



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the fourth periodic report of Andorra, at the Committee's seventy-fourth session, held in October and November 2019. At the end of that session, the Committee's concluding observations ([CEDAW/C/AND/CO/4](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 50 on follow-up to the concluding observations, the Committee requested Andorra 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) of the concluding observations.

The Committee welcomes the follow-up report received on time in October 2021 ([CEDAW/C/AND/FCO/4](#)) under the CEDAW follow-up procedure. At its eighty-first session, held in February 2022, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 26 (a)** of the concluding observations, urging the State party to **“strengthen its justice system through a specialization on combating violence against women and ensure that all public services responsible for responding to gender-based violence are provided by personnel with special competences”**:

The Committee notes that basic and advanced capacity-building programmes on combating gender-based violence are being provided to representatives of the police force, the Andorran Bar Association, the health services and psychologists. Further, it welcomes the adoption of Decree No. 78/2021 of 24 March 2021 and notes the awareness-raising activities undertaken at the occasion of the International Day for the Elimination of Violence against Women on 25 November 2020. However, the Committee regrets the lack of statistical data on the number and percentage of professionals in the justice system and other public services responding to gender-based violence, who were able to participate in the basic and advanced capacity-building programmes offered by the State party. It also regrets the lack of information on the content of the capacity-building programmes, whether they are mandatory and recurrent for all relevant professionals and if an evaluation is carried out to ensure that the participants acquired the specialized competencies through the programmes. Finally, the Committee regrets the lack of information on any efforts to establish specialized public services for victims of domestic and gender-based violence, including in the judiciary, with the exception of the regulations on the right to a defence and to legal assistance that the State party reported on.

The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Ms Cristina Pérez Vázquez  
Deputy Permanent Representative

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In relation to the recommendation made in **paragraph 26 (c)** of the concluding observations, urging the State party to **“adopt a comprehensive multi-year strategy, with respective annual plans that include all necessary measures, including the collection of data and statistics and strengthened prevention and awareness-raising measures”**:

The Committee welcomes the information provided by the State party on the work undertaken by the National Commission for the Prevention of Gender-based Violence and the budget allocated to it for 2022, as well as the drafting of Regulations of the Equality Observatory. It also notes with appreciation the adoption of the 2018-2021 Statistics Plan, the draft law on the 2022-2025 statistics plan and the data collection through the Andorran Social Observatory. While the Committee notes the adoption of annual action plans by the National Commission for the Prevention of Gender-based Violence, it regrets the absence of information on the adoption of a comprehensive multi-year strategy, that includes all necessary measures to combat and prevent gender-based violence. Further, it notes the limited information on the availability of comprehensive data on gender-based violence against women and girls, including on the number of complaints, prosecutions and convictions and the sanctions imposed on the perpetrators, as well as on the remedies provided to victims. Lastly, the Committee stresses the importance of strengthening prevention and awareness-raising measures and regrets the lack of detailed information on such measures.

The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 26 (a) and (c)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) **Ensure that personnel in all public services responsible for responding to gender-based violence, including in the judiciary, benefit from specialized training; and**
- 2) **Increase its efforts to adopt a comprehensive multi-year strategy, that outlines all necessary measures, including prevention and awareness-raising measures, and to ensure the collection of comprehensive data on gender-based violence, including on the number of complaints, prosecutions and convictions and the sanctions imposed on the perpetrators, as well as on the remedies provided to victims.**

With regard to the recommendation made in **paragraph 36 (b)** of the concluding observations, urging the State party to **“intensify the implementation of health programmes, including inclusive awareness-raising programmes, to ensure the availability, accessibility and affordability and use of modern contraceptives”**:

The Committee notes with appreciation the establishment of the Comprehensive Support Service for Women in March 2020, that offers access to and disseminates information free of charge on sexual and reproductive health, including on modern contraceptives, in all parts of the State party. However, it regrets the lack of statistical data, disaggregated by relevant factors, on the consultations and services that the Comprehensive Support Service for Women provides to women and girls and on its awareness-raising campaigns. Specifically, the Committee notes that information is provided on abortions, but remains deeply concerned that women and girls are compelled to travel outside the State party to obtain an abortion in countries where it is legally available on wider grounds. While the Committee takes note that modern contraceptives are available in pharmacies in the State party and that emergency contraceptives (morning-after pills)



may be obtained free of charge, it is concerned by the absence of information on the affordability of modern contraceptives, other than emergency contraceptives. The Committee further stresses the need to evaluate whether the services provided by the Comprehensive Support Service for Women have effectively ensured the availability, accessibility and affordability and use of modern contraceptives.

The Committee considers that the State party has taken substantial steps to implement the recommendation, but that this action fails to respond fully to the recommendation. The Committee considers that the recommendation has been **substantially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Regarding the recommendation made in **paragraph 36 (c)** of the concluding observations, urging the State party to **“amend article 108 of the Criminal Code in order to ensure free access to sexual and reproductive health information and education and ensure that health-care providers, physicians and pregnancy counsellors do not operate under a constant fear that their services may be subject to criminal investigation and prosecution”**:

The Committee takes note of the national legislation in place to ensure the right to privacy in the health sector. It also notes the provision of sexual and reproductive health information by the Comprehensive Support Service for Women. However, the Committee reiterates its deep concern that health-care providers, physicians and pregnancy counsellors, who provide information on abortion, may be prosecuted for violating article 108 of the Criminal Code, and regrets the lack of information on any steps taken to amend article 108 of the Criminal Code.

Thus, the Committee considers that the State party has taken no action to implement the recommendation. It considers that the recommendation has **not been implemented**.

The Committee notes that the information provided by the State party is vague and incomplete, and that it fails to address the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 36 (b) and (c)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) **Continue strengthening the implementation of health programmes, including inclusive awareness-raising programmes, and to provide statistical data, disaggregated by relevant factors, on the services provided to ensure the availability, accessibility and affordability and use of modern contraceptives; and**
- 2) **Amend, without delay, article 108 of the Criminal Code in order to ensure free access to sexual and reproductive health information and education and ensure that health-care providers, physicians and pregnancy counsellors do not operate under a constant fear that their services may be subject to criminal investigation and prosecution.**

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



A handwritten signature in blue ink, appearing to read 'Louiza Chalal'.

Louiza Chalal  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women