

SPANISH NATIONAL RESERVE FORCES STATUS (as of January 2009)

COUNTRY: **SPAIN**

GENERAL INFORMATION:

A new "Military Career Law", in force since late 2007, had confirmed the Spanish model for reserve forces, which is comprised of two categories, or two different ways to build up the reserve contingents:

- **Volunteer's reserve:** that is similar to the homonymous NATO category in the MC 441. Former military or (mainly) civilians sign a contract with the Armed Forces for three years, extendable for the same period until the age of fifty eight. Current strength is near to 6.000 reservists; 21% of them are women. The distribution of selected candidates in according with their professional titles, academic qualifications or university degrees, is demonstrating that the majority of the current candidates to obtain the condition of volunteer reservists are owner of the highest level of professional skills, following by those showing primary and secondary school diplomas. This means a imbalance in ranks, with more Officers and NCOs that enlisted.
- **Obligatory:** For everybody comprised between nineteen and twenty-five years old which will be mobilized in accordance with a specific crisis situation. Parliament approval, Government decision and order are required. The current figure is estimated in 2.500.000 Spaniards.

A third model: the temporary reserve, which is compulsorily comprised of licensed professional enlisted, has been dismantled by the new law, so all the current "temporary reservists" will be dismissed by June 2009.

Former regular military turn into reserve status at the age of 61 for Officers and NCOs and 58 for enlisted. At 65, they all turn into retired.

BASIC ORGANISATION AND PRINCIPLE:

The obligatory reserve has been created with the solely purpose of mobilization in case of serious national crisis. The Spaniards can be mobilized to serve within the Armed Forces or, if needed, within other organizations, institutions or agencies of general interest for the Nation. A detailed regulation for the employment, deployment and training of these reservists has not been drafted yet.

The Volunteer Reservist appeared few years after the ending of the conscription, to make possible the right/obligation of all Spaniards to defend their country, as the Spanish Constitution states. The Ministry of Defence approves and publishes a yearly planning for activation of volunteer reservists, with the maximum figures to activate for training and active duty, as well as for new joining.

Volunteer reservists cannot be activated to complete any post within existing military units or to generate new ones, they are simply reinforcing the actual units, in those functionalities where are most needed.

The Royal Decree that approved the Regulations for access and regime of volunteer reservists, states the necessity of establishing memoranda of understanding (MOUs) and other agreements between the Ministry of Defence and the employer organisations, public administrations and social agents in order to co-ordinate their military education and training, programmes and periods, in harmony with labour activities. In this field we consider very useful the work that is being carried out by the NRFC at this moment and we will contribute to and learn from it

MAIN LEGISLATION:

In general the National Reserve concept, and in particular that of Voluntary Reserve, is based in the following three main legal documents:

- The article 30.1 of the Spanish Constitution (1978), expressing the general right and obligation for Spaniards to defend their country, is of paramount importance.
- The Law 39/2007, "The Military Career" regulates, among others, the reservist status. It is the legal support for the activation, duration and call-out regulations.
- The Royal Decree 1691/2003, dated 12 December, which approves the Regulations for accession and regime of volunteer reservists. It develops who, how, when and where in relation with volunteer reservists. This document is currently being reviewed, and a new version will be approved soon.

While the obligatory reserve has been thought for extraordinary situations, the volunteer reservists represent not only a supplementary contribution to our national defence, even in peacetime, but also a deep and strong link between Armed Forces and the civil society.

All Spaniard between 18 and 58 years old are free to apply for and to offer their skills and expertise in relation with the specific posts that are published in order to arrive at the end of each year with the number of reservists desired and decided by the Government,.

They have to succeed the selection process and turn on candidate to be volunteer reservist. Then they will be trained in basic military issues and exercises during a relatively short period of time, no more than thirty days.

Finally, they will receive education and training related to specific aspects and responsibilities of their future and potential job. However, seven days per year are considered necessary to pass a re-cycling and updating period, if they have not been activated, yet.

FUNCTION OF RESERVES:

- In principle reservists have to serve in any unit or office within the Armed Forces as individuals, and mainly inside the Spanish soil. The build-up of Reservists Units is not foreseen.
- However, from this year 2009, the Spanish Government will also authorise volunteer reservists to carry out certain missions and tasks abroad, in accordance with the compromises and requirements derived from the international agreements signed by Spain or to contribute to the implementation of peace and security around the world.
- Furthermore, obligatory reservists could also be mobilised to serve for general interest, other than military, goals and objectives but concurrent with the National Defence necessities, e.g. Civil protection, Citizen safety and security, Environmental cares and Social services.

When volunteer reservists are activated, we do not use to say mobilised for this type of reservists, they become fully military professional during the time they are working for the Armed Forces and they will be individually occupying the position what they were assigned to in the selection process. Until that moment they are civilian and will wear uniform only in solemnities and special military events, and they can be members of the existing Associations for reservists integrated in the Spanish Federation of Reserve Organisations (FORE) that also belong to CIOR.

CATEGORISATION/READINESS:

As it has been said above we have two categories of reservists: voluntary and obligatory. The first must be available to be incorporated into service during a certain time, once they are called, always more than one month. The legal notice for activation is a minimum of 15 days. However, the reservists can (and may) choose when they want to be activated within a year. For this purpose, they keep a continuous contact with the provincial delegations of the Ministry allocated all around Spain, so they know very much in advance when and where they will turn into active duty or military training.

From our statistic, after the series of callings over the last years it is easy to see that there is not appropriate balance between the amount of reservists being Officers, NCOs and Enlisted. People willing to play as Officers/NCOs volunteer reservists are almost double than those requesting enlisted positions. Therefore, with this "raw material" it is difficult to think about units of reservists, at least in this moment.

FUNDING:

- At the beginning of each year the Spanish Government publishes the maximum amount of places within the administration to be filled until December, what includes those of volunteer reservists. As a

consequence the Annual National Defence Budget will include funds for training and activate volunteer and temporary reservists.

- The Spanish MoD will establish agreements with employers, social agents and other related bodies within the Public Administration in order to define, inter alia, the percentage of reservists which could be activated within the same enterprise and the more appropriate period of the year to activate them when organizing training and updating courses.

TRAINING:

When decided, an official resolution orders the starting point for a new selection process. This resolution really develops and completes all that is stated in general terms by the cited Royal Decree. It normally refers to general conditions to take part on the selection process, for instance, to be Spaniard; to have good behaviours; to be between eighteen and fifty five for soldiers and fifty eight for Officers and Non Commissioned Officers; to keep all civil rights; not to be objector. Also a list of official and valid documents to demonstrate personal qualifications and skills is included.

The list of medical conditions and exclusions, that is the same for all applicants intending to come into Armed Forces anyhow, is also referred. And finally, directions for a special psychological support, in order to help the candidate during the election of any possible position, from the list of those posts proposed by the resolution, are also provided.

Volunteer reservists have to receive a basic military training, and also specific, if necessary; just from the moment they have been selected after requesting for that condition. Each service, Army, Navy, Air Forces and Medical, Legal and others, is responsible for military training, basic and specific, depending upon chosen posts. Between 15 and 30 days, continuously or discontinuously is the normal length of these courses.

Then they sign the contract that means a free temporary and voluntary compromise for three years that could be prolonged for other similar periods until reaching the age of 61 for Officers and NCOs and 58 for enlisted. The contract should reflect how long the reservist wants to be activated during each period and also his willingness to participate in missions abroad.

They must also receive periodical, training and updating, once a year, in accordance with the requirements of the post they have been given. It will be no less than seven days, within the normal contract scope of three years, in order to improve their knowledge and professional skills.

CONCLUSIONS:

The process for recruiting Volunteer Reservists, although young, is already consolidated. Currently, the final target to reach is a figure of 15.000 volunteer reservists, but this is still estimation and a slow process.

The Spanish concept of National Reserve is, so far and with some singular exceptions, not to create and employ units but to use volunteer

reservists in accordance with their individual capabilities to complement those of professional men and women.

Next step will be to deploy reservists abroad, "supporting" the several Task Forces that Spain keeps in the current international missions in Africa, Central Europe and Asia/Middle East. Medics and CIMIC are the main functions considered. The experience of the tsunami in Sumatra, where five medicine doctors and nurses were included in the vessel sent to collaborate in the relief works was more than satisfying.

A good experience too was the participation of six volunteer reservists in the NATO exercise Steadfast Joist 2008 as augmentees to the EXCON, acting as journalists' role-players and contributing to the MEL/MIL process.