

# SPAIN'S ANNUAL REPORT FOR THE COMMITTEE OF WOMEN IN NATO FORCES (2008-2009).

## INTRODUCTION.

The following initiatives and activities were carried out by the Spanish MoD and the Spanish Armed Forces in 2008, without prejudice to those reported for the year 2007.

## POLICIES.

Through out 2008, 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-** The Military Career Act 39/2007, passed on 19 November 2007, came into force on 1 January 2008.

**b-** In this sense, 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 Act. The aim is to get a positive gender impact, so, in that way, the Act contains measures to ensure the equality of opportunities in the Spanish Armed Forces. In order to reach these goals, the Act includes the following issues:

- Principles of gender equality.
- Affirmative actions regarding pregnancy and maternity (this situation is particularly 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.

**c-** The coming into force of this Act has required the issue of new regulations as a development of its different aspects:

- New regulation on the military assessment and promotions system, which has been set by *Real Decreto 168/2009* (application decree): it contains several measures in order to protect women in pregnancy or maternity periods from losing their opportunities to be fairly assessed and consequently promoted. Pregnant women can delay their physical examination or their attendance at the compulsory training courses. Feminine presence is obligatory in the assessment boards, at least in a minimum proportion, if there are women having the military rank required to be part of the board.
- Regulation on the assessment of occupational hazards, also by the *Real Decreto 1755/2007* (application decree): it allows pregnant military women

- New Royal Ordinances: these are the rules of behaviour of all the Spanish military men and women, without consideration to their rank, since they are the code of conduct of the military, according to the Spanish Constitution and to the Law. These rules, when it comes to gender equality, include: watching over the effective equality between men and women, preventing gender-based violence and forbidding any kind of sex discrimination in the Forces.
- Real Decreto ruled maternity positive measures during training period.

**d-** Implementation of a gender office within the structure of the Spanish MoD:

The regulation on the structure and functions of the different services of the Spanish MoD, set by *Real Decreto 1126/2008*, has attributed the functions of coordinating and promoting gender equality policies to the General Management for Personnel. In this sense, the General Director for Personnel is from now on the high-ranking government official responsible for implementing and developing gender policies in the SAF.

In the field of governmental initiatives fostering the presence of women in the Spanish Armed Forces, the following ones have been put into practice during the last year:

**a-** 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, which revolves around the following objectives:

- Strengthening women's participation in peace missions and in peace missions' decision-making bodies.
- Promoting the inclusion of the gender perspective in all peacebuilding activities.
- 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.
- 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.
- 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.
- 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.

Throughout 2008, more than one hundred seventy activities were carried out in application of this Plan, most of them in peacekeeping missions in which Spain has

participated, supporting and benefiting hundreds of women and girls in Afghanistan, Lebanon, Sudan, Bosnia and Kosovo.

**b-**. 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. It has been successfully put in practice, since the blocks of lessons and syllabus of the military formation does already include issues on gender perspective and equality.

Regarding the gender principle and the gender mainstreaming, the following activities were carried out by the Spanish MoD itself:

**a-**. Adaptation and improvement of feminine uniforms:

After having noticed some improvable aspects of the women's uniforms, the Spanish MoD elaborated a comprehensive statistical survey on the issue which was distributed to almost five hundred military women. They were able to complete it and send it online, and the results are being currently compiled, and they will be soon analyzed.

Last year, the Spanish MoD and the Ministry of Public Health and Consumer Affairs began the negotiations to set an Agreement between both Ministries. It will open a way of collaboration in the carrying out of the measures proposed as a result of the survey.

**b-**. 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 and facilities of the different Military Units. In this sense, all these places have been redesigned –and sometimes rebuilt- keeping in mind both a gender approach and women's specific needs.

However, on its will of effectively improving military women's quality of life, the Spanish MoD has developed a checklist which will be applied in 2009 to assess the adaptation of infrastructures to the presence of women within them. According to the results of this assessment, new projects for the improvement of facilities will be taken into consideration.

**c-**. 'Train the trainers' policy:

The 'train the trainers' policy on gender issues implies the training of those people who are going to deal, on a daily basis, with different situations in which they are going to be responsible for effectively implementing the gender equality. It is assumed that they will work, through their own actions, as trainers of their own subordinates.

In order to extend this policy at all levels, many courses are organised every year, introducing UNSCR 1325 and gender issues as a part of the general military training and education:

- 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.
- 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.
- Conferences in Universities, Seminaries and other open forums. In this field, it is worthy mentioning two international Seminars organised last year in Spain concerning Women and Armed Forces:
  - 1) The first one, as a part of the '5+5' Initiative, studied the situation and evolution of women in the armed forces of Spain, Portugal, France, Italy, Malta, Mauritania, Morocco, Algeria, Tunis and Libya. It was held in Madrid from 21<sup>st</sup> to 23<sup>rd</sup> April 2008.
  - 2) The second one, organised as a part of the 20<sup>th</sup> anniversary of Women in the SAF, also took place in Madrid, from 9<sup>th</sup> to 10<sup>th</sup> September, and was attended by delegates of almost all European NATO countries, as well as other Euro-Atlantic Partnership nations.

**d-** 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.

Regarding the evaluation and promotion boards, an average of 24,9% of their members were women.

## **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.

**a-** General percentage of women in the forces:

	Army	Navy	Air Force	Joint Corps	<b>TOTAL</b>
% of women	12,10%	11,90%	12,60%	18,30%	<b>12,30%</b>

**b-** Percentage of women in the different military ranks:

	Army	Navy	Air Force	Joint Corps	<b>TOTAL</b>
Officers	2,40%	2,80%	5,80%	21,80%	<b>5,90%</b>
N.C.O.	1,50%	0,90%	2,10%	1,90%	<b>1,50%</b>
All rank and file	17,00%	18,30%	20,30%	-	<b>17,70%</b>

c-. General percentage of women in the Reserve Force:

	Army	Navy	Air Force	Joint Corps	TOTAL
% of women	23,20%	11,60%	18,30%	30,60%	<b>21,10%</b>

## **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 examinations, whose 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 examination 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.

During the last year, 18 selection boards were formed, including a total of 113 members, 29 of which were women.

## **CAREER DEVELOPMENT.**

The principle of gender is being fully applied in the assignments to the different Military Units. In this sense, all posts are open for any man or woman who can meet the specified requirements in each case, without any gender-based restrictions. Nowadays, none of the different Corps keeps formal restrictions to women's access, thus granting that all the post will be covered on the principles of merit and capacity.

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.

The new regulations explained in the 'Policies' section have strengthened the principle of equality, in the sense of not only forbidding any discrimination based on the gender, but also setting affirmative actions in order to ensure that no indirect discrimination could take place against military women (in determined situations, such as pregnancy, maternity or breastfeeding).

## **SPECIAL INTEREST ITEMS / EVENTS.**

### **a-** Awarding 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*') was created by the *Orden Ministerial* (ministerial order) 509/2007, of 6 March 2007, with two different objectives: the first one, remembering Idoia -since she was the first Spanish military woman who died when carrying out an overseas mission, specifically in Afghanistan; the second one, acknowledging 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.

In the 2008 edition (which has also been its first one), the prize was given to women who joined for the first time many different Corps of the Spanish Armed Forces. In total, one hundred women were awarded.

### **b-** Twentieth anniversary of the presence of women in the SAF:

Spanish women have been on duty in the SAF for the last twenty years, since the very first moment they were legally allowed. Hence, the need of acknowledging their important contribution to the peace and security of our country, and also to the peace and security of other nations, given their participation in all peacekeeping missions in which Spain has been involved during this period.

According to that, and willing to highlight the presence of women in the SAF, the MoD issued last September an advertising campaign commemorating this twentieth anniversary. The spots shown different military women carrying out various tasks in their posts, such as tank drivers, fighter pilots, members of the Emergencies Military Unit or submarines crew. They also gave their personal impressions about the present and future of women in the SAF. This campaign successfully achieved its objective of presenting real women working in the SAF, fully integrated, making them clearly visible to the Spanish society.

- Organised as a part of the 20th anniversary of Women in the SAF, also took place in Madrid, from 9th to 10th September, and was attended by delegates of almost all European NATO countries, as well as other Euro-Atlantic Partnership nations.

### **c-** Activities carried out by the Observatory for Women in the Spanish Armed Forces (MoD Centre for study on the situation of women in the Spanish Armed Forces):

The Observatory held a plenary meeting last 3<sup>rd</sup> September, chaired by the Ministry of Defence, in which a group of measures was proposed and approved in order to increase the recruitment, retention and equality of gender concerning women in the SAF. These measures included consolidating the policies favouring the balance between family life and professional career, studying the quality of important day-to-day aspects in women's work, or watching over the effective application of the legal regulations on gender equality.

In order to develop its own ordinary functions, the Observatory for Women has set up a web site, inside the Spanish MoD's one, containing information about women in the Armed Forces and other gender questions. This site is frequently updated, and it offers information about the Observatory's regular activities, as well as other issues regarding gender equality, balancing family life and professional career or the UNSC Resolution 1325.

Additionally, an e-mail address ([observatoriomujerfas@oc.mde.es](mailto:observatoriomujerfas@oc.mde.es)) and a telephone number (00 34 91 395 50 50) are available in order to receive any comments, suggestions, and to request information about the mentioned issues. In 2008, the Observatory received 641 email consultations and 137 telephone calls.

**d-. 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, Valencia and Castilla-León 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, seventeen nursery schools are currently working in eight different Autonomous Communities.

Concerning the situation of the foreseen centres, it is planned to have four new nursery schools finished and operative throughout 2009.

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 the 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* (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 2008, military women represented over 12% out of the total active military forces of Spain.

In 2008, it has been commemorated the 20<sup>th</sup> 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, May 2009.*