participating in said processes.

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116. Fostering Spanish civilian society's participation in connection with Resolution 1325.

The Spanish Action Plan bears very firmly in mind the requirement of incorporating women, in equal conditions, in representation mechanisms and in the decision-making processes that take place during the different phases of peace missions, keeping them from being relegated and their voices and needs from being silenced.

This National Action Plan is the product of the efforts and coordination put into it by seven different ministries. This Plan is not a closed document, but lies open to any amendments and additions that are seen as necessary once its execution begins.

f-. Spanish Strategic Plan 2008-2011 for the Equality of Opportunities between Women and Men:

The Ministry of Defence made several proposals for the Spanish Strategic Plan for the Equality of Opportunities between Women and Men, passed by the Council of Ministers on 14 December 2007.

It must be noted that this Strategic Plan does not include specific measures for the military women, but a group of twelve objectives to be achieved during the period in which the Plan is in force. These objectives are intended to influence the whole society, as much as the public and private organisations.

As for the Armed Forces, the goals to achieve include implementing gender studies in the Military Centres for Education and Training.

Regarding the gender principle and the gender mainstreaming, the following activities were carried out:

g- Measures to favour the equality between women and men jointly undertaken by the Ministry of Defence and other Ministries:

The Ministry of Defence and the Ministry of Labour and Social Affairs signed a Framework Agreement on 12 September 2006, as a way to establish a cooperation and assistance framework between both Departments, with the purpose of promoting several activities which would lead to encourage the integration of women into the Spanish Armed Forces in the main context of a non-discrimination sex policy, favouring the full integration of women in this field and the reconciliation of their family life and career development.

In 2007, an addendum to the Agreement was signed. The fulfilment of the addendum led to organise the following activities:

- 1-. Publishing a leaflet about reconciling family life and career development. This leaflet was distributed among the military and civilian personnel of the Ministry of Defence, as well as among the members of the Spanish Armed Forces.
- 2-. Three-day courses on equality of opportunities, women and Armed Forces and the principle of gender, addressed to the military and civilian personnel of the Ministry of Defence.
- 3-. Conferences on equality of opportunities, principle of gender and its legal regulation, addressed to the members of the Army, the Navy and the Air Force.

h-. Adaptation of buildings and facilities to women's needs and their living conditions in the Armed Forces:

The principle of gender is being fully applied in the adaptation of buildings, ships and facilities of the different Military Units. In this sense, all these places (vessels, sport and leisure facilities, sociocultural centres, nurseries, wardrobes, etc) have been redesigned –and sometimes rebuilt- keeping in mind both a gender approach and women's specific needs.

i-. Collegiate bodies and boards:

The Spanish *Administración General del Estado* (State Administration) has committed itself to reach the balance between men and women in the composition of its collegiate bodies, committees and boards of experts, as a result of the application of the *Ley Orgánica 3/2007*. This approach has been respected in the composition of the collegiate bodies and committees of the Ministry of Defence.

ORGANISATION.

The Ministry of Defence carries out the official statistics, which are currently disaggregated by sexes at the highest level possible, as a result of the application of the *Ley Orgánica 3/2007*. One of the functions commissioned to the Observatory for Women is, in fact, the elaboration of statistics on the feminine community in the Spanish Armed Forces.

Please find attached the statistical data in Annex I.

RECRUITMENT.

The selection processes for women to join the Armed Forces are exactly the same as for men, with the same conditions and requirements, except for the fitness tests, in which physical requirements are slightly different, according to what was established by the General Regulation for Access and Promotion in the Armed Forces. This legal regulation also establishes specific measures for those applicants who cannot perform the physical tests scheduled in the enlistment call, due to pregnancy or childbirth. In this case, the applicant will be allowed to perform the remaining tests in a further moment. The assignment will remain open and conditioned to the successful completion of the other tests for a maximum period of two years.

Concerning military personnel's selection, it has been attempted, insofar as it has been possible, to have a balanced composition between men and women in the recruitment and selection boards, or, at least, to integrate some feminine presence in those boards.

CAREER DEVELOPMENT.

During the period of pregnancy or breastfeeding, the mother may be assigned -on doctor's orders- to a suitable position to her condition, without losing her assignment. The mother will preferably be appointed in the same unit, centre or organization where she is assigned, and if there are no posts compatible with her condition, she will be appointed to another unit, centre or organization, preferably in the same local area.

SPECIAL INTEREST ITEMS / EVENTS.

a-. Creation of the Prize “Idoia Rodríguez Buján”:

The Prize "Soldado Idoia Rodríguez Buján, Mujer en las Fuerzas Armadas" ("Soldier Idoia Rodríguez Buján, Woman in the Armed Forces") has been created by the *Orden Ministerial* (ministerial order) 509/2007, of 6 March 2007, with two different objectives: the first one, to remember Idoia -since she was the first Spanish military woman who died when carrying out an overseas mission, specifically in Afghanistan; the second one, to acknowledge the efforts made by any organization, collective or individuals, which had promoted the equality of opportunities and women's integration in the Spanish Armed Forces.

b-. Activities carried out by the Observatory for Women in the Spanish Armed Forces (centre for study on the situation of women in the Spanish Armed Forces):

In order to develop its functions, the Observatory for Women has set up a web page, inside the web site of the Spanish Ministry of Defence, containing information about women in the Armed Forces and specific gender questions. The web page is frequently updated and it offers information about the Observatory's regular activities.

Additionally, an e-mail address (observatoriomujerfas@oc.mde.es) and a telephone number (+34 91 395 50 50) are available in order to receive any comments, suggestions, and to request information. In 2007, the Observatory received more than 500 consultations through these ways.

c-. Child-care facilities and nursery schools program:

This program fostered by the Ministry of Defence pursues the objective of providing the military and civilian personnel of this Ministry with child-care facilities in the same buildings or military facilities where their workplaces are located. This measure aims for making easier the reconciling of family life and career development for both military and civilian staff.

The Autonomous Communities of Madrid, Galicia, Andalucía, Castilla-La Mancha, Aragón, Murcia, Extremadura and Valencia are already collaborating on this initiative, through respective Agreements on the matter. An Agreement regarding the implementation of the program in the Autonomous Cities of Ceuta and Melilla was signed between the Ministry of Defence and the Ministry of Education and Science.

At the present time, twelve nursery schools are currently working in eight different Autonomous Communities: 1) the Ferrol Arsenal (A Coruña); 2) the Royal Guard Quarters (Madrid); 3) the Centre of Supplies and Logistics (Madrid); 4) the Rota Naval Base (Cádiz); 5) the Torrejón Airbase (Madrid); 6) the Air Force Headquarters (Madrid); 7) the Navy Orphans' College (Madrid); 8) the Zaragoza Airbase; 9) the Cartagena Arsenal (Murcia); 10) the "Colonel Mate" Base in Colmenar Viejo (Madrid), 11) the *Legión's* 2nd Brigade Base in Viator (Almería); 12) the Army's Nursery School – Arsenal (Las Palmas).

Concerning the situation of the foreseen centres, it is planned to have four new nursery schools finished and operative through out 2008.

Finally, it is necessary to highlight the fact that the availability of these child-care facilities has resulted in a slight increase in the feminine recruitment rate.

CONCLUSION.

The incorporation of women to the Spanish Armed Forces has been an important milestone in attainment of equality of opportunities between men and women in our country. It was not until 1988 when it was regulated the incorporation of women to the Spanish Armed Forces, by the *Real Decreto-Ley 1/1988* (Spanish Government decree), of 22 February 1988. From that date on, women's progressive incorporation to the Spanish Armed Forces has taken place on a voluntary basis and under a gender approach. Additionally, this gender approach implies that there has to be certain measures concerning recruitment and employment established to favour women or to compensate them because of their biological differences (mainly pregnancy, childbirth and breastfeeding).

In this sense, it is important to highlight as outstanding the fact that, in 2007, military women represented over 12% out of the total active military forces of Spain.

In 2008, it is being commemorated the 20th anniversary of the incorporation of women to the Spanish Armed Forces. Throughout the last two decades, the Spanish Armed Forces have experienced a fundamental and historical -but progressive- change.

In conclusion, we can assert that women's presence in the Spanish Armed Forces is a consolidated reality, although it is necessary to keep on working to reach and ensure the effective equality between men and women and to reach the balance between family life and career development.

Madrid, February 2008.