

MINISTRY
OF FOREIGN AFFAIRS
AND COOPERATION

THE INTRODUCER OF AMBASSADORS

CIRCULAR ORDER 4/2014

INSTRUCTIONS ON THE USE OF FOREIGN DECORATIONS BY SPANISH
CITIZENS

28 November 2014

The purpose of this Order is to update the provisions on the use of foreign Orders, decorations and medals, whether civil or military, pursuant to the Royal Decree dated 5th July 1916 and Circular Order 3199 dated 28th October 1994, with the aim of strengthening the legal certainty of the awarding thereof and preserving the prestige of official rewards.

At present, the legal system regulating honours is characterised by the co-existence of a plethora of widely differing honours and distinctions that are bestowed by very different authorities, including not only foreign public authorities but also public-law corporations, academies, societies, entities and semi-public bodies.

In order to prevent this proliferation of decorations and the consequent confusion between those that are official in nature and those that are not, a more restrictive interpretation of the concept of “reward” seems absolutely necessary.

To this end, the clarifying criterion on which the present Order is based is that only those Orders, decorations and medals that have been conferred by a State—as defined by public international law—can be officially used in Spain, after securing the permission of the Ministry of Foreign Affairs and Cooperation (“national assent”). Also, to avoid the appearance or to put an end to the subsistence of presumed Orders or pseudo-Orders with confusing names and of dubious legality, it seems advisable that such permission be extended, on a case-by-case basis, to the wearing of the insignia of foreign historical Orders that, like the Sovereign Military Hospitaller Order of Saint John of Jerusalem of Rhodes of Malta, the Order of the Holy Sepulchre of Jerusalem, the Royal Order of St Januarius or the Sacred Military Constantinian Order of Saint George, came under the protection of or were linked to the Crown and history of Spain, as set forth by the Ministry of Defence in its General Instruction 06/12, on permission to wear civil and military rewards.

Along the same lines, Spain’s growing participation in the activities of regional or global international organisations, and the recognition that these organisations are increasingly bestowing upon Spanish citizens for merits evidenced in carrying out the tasks and attaining the objectives for which such organisations were established, demand a more flexible legal treatment that is in keeping with the times as regards the wearing the honours and decorations granted by these

organisations. In view whereof, it is proposed that this permission be extended to encompass the official use in Spain of civil and military rewards bestowed upon Spanish citizens by those international organisations of which Spain is a Member State.

In view of the foregoing, in order to update the rules regarding the official use of foreign decorations by Spanish citizens, the following mandatory INSTRUCTIONS are hereby handed down:

1. No Spanish citizen may accept or wear foreign decorations without securing the mandatory permission of the Government of the Nation.
2. Such permission may be secured by diplomatic channels, if requested directly by the foreign government that intends to bestow the decoration, or by the interested party applying to the Ministry of Foreign Affairs and Cooperation.
3. The wearing of foreign civil or military rewards granted by a State with which Spain maintains diplomatic relations is hereby allowed only after the granting of the national assent regulated hereunder. On a case-by-case basis, national assent may be granted to wear the insignia of foreign historical Orders that have maintained a centuries-old connection with the Crown of Spain or came under its protection.
4. The wearing of civil and military rewards granted by international organisations of which Spain is a Member State is hereby allowed only after the granting of the national assent regulated hereunder.
5. An essential requirement for the granting of national assent is the submission of the letters patent or warrant granting the honours—or a certified copy—together with a sworn translation thereof.
6. All applications shall be considered and resolved by the Ministry of Foreign Affairs and Cooperation, after—where the case may be—hearing from the Public Administration to which the interested party belongs.
7. Conveyance of a foreign decoration via the Ministry of Foreign Affairs and Cooperation of Spain tacitly implies the granting of permission to the holder to accept and wear said decoration.

REPEALING PROVISION

Circular Order number 3199, dated 28th October 1994, and all previous legal provisions handed down by the Ministry of Foreign Affairs and Cooperation that are contrary to the present Order are hereby repealed.

By order of the Minister, I do hereby inform you of the foregoing for your information and consequential effects.

THE UNDER-SECRETARY

Cristóbal González-Aller Jurado