

## **Spain – National Report**

I. - The accession of woman to the Spanish Armed Forces has been an important milestone for the attainment of work equality between men and women in our country, since this work environment has been one of the last ones to open its doors to women as workers. That is why, different regulating initiatives (such as regulation of permits and rights, uniformity, etc) and operational initiatives (such as co-operation with the Women's Institute, fitting out of infrastructures, Advisory Councils, etc) have been carried out aimed at favouring the accession and continuance of women in the Armed Forces. In this sense, it is important to highlight as an outstanding fact that, in April 2004, military women represented a 10.5% of the total strength of the Spanish Armed Forces. There is an annex including significant statistical data of women in the Spanish Armed Forces.

II. - Background and evolution. - The integration of women into the Armed Forces was for the first time regulated in February 22, 1988, through Royal Decree-Law 1/1988. However, it included certain restrictions to accede to certain Corps and postings. Nevertheless, in May 18, 1999 with Law 17/1999 of the Armed Forces Personnel Policy the equality principle was entirely applied and women could accede to the same assignments as their male counterparts, including tactical and operational posts. However, the above-mentioned law includes in its articles certain measures favouring women or compensating them for their biological differences, mainly pregnancy, childbirth and breastfeeding.

III. – The professional career is today exactly the same for men and women. There is no specific quota or special conditions for any of the genders. Therefore, service men and women have the same tasks, training, responsibilities, benefits, wages, and disciplinary rules.

### **DEVELOPMENT OF REGULATIONS AND ACTIONS TAKEN TO FAVOR THE ACCESSION OF WOMEN TO THE ARMED FORCES AS WELL AS THE CONCILIATION OF FAMILY AND PROFESSIONAL LIFE OF ALL MEMBERS OF THE ARMED FORCES.**

#### **DEVELOPMENT OF REGULATIONS. -**

In this regard we need to mention the following issues:

- **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 which in the case of women, can be more limited, in accordance with what is regulated in the General Regulation for Access and Promotion in the Armed Forces. It also establishes specific measures when the applicant due to pregnancy or childbirth cannot perform the physical tests established in the enlistment call. In this case, the applicant will perform the rest of the tests, with the position remaining open and conditioned upon the successful completion of the other tests for a maximum of two years. In these cases the age limit is not applied.

- **Employment.**- As established in Royal Decree-Law 431/2002, of May 10, which endorsed the Regulations for the Assignments of Professional Military Personnel, during the period of pregnancy or breastfeeding, a woman may be assigned - on doctor's orders - to a position appropriate to her condition, without involving the loss of her assignment. This new posting will preferably be in the 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.

- **Leaves.**- Women in the Armed Forces have the right to the same leaves as the rest of women serving in the Public Administration, being these leaves adapted to the specific structure and tasks of the Armed Forces. (Parental leave, reduction of working day for childcare, breastfeeding leave, extended leave of absence for childbirth or to look after a relative).

-**Uniforms.**- The integration of women into the Armed Forces has required female uniforms to be regulated. Now, in order to simplify the regulations of each of the Services on this issue, and to standardize the common basic principles, the Ministry of Defence has recently endorsed a Ministerial Order regulating uniforms for pregnant women in the three Services and in the legal, finance and medical corps.

- **Disciplinary and Criminal Regulations.**- The legal code regulating the military institution imposes disciplinary and criminal sanctions, depending on the nature of the offenses, for those aggressions or behaviours attempting against the sexual freedom of the members of the Armed Forces.

#### - **MEASURES.** -

- **Infrastructure.** - The presence of women in the Armed Forces has required the introduction of certain changes in accommodations, since there was an initial lack of appropriate facilities. These adjustments have been made based on the indispensable separation of both genders in order to guarantee the privacy of their lodgings and hygienic premises and wardrobes. We can say that such adjustments have basically all been made.

Obviously, this does not exclude that, in certain situations (exercises, military manoeuvres, submarines), the needs of the service may involve a closer cohabitation between service men and women and, thus, that they may have to share accommodations.

- **Nurseries.** – In order to facilitate the conciliation of the professional and family life of the members of the Armed Forces, the Ministry of Defence has got in touch with several Autonomous Communities in order to find means of cooperation that will allow the creation and setting in train of nurseries and kindergartens in military facilities. As a result of these negotiations, an Agreement was signed on May 13, 2002 with the Government of the Province of Galicia. Thus, since January 16 of this year, there is a nursery already in operation in the Arsenal of the Navy in Ferrol for 43 children from 0 to 3 years old. However, due to the great demand they are recently trying to enlarge it. At the same time, on May 20, 2003 a Framework Agreement on Co-operation between the Community of Madrid and the Ministry of Defence was signed, aimed at guaranteeing the creation, coordination, and operation of Nurseries and Kindergartens owned by the Ministry of Defence. As a result, several important steps are being taken in order to create and open Nurseries and Kindergartens in different military facilities located in the Autonomous Community of Madrid. In this sense, it must be noted that the premises planned are now being fitted out for this aim as was foreseen in the relevant regulations, and the corresponding authorizations are being dealt with the Education Department of Madrid.

- **Steps taken with the Spanish Institute for Women.**- Both the Minister of Defence and the Minister of Employment and Social Affairs signed a Framework Agreement on December 5, 2001, in order to establish a cooperation and assistance framework

between both Departments, with the purpose of promoting several activities to boost the integration of women into the Armed Forces. Such Agreement sets forth that “the Institute for Women and the Ministry of Defence share the goal of doing everything possible to assure that the integration of women in the Armed Forces is carried out without any incidents, eliminating those conditions or circumstances that may negatively affect the non-discrimination sex policy, favouring the full integration of women in this field and the conciliation of their family and professional life”.

The specific steps that will be taken every year will be implemented through Specific Agreements. The Specific Agreement of 2002 planned to hold a Conference which actually took place last October. This Conference analysed the current situation of servicewomen as regards to their integration and professional career, conciliation of their family and professional life, and all in all, of the possible impact of the presence of women in the military institution itself, which historically has only been made up by men.

A Specific Agreement was signed on April 29, 2003 whose main goals were to develop information and educational campaigns on issues related to personnel regulations, rules of discipline and rights for the conciliation of the family and professional life of the members of the Armed Forces, as well as to study and analyse the situation and concerns of women in the Armed Forces, in order to continue promoting their full integration in this field. Once the situation was analysed, brochures were prepared, published and distributed to all military Units, Centres and Establishments informing about the main aspects concerning the reconciliation of Family and Professional Life in the Armed Forces, with information telephones and electronic mails to inform about these issues.

**- Personnel Advisory Boards.-** Spain has recently created and set up Personnel Advisory Boards, which are collegial bodies whose task is to analyse and assess the proposals and suggestions submitted by military professionals on issues concerning the personnel regulation policy and the military status. These boards are a new channel for military of all ranks and hierarchy levels to present their proposals or suggestions, preserving the independence of their criterion and freedom of speech, since they are integrated in a body that does not belong to the hierarchical structure. There is one Personnel Advisory Board for each Service and another one for the Legal, Finance and Medical Corps of the Armed Forces.

As for its composition, it is made up by at least one member of each sex for each category of Officers, NCOs and Professional Soldiers and Sailors.

**SERVICEWOMEN IN THE SPANISH ARMED FORCES**

**(SUMMARY)**

	COMMAND POSTS			PROFESSIONAL SOLDIERS & SAILORS	TOTAL
	Officers	NCOs	Students		
Army	124	71	94	7.358	7.647
Navy	31	9	9	1.909	1.958
Air Force	95	44	54	2.088	2.281
Common Corps	502	8	48	---	558
<b>TOTAL</b>	<b>752</b>	<b>132</b>	<b>205</b>	<b>11.355</b>	<b>12.444</b>

Source: DIGENPER

Data: April 2004

**PERCENTAGE OF WOMEN OF THE TOTAL STRENGTH**

**IN THE ARMED FORCES**

	PERCENTAGE
ARMY	10.5 %
NAVY	9.7 %
AIR FORCE	10.5 %
COMMON CORPS	14.1 %
<b>TOTAL</b>	<b>10.5 %</b>

**PERCENTAGE OF WOMEN OF THE TOTAL  
COMMAND POSTS**

	<b>PERCENTAGE</b>
<b>ARMY</b>	0.8 %
<b>NAVY</b>	0.5 %
<b>AIR FORCE</b>	1.4 %
<b>COMMON CORPS</b>	14.1 %
<b>TOTAL</b>	<b>1.9 %</b>

**PERCENTAGE OF WOMEN OF THE TOTAL OF  
PROFESSIONAL SOLDIERS AND SAILORS**

	<b>PERCENTAGES</b>
<b>ARMY</b>	15.9 %
<b>NAVY</b>	15.8 %
<b>AIR FORCE</b>	18.2 %
<b>TOTAL</b>	<b>16.3 %</b>