



# **Convention on the Elimination of All Forms of Discrimination against Women**

Distr.: General  
26 October 2021  
English  
Original: Spanish  
English, French and Spanish only

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## **Committee on the Elimination of Discrimination against Women**

### **Information received from Andorra on follow-up to the concluding observations on its fourth periodic report\***

[Date received: 13 October 2021]

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\* The present document is being issued without formal editing.



## **I. Introduction**

1. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 26 (a) and (c) and 36 (b) and (c).

## **II. Follow-up information**

### **A. Follow-up information relating to paragraph 26 (a) of the concluding observations (CEDAW/C/AND/CO/4)**

2. The Government of Andorra and the University of Andorra formalized an agreement in 2020 to offer basic and more advanced training on an ongoing basis to professionals who work directly on cases involving victims of gender-based violence. During the first edition of this training programme, training was delivered to the police force and to professionals from the Andorran Association of Psychologists, the Andorran Health Service and the Andorran Bar Association. The programme will be run for a second time in 2021, when the training will be provided to those who did not receive it in 2020, and it will be extended to other groups.

3. In addition, on 4, 11 and 18 October 2021, training will be delivered to the Andorran Bar Association on gender-based violence, the regulations in force, legal and criminal proceedings, the support service for victims of gender-based violence, and secondary victimization.

4. To commemorate International Day for the Elimination of Violence against Women on 25 November 2020, a campaign was run that included different activities:

(a) Lilac masks with white ribbons were made and distributed: 500 for adults and 250 for children.

(b) A video was produced and disseminated, in which professionals likely to be involved in identifying and taking action on cases of gender-based violence and domestic violence spoke out against violence and gave real information on gender-based violence. The participants included professionals from the police force, the fire brigade, Our Lady of Meritxell Hospital, the ministries of health, education and social affairs and the Women's Association of Andorra. At the end of the video, information was provided regarding the Gender-based Violence Victims Support Service and the different ways of accessing it.

5. The video may be viewed at the following link:

[www.aferssocials.ad/igualtat/campanyes-d-igualtat/campanyes-2020/25n-dia-internacional-per-a-l-eliminacio-de-la-violencia-envers-les-dones](http://www.aferssocials.ad/igualtat/campanyes-d-igualtat/campanyes-2020/25n-dia-internacional-per-a-l-eliminacio-de-la-violencia-envers-les-dones).

6. The Government adopted Decree No. 78/2021 of 24 March 2021, through which it approved the regulations on the right to a defence and to legal assistance. These regulations specifically recognize the right to a defence and legal assistance for victims of domestic and gender-based violence and victims of trafficking in persons during all legal proceedings, including at the time of filing a complaint, thus facilitating access to justice and to the available resources. Legal assistance is free of charge for victims of domestic and gender-based violence who do not have sufficient financial resources or are victims of economic violence.

## **B. Follow-up information relating to paragraph 26 (c) of the concluding observations**

7. The National Commission for the Prevention of Gender-based Violence, established in 2016 by Act No. 1/2015 of 15 January 2015 on the eradication of gender-based violence and domestic violence, continues to meet twice a year. The Commission analyses the priorities in terms of prevention and action, which are approved by means of an annual action plan in which the objectives, the implementation timetable, the evaluation criteria and the budget needed to realize them are established.

8. In 2021, the Equality Policies Unit created for the first time an economic item of 6,000 euros for the 2022 budget year, for the Commission, with the aim of commissioning studies, action plans, training and so forth.

9. Act No. 28/2017 of 30 November 2017 on the 2018–2021 Statistics Plan is consistent with Act No. 2/2013 of 18 April 2013 on the role of public statistics, which establishes that statistical activity must be planned and organized. The 2018–2021 Statistics Plan is the first such plan of the Principality of Andorra, and provides for the use of available administrative data on domestic violence in general and gender-based violence in particular. For the execution of the Plan, the Government approved a decree on 16 December 2020 on the 2021 annual statistical programme, in which the reference time for the results was established and the expected date for obtaining them. Results on gender-based violence and domestic violence for 2020 are expected to be available by the fourth quarter of 2021, with the main variables being the number of victims and attackers by age, attacks by type and complaints. The draft law on the 2022–2025 statistics plan has already entered the parliamentary process.

10. Following the publication of Act No. 13/2019, the Equality Policies Unit and the Secretary of State for Equality and Public Engagement promoted its implementing regulations, focusing their efforts on drafting the Regulations of the Equality Observatory, which were approved by decree on 19 February 2020. The Observatory is a specific technical and advisory collegiate body of the Government. Its purpose is to contribute to knowledge of the situation of women and other vulnerable groups in Andorra in order to improve decision-making, planning and evaluation regarding public policies, by coordinating the work of collecting, processing and interpreting data, resources and studies and evaluating equality and non-discrimination in the Principality of Andorra.

11. The Government of Andorra and the Institute of Andorran Studies formalized an agreement, signed in 2018, to collaborate in maintaining the Andorran Social Observatory. Given that this observatory collects social indicators and data that are very important for the Equality Observatory, the intention is to use this resource to be able to undertake specific studies and gather its own data on equality, and hence implement the Equality Observatory.

12. The regulatory text and the draft are currently being reviewed and efforts are under way with the Sociological Studies Centre of the Institute of Andorran Studies and the Department of Statistics to begin work on reframing the Gender Observatory that forms part of the Andorran Social Observatory, and establish mechanisms for achieving the objectives set out in the Regulations.

**C. Follow-up information relating to paragraph 36 (b) of the concluding observations**

13. The Comprehensive Support Service for Women was established on 2 March 2020 with the aim of creating a public space in which information and professional advice regarding sexual and reproductive health, including family planning, could be provided to those in need of information and guidance. Through this service, individualized assistance is available free of charge throughout the country. The service has specific protocols for making gynecological, psychological, legal and social referrals, so as to be able to respond comprehensively to the particular circumstances of each case.

14. The general objectives are to:

(a) Ensure access to comprehensive and detailed information on sexual and reproductive health, including family planning, thus delivering a service that is accessible and affordable for all users.

(b) Facilitate and promote responsible and voluntary decisions regarding childbearing and freely chosen family planning methods, together with fertility regulation methods that may be chosen, and ensure access to the information, education and resources available for this purpose.

(c) Meet changing reproductive health needs throughout the life cycle in a manner that respects the cultural diversity of each community.

15. With regard to the request for information on termination of pregnancy, the service operates in two phases. The first phase is aimed at providing information prior to the termination of pregnancy and is open to anyone seeking such information. In these cases, the service has established a protocol for action, which is initiated following a user request. A personalized interview is subsequently held with the user, during which all the information related to his or her request is provided, and may result in referral of the case.

16. The service also provides support during a second phase, following the voluntary or involuntary termination of a pregnancy outside the country.

17. Concerning access to and use of modern contraceptives, these are all available in pharmacies in the Principality of Andorra. The emergency contraceptive (morning-after pill) may be obtained free of charge from the Comprehensive Support Service for Women, the emergency department of the hospital or the Youth Consultation Programme at any primary care centre. The morning-after pill may also be obtained directly from pharmacies for a fee.

18. The Comprehensive Support Service for Women is responsible for disseminating information on and raising awareness of contraceptives, as well as for providing access to them.

**D. Follow-up information relating to paragraph 36 (c) of the concluding observations**

19. Despite the existence of article 108 of the Criminal Code on abortion with consent, the Government guarantees free access to sexual and reproductive health information and education. An example of this is the establishment of the Comprehensive Support Service for Women, as described above.

20. In accordance with article 14 of Act No. 20/2017 of 27 October 2017 on the rights and obligations of users and professionals of the health-care system and on

medical records, users of the health-care system have the right to privacy in the area of health, which entails confidential handling of personal data about their health, and the obligation to take all necessary steps to preserve personal privacy while receiving treatment.

21. In addition, in order to guarantee the right to privacy, users of the health-care system may make specific requests, and the health-care centre is responsible for providing information on mechanisms or possibilities for fulfilling them and any possible limitations.

22. In the light of the above, health-care professionals treat patients in confidence and are thus able to provide information on pregnancy and termination without fear that their services may be subject to criminal investigation or prosecution.

23. In any event, women residing in the Principality of Andorra who have decided, for whatever reason, to terminate a pregnancy outside the country, are always provided with all the necessary information and follow-up they may request.

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