



QUAKER COUNCIL FOR EUROPEAN AFFAIRS

The Right to Conscientious Objection in Europe: A Review of the Current Situation

Country Report: SPAIN

Conscription

The Spanish government initially planned to end conscription by 2003, but the last conscripts were already called up for military service in 2001. Since 2002 the armed forces consist of professional soldiers only.

Conscription and the right to conscientious objection are still included in Article 30 of the Constitution, according to which: "Citizens have the right and duty to defend Spain (...) The law shall determine the military obligations of Spaniards and regulate conscientious objection with its due guarantees".¹

Conscientious objection

The history of conscientious objection in Spain is relatively short. The right to conscientious objection was included in the Spanish Constitution in 1978, after which the Law on Conscientious Objection (Law 8 and 48/1984) was introduced in 1984. The first COs performed substitute service in 1988. During the 1990s, the number of COs increased every year. By 1997 Spain was in fact the European country with the highest number of COs. In 2000 there were approx. 120,000 COs, which was in fact approx. 70 per cent of all eligible conscripts. The high number of COs was, in fact, believed to be a main reason why the Spanish government decided to suspend conscription earlier than was initially planned.²

There are no legal provisions for conscientious objection for professional soldiers.³
In recent years, there are no known cases of professional soldiers seeking discharge from the armed forces because of conscientious objection.⁴

¹ Global Coalition to Stop the Use of Child Soldiers: Child Soldiers Global Report 2004.

² Regional Network for Conscientious Objection 'Objection for Peace': To Europe Through Conscientious Objection and Civilian Service, report regional conference, Sarajevo, September 2004.

³ Information provided by European Bureau for Conscientious Objection, October 2004.

⁴ European Bureau for Conscientious Objection (2004).