



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

Distr.: General
26 August 2019
English
Original: Spanish
English, French and Spanish only

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

Seventy-fourth session

21 October–8 November 2019

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**List of issues and questions in relation to the fourth periodic
report of Andorra**

Addendum

Replies of Andorra to the list of issues and questions*

[Date received: 16 August 2019]

* The present document is being issued without formal editing.



Introduction

1. During the meetings held between 11 and 15 March 2019, the working group of the Committee on the Elimination of Discrimination against Women (hereinafter the Committee) adopted the list of issues and questions in relation to the fourth periodic report of Andorra (CEDAW/C/AND/Q/4). The Secretary-General of the United Nations transmitted the list of issues and questions for a response from the Principality of Andorra by 16 August 2019.
2. The Principality of Andorra provides the following information in response to the list of issues and questions in relation to its fourth periodic report.

Replies to the list of issues and questions raised by the Committee's working group

Visibility of the Convention and the Optional Protocol and the Committee's general recommendations

Response to paragraph 1 of the list of issues

3. The Equality Policies Unit covers the legal framework in its programme of initial and continuing training for specialized services. The Convention forms part of that legal framework and serves as a benchmark standard for equality and non-discrimination.
4. Nevertheless, the training of staff of the administration of justice is the responsibility of the High Council of Justice of the Principality of Andorra. In that regard, since 2015 and with a limited budget, the High Council of Justice has been developing a series of training courses directed primarily at magistrates, judges and prosecutors as well as court clerks and other staff of the administration of justice (judicial officers, office clerks and court runners) focused on topics relevant to the administration of justice based on the judicial context and taking into account the criminal cases before the Andorran courts for a specified period, always including, however, human rights subjects such as gender violence, sexual abuse of children, human trafficking and discrimination, in accordance with the human rights conventions signed by Andorra.
5. In that regard, in 2016, the High Council of Justice organized specific training for magistrates, judges and prosecutors on the jurisprudence of the European Court of Human Rights and a specific course on hate crimes and discrimination. In addition, an advanced training course was held for judges on gender-based violence and new technologies.
6. In 2017, the High Council of Justice organized an advanced training course for judges on violence against minors and offences related to human trafficking. In 2018, a course was held for magistrates, judges and prosecutors, focusing on gender-based violence (Istanbul Convention) and in 2019, another course on the jurisprudence of the European Court of Human Rights was held, as well as specialized training for civil jurisdiction judges on persons with disabilities (United Nations Convention on the Rights of Persons with Disabilities, adopted in New York on 13 December 2006).
7. Through this programme of continuous training, the High Council of Justice aims to gradually enhance the professionalism of judicial personnel with a view to ensuring a more fair justice system for all citizens.

Constitutional and legislative framework

Response to paragraph 2 of the list of issues

8. According to statistics provided by the justice administration, the Convention has not been invoked in any court proceedings.

9. With regard to the Act on equal treatment and non-discrimination, we are pleased to inform the Committee that, on 15 February 2019, the Consell General (Andorran parliament) adopted Act No. 13/2019 on equal treatment and non-discrimination.¹

10. The main purpose of the Act is to establish a legal framework and develop the principle of equal treatment and non-discrimination, as a subjective right, in a comprehensive and cross-cutting manner, on the basis of the basic definitions on this subject that should prevail in all sectors of social life in relation to the meaning and scope of this right. For the first time, our legal system regulates the principle of reversal of the burden of proof and recognizes, as a pioneering measure, the principle of equal pay with the possibility of payment of wage differences from the moment that discrimination is identified. The Act also establishes a specific system of penalties to ensure compliance with its provisions.

11. With regard to protection of the right to equality and non-discrimination, the system provides for legal protection through a civil procedure that is governed by the reversal of the burden of proof, administrative protection and institutional protection through the Raonador del Ciutadà (Office of the Ombudsman).

Access to justice and legal complaint mechanisms

Response to paragraph 3 of the list of issues

12. Our legal system provides the entire population but especially women with a system of access to justice in accordance with the Committee's general recommendation No. 33. In that regard, measures have been taken to guarantee the justiciability, availability, accessibility, good quality and accountability of our justice system.

13. Examples of this include the legal recognition of women's rights through Act No. 1/2015 of 15 January on the eradication of gender-based violence and domestic violence and Act No. 13/2019 of 15 February on equal treatment and non-discrimination; expanded access to free legal assistance in criminal proceedings in cases of violence against women and domestic violence; collaboration between the executive power and the judiciary to provide gender-responsive training; measures to secure more visible participation of women as professionals in all areas of the judicial system; regulation of the reversal of the burden of proof in judicial proceedings in cases of discrimination; and expansion of the standing of associations and organizations that defend women's rights to allow them to participate in court provided they have the authorization of the person concerned.

14. With regard to studies on the situation of women's access to justice, there is no comprehensive study on this issue. However, the establishment of the Equality Observatory by Act No. 13/2019 should provide a response to that need. The Observatory aims to provide information, gather and interpret data, resources and studies, and evaluate equality and non-discrimination in Andorra. In addition, the

¹ <https://www.bopa.ad/bopa/029039/Documents/CGL20170608> https://www.bopa._16_28_18.pdf (version in Catalan).

Observatory should include the gender variable in its statistics, surveys and data collection and should use that data to highlight the different situations, conditions, aspirations and needs of women and men in the various areas of intervention.

Response to paragraph 4 of the list of issues

15. In response to several reports of Council of Europe monitoring bodies, including the European Commission against Racism and Intolerance, specifically, the fifth monitoring report on Andorra, which was published on 28 February 2017 and in which the Commission urged the Government of Andorra to expand the mandate of the Office of the Ombudsman to include all forms of discrimination, the Andorran parliament adopted Act No. 26/2017 of 23 November 2017, only nine months after the Commission made its recommendation. The recommendation has been fully implemented and the remit of the Office of the Ombudsman has been expanded to include the private sector and with broader functions relating to the fight against racism and discrimination for any reason including sex and gender. These functions consist of information and assistance to victims; the responsibility of the Office to inform the competent administrative authority or even the public prosecution service if it identifies a potential offence; monitoring the content and effects of any legislation that has an impact on the fight against discrimination and racism; and raising public awareness of everything related to those areas.

16. Therefore, and as indicated in our report, Act No. 26/2017 allows the Office of the Ombudsman to receive and investigate any complaint or report on discrimination made by any citizen. Indeed, all areas covered by the Convention may be referred to the Office of the Ombudsman for its consideration and investigation.

17. However, in 2018, the Office of the Ombudsman did not receive any complaints of discrimination on the basis of sex or gender.

National machinery for the advancement of women

Response to paragraph 5 of the list of issues

18. As set out in our report, the white paper on equality contains a road map on equality for affected groups, with a particular focus on gender equality as a cross-cutting theme.

19. In that regard, two priorities set out in the white paper are already a reality: Act No. 13/2019 of 15 February, on equal treatment and non-discrimination, and Qualified Act No. 14/2019 of 15 February on the rights of children and adolescents. Both laws establish a gender perspective as the guiding principle of policies emanating from their provisions.

20. The planning envisaged in Act No. 13/2019, namely, the comprehensive plan for equal treatment and non-discrimination, which contains, inter alia, the strategy for equality between women and men, will encompass, in accordance with the conclusions of the white paper on equality, as well as those of subsequent studies, the need to reduce gender inequalities and promote a culture of equality, in line with the Committee's general recommendations as well as the Council of Europe Gender Equality Strategy 2018–2023.

21. It should also be noted that, on 17 April 2019, Andorra adopted the Strategic Plan for the implementation of the Sustainable Development Goals including Goal 5 on gender equality as a cross-cutting tool for all public policies.

Response to paragraph 6 of the list of issues

22. The Government of Andorra maintains an ongoing relationship with the country's associations. Moreover, in the area of health and social services, it has institutionalized that relationship through the Commission on the Engagement of Civic Entities. The Commission is governed by the Decree of 26 July 2016, published in Official Gazette of the Principality of Andorra No. 43 of 27 July 2016.

23. The Commission consists of the Women's Association of Andorra and Stop Violències together with representatives of other associations representing other groups (older persons; persons with disabilities; children, adolescents and youth; lesbian, gay, transsexual, bisexual and intersex persons) and cross-cutting institutions such as the Red Cross and Caritas.

24. The Commission's mandated functions include: (1) helping to identify, define and address needs and issues relating to health and social services; (2) participating in planning, evaluating and monitoring the provision of health and social services, mainly by helping to prepare and track the implementation of the National Health and Social Services Plan; (3) helping to coordinate and assisting in activities carried out by public and private entities in the area of health and social services; (4) making proposals and recommendations to improve services, benefits and actions in the area of health and social services and (5) preparing regular reports on the development of the National Health and Social Services Plan including proposals and suggestions aimed at achieving the goals established in the applicable regulations.

25. On 8 March 2018, a group of women held a march and read out a manifesto on women's rights in various areas of life (quality of democracy, economy, education, health and welfare, labour rights). This movement led to the creation of a new association in Andorra: Acció Feminista de Andorra.

26. Before it became an official association, Acció Feminista de Andorra initiated dialogue with the Government of Andorra, which has continued. In that regard, the Equality Policies Unit has included Acció Feminista de Andorra in all actions carried out with the network of associations, which has prompted a law on real equality between women and men.

27. Lastly, in April 2019, general elections were held and resulted in a coalition Government. The new Executive includes the establishment of the State Secretariat for Equality and Public Engagement. The State Secretariat reports directly to the Head of Government and aims to foster interaction among and with institutions, creating mechanisms that support citizen involvement, from information-sharing and participation to decision-making. In addition, in the area of equality, the State Secretariat will strengthen efforts to develop Act No. 13 of 2019 on equal treatment and non-discrimination, as well as the future law on real equality between women and men.

28. For its part, the functions of the Equality Policies Unit have been expanded to include competence in the promotion and development of cross-cutting programmes and actions aimed at preventing inequalities and ensuring real equality between women and men.

29. Before it became an official association, Acció Feminista de Andorra initiated dialogue with the Government of Andorra, which continues. In that regard, the Equality Policies Unit has included Acció Feminista de Andorra in all actions carried out with the network of associations, which has prompted a law on real equality between women and men.

National human rights institution

Response to paragraph 7 of the list of issues

30. As mentioned in the common core document, the mandate of the Office of the Ombudsman has been expanded several times, most recently in 2017 as indicated above. In particular, the reform has entrusted the Office with the task of overseeing compliance with the Convention on the Rights of Persons with Disabilities, and providing information and assistance to victims of racism or discrimination. It was also given expanded competencies in the private sphere in relation to minors and persons with disabilities and efforts to combat discrimination. The Government of Andorra thus considers that the Office of the Ombudsman sufficiently covers requirements relating to the defence of human rights and it therefore has no plans to establish a specific institution based on the Paris Principles. It is important to strengthen the Office of the Ombudsman by allocating it more financial and human resources, as needed, instead of establishing another institution with similar competencies and functions.

31. It should be noted that, in a small country like Andorra that has fairly limited public resources, the priority must be to strengthen existing institutions instead of creating new ones.

Temporary special measures

Response to paragraph 8 of the list of issues

32. Act No. 13/2019 establishes affirmative actions (temporary measures) that provide for different treatment intended to correct and compensate for clear situations of de facto inequality or discrimination on the basis of any of the grounds listed in the Act, including sex and gender. These measures must be reasonable and proportionate in relation to their intended purpose, and, in any case, are applicable only while the inequality and discrimination that they are designed to correct continues to exist.

33. It is worth highlighting the financial support available to help pay rent on principal residences, as set out in the regulations governing the economic benefits offered by the social and health services, of 3 July 2019. The support is granted annually, but is determined based on budget allocations and the social situation. Single-parent families, women in situations of inequality and women who are victims of gender-based or domestic violence are protected groups. In 2018 a total of €1,211,396.92 was granted to the various protected groups, of which 73.23 per cent went to women in situations of economic hardship. This measure is designed to ensure equal access to housing.

34. With regard to the plan for the promotion of gender equality in the workplace, the Government of Andorra has distinguished the Andorran Social Security Fund with the 2019 Olympe de Gouges Award for its commitment to equality between women and men, demonstrated by the Fund's creation of an equality plan. Among other socially impactful measures, the Fund is prioritizing the recruitment of women to positions of responsibility, with a view to shattering the glass ceiling within the organization.

Discriminatory gender-stereotypes

Response to paragraph 9 of the list of issues

35. Article 6 of Act No. 1/2015 provides for awareness-raising and preventative measures within the education system. Having approved the Collaboration Guidelines for gender-based and domestic violence of 5 June 2018, the National Commission for the Prevention of Gender-Based and Domestic Violence called for the adoption of a protocol for action within education.

36. Since then, a joint Ministry for Education-Ministry for Social Affairs working group has been established, which has prepared multiple draft protocols, resulting in a consensus regarding the need to adopt a preventative plan to combat gender-based and domestic violence. The plan should inform teacher training and seek to address the causes of violence by eliminating the gender stereotypes that continue to exist in our society, as well as promoting respect for diversity.

37. The Equality Policies Unit and the Childhood and Adolescence Unit are leading the working group, and they envision submitting the plan to the National Commission for the Prevention of Gender-Based and Domestic Violence for its adoption in 2020.

Response to paragraph 10 of the list of issues

38. In the second half of 2018, to implement the Collaboration Guidelines, the Equality Policies Unit focused its human and material resources on cases of gender-based and domestic violence. To that end it has continued to train professionals who are directly involved with victims, including police officers, firefighters, health personnel and members of the national Bar Association.

39. In parallel, the Equality Policies Unit has provided technical support for the drafting of Act No. 13/2019 on equal treatment and non-discrimination. This Act provides a legal framework to combat discrimination in all areas of society, including the media and advertising, which is necessary as Andorra does not have legislation that codifies information and advertising law.

40. We can now inform the Committee that the Equality Policies Unit has met with representatives of the Andorran Association of Media Professionals, and approved a road map for reaching agreement on a guide to equal treatment and non-discrimination in the media field, as well as agreeing to carry out basic and specialized training for the staff of the country's media companies. The basic training is scheduled to take place in September 2019.

41. The road map entails three lines of action: (1) evaluation of discrimination against women in the coverage of information, content and programming; (2) creation of specific radio and television content; and (3) informative coverage of cases of gender-based and domestic violence.

42. In order to evaluate discrimination, the creation of the self-regulatory body will be discussed with the head offices of the media companies. However, Act No. 13/2019 establishes a punitive regime that applies to public and private sector entities, including media and advertising agencies. Thus, sexist coverage of information or advertising that veers into discrimination can be an offence and subject to the relevant administrative sanction.

Gender-based violence against women

Response to paragraph 11 of the list of issues

43. The annual report of the Office of the Public Prosecutor of Andorra is published on the webpage <http://justicia.ad/es/memoria.html>. The report contains, inter alia, detailed statistical information pertaining to all types of criminal offences.

44. The annual report may be used to access and consult, inter alia, the number of criminal proceedings initiated, their nature and their status.

45. Specifically, the criminal statistics on gender-based violence, domestic violence and domestic violence against minors can be found in:

(a) 2014/15 annual report: pages 149–155, <http://justicia.ad/es/memoria/memoria-2014-2015/detail.html>

(b) 2015/16 annual report: pages 127–133, <http://justicia.ad/es/memoria/memoria-2015-2016/detail.html>

(c) 2016/17 annual report: pages 136–142, <http://justicia.ad/es/memoria/memoria-2016-2017/detail.html>

(d) 2017/18 annual report: pages 245–250, <http://justicia.ad/es/memoria/memoria-2017-2018/detail.html>

Response to paragraph 12 of the list of issues

46. See below for full information, disaggregated by year, on the number of trials in which sentences have been handed down and the number of criminal offences resulting in convictions.

Gender-based violence

<i>Year</i>	<i>Judgments (number of trials in which sentences have been handed down)</i>	<i>Criminal offences committed</i>
2015	58	133
2016	66	150
2017	55	121
2018	85	171

Domestic violence (excluding domestic violence against minors)

<i>Year</i>	<i>Judgments (number of trials resulting in conviction)</i>	<i>Criminal offences committed</i>
2015	5	8
2016	9	13
2017	11	16
2018	9	13

Domestic violence against minors

Year	<i>Judgments (number of trials resulting in conviction)</i>	<i>Criminal offences committed</i>
2015	2	5
2016	2	5
2017	4	8
2018	4	7

47. The Equality Policies Unit currently operates four shelters with a total capacity of 23 directly supervised places. The Unit has assigned two people (a social worker and a psychologist with specialized training in gender-based violence) to carry out the following tasks:

- Admit women victims of gender-based or domestic violence, as well as their dependent sons and daughters, in accordance with the instructions given by the referrer who identified the unsafe situation.
- Act as mediators if conflicts relating to cohabitation arise between the victims in the shelters.
- Supervise and maintain the management of the shelters (including repairs, equipment and cleaning).

48. The Equality Policies Unit devotes a portion of its budget specifically to the maintenance of the shelters. The 2019 allocation totals €14,255.45.

Trafficking and exploitation of prostitution

Response to paragraph 13 of the list of issues

49. Act No. 9/2017 of 25 May, on measures to combat trafficking in persons and protect victims, indeed established the obligation to adopt a programme for the early detection of trafficking in persons.

50. To that end, a multidisciplinary working group (comprised of representatives of the judiciary, Office of the Public Prosecutor, police, labour inspection service and social services) was created, and, on 6 June 2018, via a government agreement, the Protocol of Action for the protection of victims of trafficking in persons was adopted. (https://www.bopa.ad/bopa/030036/Pagines/GV20180607_11_25_30.aspx).

51. The Protocol sets out the processes for identifying potential victims based on the criteria established in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, signed in Palermo in 2000, and establishes a model for intervention (involving the police, judiciary – *Batllia* [the Andorran Court of First Instance] and higher courts – and the Office of the Public Prosecutor).

52. The Support Service for Victims of Trafficking in Persons operates when requested to step in by the police, once a victim has been identified. The Service provides comprehensive care to victims, as well as their minor dependents. It offers social, psychological and legal assistance. Victims are entitled to the free and guaranteed social support provided by this Service as part of the portfolio of social and health services.

53. To ensure that victims are protected and that trafficking in persons is prosecuted, the law provides for a three-month period of reflection and recovery for victims, which may be extended for another six months. During this period, victims cannot be subject to any administrative measure by the police (deportation) regardless of the extent of their cooperation with the investigation into the trafficking. Once that period has elapsed, the law allows victims to obtain an immigrant residence and work permit (standard regime), provided that they have an employment contract. Granting of this permit shall not be subject to the quota system, nor to the social cohesion criteria.

Participation in political and public life

Response to paragraph 14 of the list of issues

54. Act No. 13/2019 includes affirmative action measures as a tool for defending and protecting the right to equal treatment and non-discrimination. However, specific measures have not yet been adopted: this will happen when the Comprehensive Plan for equal treatment and non-discrimination is approved; specifically, the programme for equality between women and men will establish the temporary measures required to reverse any unequal or discriminatory situations that are identified.

55. Notwithstanding the above, it is worth highlighting the effectiveness of the policies and actions carried out by the Equality Policies Unit and non-governmental organizations in defence of women's rights related to participation in public life.

56. In the April 2019 elections, of the seven parties presenting lists of candidates, four parties presented gender-balanced lists (7/7), one presented a list with more women candidates (9/5) and the two remaining parties presented lists with more men (5/9).

57. After the elections, a gender-balanced coalition Government was formed. The Head of Government is a man and there are 12 ministries, six of which are headed by women. The Ministers for Foreign Affairs, Environment, Agriculture and Sustainability, Tourism, Education and Higher Education, Culture and Sports, Public Service and Administrative Reform are women.

58. There is also gender parity in the Consell General (Andorran parliament) (14 women/14 men). The office of *síndica* (parliamentary president) is occupied by a woman for the first time and that of *subsíndica* (equivalent to a parliamentary vice-president) is also held by a woman, for the second consecutive term. With regard to women's representation in the general civil service, in June 2019, there were 38 directors in the general civil service, of whom 11 were women and 27 men. Of the 76 unit chiefs, 42 were women and 34 were men. With regard to women's presence in the judiciary, the statistics are as follows:

- High Council of Justice: Composed of four people. The president is a man and the vice-president is a woman. The remaining members are one man and one woman.
- Constitutional Court: Of the four magistrates, there is only one woman.
- High Court of Justice: Comprised of nine people, of whom three magistrates are women.
- Office of the Public Prosecutor: The position of Prosecutor General of the State is occupied by a man. There are three women deputy prosecutors and two men deputy prosecutors.
- *Tribunal de Corts* (Criminal Court): Composed of six people (three men and three women). The chief justice is a man.

- *Batllia* (Court of First Instance): Composed of 13 *batlles* (3 men and 10 women). The chief justice is a woman.
- Court of Auditors: Composed of three people (two men and one woman). The chief justice is a man.

With regard to women's participation at the local level: *consellers de Comú* (municipal councillors), *cònsol major* (mayor) and *cònsol menor* (deputy mayor):

- Canillo: eight men and two women. The posts of *cònsol major* and *cònsol menor* are held by men.
- Encamp: nine men and three women. The post of *cònsol major* is held by a man and that of *cònsol menor* is held by a woman.
- Ordino: five men and five women. The post of *cònsol major* is held by a man and that of *cònsol menor* is held by a woman.
- La Massana: six men and five women. The post of *cònsol major* is held by a man and that of *cònsol menor* is held by a woman.
- Andorra la Vella: seven men and five women. The post of *cònsol major* is held by a woman and that of *cònsol menor* is held by a man.
- Sant Julià de Lòria: nine men and three women. The posts of *cònsol major* and *cònsol menor* are held by men.
- Escaldes-Engordany: seven men and five women. The post of *cònsol major* is held by a woman and that of *cònsol menor* is held by a man.

59. Communal elections will be held in December 2019. The lists of candidates should be drawn up in accordance with Act No. 13/2019.

Education

Response to paragraph 15 of the list of issues

60. As we indicated in our report, the Andorran educational structure is unique in that it is comprised of three distinct, coexisting education systems: the Andorran system, the Spanish system (secular and denominational) and the French system, which are operated by the education ministries of the respective Governments.

61. The curriculum includes educational projects that are designed to promote human rights, tolerance and non-discrimination in the school environment, support democratic participation and group cohesion, prioritize the development of values and social skills and promote in the student body, from a young age, a sense of commitment and responsibility.

62. Andorra has participated in the Council of Europe programme Education for Democratic Citizenship and Human Rights since 2011 and participates in the United Nations World Programme for Human Rights Education.

63. Education for the promotion of human rights is a mandatory aspect of the three education systems. Education professionals must, as individuals and political subjects, behave in accordance with the fundamental rules of society, and model them in the school context.

64. Students acquire skills in different areas: the rights and obligations that come with citizenship, as well as the notions of responsibility and freedom and the relationship between them.

65. There is a true civic learning process formed of values, knowledge, practices and behaviours, with a view to fostering respect for the rights of others and rejection of all forms of violence.
66. In the Andorran education system in particular, emphasis is placed on the training of teachers, in line with the Council of Europe project Competences for Democratic Culture. For instance, educational psychologists have studied with the Sabona Programme (a research programme for peace).
67. Global competencies, human rights education and civic education for global citizenship are aspects of the curricula and educational practices of the Andorran education system that are integrated into every subject and discipline in a cross-cutting manner.
68. In the three education systems, sex education is based on the values of equality, tolerance and respect for oneself and others, thereby contributing to preparing students for their lives as adults. The systems teach respect for the consciences and rights to intimacy and privacy of all people.
69. The objectives of sex education at school are to:
- (a) Provide students with objective information and scientific knowledge
 - (b) Identify the various dimensions of sexuality: biological, emotional, cultural, ethical and social
 - (c) Develop students' critical thinking
 - (d) Promote responsible individual and collective behaviours (prevention, protection of oneself and others)
 - (e) Make students aware of the relevant resources for information, help and support that are available both in and outside of the school environment.
70. Sex education is incorporated into each education system differently.
- (a) In the Andorran education system, the mandatory basic education syllabus (for children aged 6 to 16 years) includes competency development tailored to the specific issues affecting contemporary Andorran society.
 - (b) Schools must help students to become aware of the problems that affect them and the consequences of their decisions, and of the importance of developing habits and attitudes that will support healthy behaviours in the realm of sexuality and affection, as well as teaching social skills, disease prevention and management, personal hygiene and health, prevention of risky behaviours and promotion of healthy behaviours.
 - (c) The sex education syllabus for each educational stage is attached, as annex 1.
71. In the French education system, sex education is not a separate subject but is integrated into all the subjects, especially life and earth sciences, moral and civic education, history and geography, and French.
72. The objectives are for students to:
- (a) Obtain knowledge
 - (b) Become more aware of the risks: early pregnancies, sexually transmitted infections (including HIV/AIDS), and also the exposure of personal images and images of others on the Internet.
 - (c) Develop qualities such as self-esteem, respect for others, solidarity, independence and responsibility.

73. In the Spanish education system, sex education forms part of the curricula of the different primary school subjects. In accordance with school values, all situations where sexual or other types of diversity is addressed are normalized. Schools have led activities specifically on the importance of “saying no”, but there is not a dedicated sex education curriculum at that educational level.

74. At secondary level, sex education is also incorporated into the curriculum, as part of the health module in biology. There are also specific units on reproduction, sexually transmitted diseases and preventing early pregnancies.

75. Generally, at the secondary and baccalaureate levels, non-discrimination (on the basis of sexual or any other type of difference) is taught across all subjects, in a cross-cutting manner.

76. The Government of Andorra, through the Consulta Joven (advisory service for young people), gives workshops on emotional and sex education in secondary schools. The workshops are a tool that support young men and women to improve their emotional and sexual knowledge through activities about diseases and promoting health, among other topics.

77. The workshops, which are led by the primary care nursing team, are conducted for students in the sixth year of primary school and all four years of secondary school.

78. In the 2018–2019 academic year, attendance at the workshops was as follows: primary, 662 students; first year of secondary, 683 students; second year of secondary, 492 students; third year of secondary, 776 students; and fourth year of secondary, 728 students.

Response to paragraph 16 of the list of issues

79. In our records (minutes of education committee meetings; student files; complaints from families; absences; school bullying; risk indicators) we do not have any records of prejudices against girls with disabilities.

80. From an educational point of view, coeducation is the main means of prevention. Our education centres are therefore coeducational.

81. In our centres we strive to break with gender stereotypes and roles; and, in particular, to combat machismo.

82. On the basis of the principles of inclusive education, the same educational methods are used for girls with disabilities (the same educational curricula, with any adaptations needed, attention from specialists, and access to the same activities and workshops).

83. The Equality Policies Unit, independent of the Plan for the Prevention of Gender-Based and Domestic Violence that was mentioned in relation to the work carried out to eradicate gender stereotypes, is planning to conduct a training programme on introducing a gender perspective into public policies. The training will be for all civil service staff and is being developed in coordination with the Ministry for Public Service and Administrative Reform.

84. The training will be necessary to ensure the correct application of Act No. 13/2019, which requires that equality between women and men be taken into account in the adoption of any public policy.

Employment and economic empowerment

Response to paragraph 17 of the list of issues

85. Article 35 of Act No. 13/2019 indeed establishes that social clauses must apply to public procurement processes. The objective is to eliminate social inequalities in the business sector and encourage socially responsible public procurement. The clauses will become criteria for procurement and special conditions for the performance of works and services.

86. The Act on public procurement of 9 November 2000 has thus been amended to include two new articles concerning the requirements for awarding contracts and the special conditions for execution of work. It is worth highlighting the following qualitative criteria for procurement:

(a) Encouragement of social integration and the hiring of women, persons with disabilities, persons who are members of the vulnerable groups recognized in Act No. 13/2019 and persons at risk of social exclusion.

(b) Awarding contracts or subcontracts to companies that have labour force inclusion programmes for persons with disabilities or that employ independent workers with disabilities.

(c) Favouring companies that have measures and plans for equality between women and men, including measures to enable workers to reconcile their personal, family and professional lives.

87. With regard to the special conditions for the execution of work, the Act now expressly indicates that social conditions may be established in order to give effect to the right to equality and non-discrimination of women and other persons who are members of particularly vulnerable groups.

88. As a first measure to address the gender pay gap, the principle of equal pay has been put into effect, meaning that companies are obliged to pay the same wage for work of equal value, regardless of the nature of that wage, and are not permitted to discriminate on the grounds of sex in any of the aspects or conditions of said wage, considering that the work performed by wage-earners with comparable professional expertise, abilities and dedication, and who have comparable responsibilities and physical, mental and psychosocial duties, is equally valuable.

89. Also, the adoption of the programme for real equality between women and men will reduce the gender pay gap, in so far as the analysis conducted should facilitate the adoption of specific measures in that area and, particularly, measures to support the reconciliation of personal, family and work life.

90. In addition, article 24 of Act No. 4/2019, on employment, of 31 January 2019, establishes support for equal labour opportunities. The Government, within the scope of its competencies, is giving careful consideration to equality between men and women in access to and retention in work, as well as professional promotion. It also has to promote the reconciliation of personal and family life and men's and women's sharing of family responsibilities.

91. With regard to the new labour legislation, Act No. 31/2018 of 6 December 2018, on labour relations, has increased the length of maternity leave to 20 weeks (previously it was 16 weeks) and has established paternity leave of four weeks for couples who obtain legal recognition of their newborn.

92. Furthermore, Act No. 27/2017 of 30 November 2017, on urgent measures for the implementation of the Convention on the Rights of Persons with Disabilities, done

at New York on 13 December 2006, has extended maternity and paternity leave in cases where either the parents or the newborn child have a disability.

93. There is also a plan to establish the option for parents to leave their workplace for 25 per cent of the work day, as paid leave, for the nine months after the date of the birth. The time may be divided into two equal periods per day or, subject to the employer's agreement, taken as a single daily block. In cases of multiple births, there may be a reduction of the work day by 37.5 per cent and, subject to the employer's agreement, parents may accumulate this time.

94. Also, there is a plan to establish unpaid leave for those who are caring for minors. Carers will have to request the leave within six months of the birth or adoption of the child.

Response to paragraph 18 of the list of issues

95. Information regarding labour rights is essentially the purview of the labour inspection service and the Andorran Social Security Fund. All women workers may request information on their labour rights and the staff of those entities will assist them.

96. Notwithstanding, Act No. 13/2019 establishes the need to adopt a programme for the social inclusion of non-nationals. The aim is to support their integration into all aspects of life in society by encouraging interaction with their environment and recognition of their cultural and social value. As part of that programme, there could be informative awareness-building activities about labour rights aimed at the immigrant population, and domestic workers in particular.

97. The Employment Service was established under the strategy for the placement of persons with disabilities in employment, which was drawn up in 2016 to comply with the obligations assumed by Andorra through its ratification of the Convention on the Rights of Persons with Disabilities. Although it serves the entire population, the Employment Service also has a specific mandate of ensuring that persons with disabilities have equal access to the ordinary labour market.

98. In 2017 97 persons with disabilities used the Service, 49 of whom (50.5 per cent) were women. Of those, 20 were in employment at the end of the year: 2 in the public sector and 18 in the private sector.

99. In 2018 154 persons with disabilities used the Service, 79 of whom (51.3 per cent) were women. Of those, 41 were in employment at the end of the year: 16 in the public sector and 25 in the private sector.

100. With regard to the measures adopted to promote the participation of women with disabilities and support their access to the labour market, Employment Act No. 4/2019 of 31 January 2019, which entered into force in February 2019, contains the measures needed to protect the right to work established in article 29 of the Constitution, protect people's subjective right to work and put in place an efficient, preventive and proactive protection system against unemployment. The Act also sets out the guiding principles of all the entities that together comprise the labour system of the Principality of Andorra, which include equality of opportunity, non-discrimination, social cohesion, free provision of services and universality.

101. From a gender perspective, the Act provides that all employment-related programmes and activities must take into account and incorporate gender issues, and must include specific activities to promote equality and affirmative actions to support those at a disadvantage.

102. Moreover, to avoid discrimination in access to employment, the vacancy notices to which all users of the Employment Service have access must be neutral, and not contain references to status, race, sex, sexual orientation, birth place, religion, opinions, disability or any other information that might be used as grounds for discrimination. The Employment Service or the liaising recruitment entity requests employers to correct any notices that do not comply with that rule, and such notices are not published. If an employer fails to rectify their vacancy notice it is categorized as a serious offence.

103. Lastly, the Employment Service raises companies' awareness of disability and gender equality issues through projects carried out with the network of inclusive enterprises and training sessions to raise companies' awareness regarding gender equality among their staff, which are given in collaboration with the Equality Policies Unit.

Health

Response to paragraph 19 of the list of issues

104. Andorra reaffirms the arguments set out in its report and indicates that it has not initiated any action aimed at decriminalizing abortion, given that article 8.2 of our Constitution protects the right to life at all stages.

105. However, the Government is aware of the ongoing debate on this issue among civil society and associations, entities and platforms of various types, and is open to examining ways of responding to the situation, but only within the scope of the existing constitutional framework and without altering the parliamentary co-principality political system.

Migrant women

Response to paragraph 20 of the list of issues

106. In 2017 the Sustainability Observatory of Andorra began the work under the collaboration agreement signed with the Ministry of Social Affairs, and concentrated on public policies to facilitate the placement in work of persons with disabilities.

107. In the light of that situation and the adoption of Act No. 13/2019, as well as the establishment of the Equality Observatory, we considered it appropriate to wait to conduct the studies mentioned as part of the work of the new Observatory – in accordance, also, with the plans contained in the Act.

108. Act No. 4/2018 of 22 March 2018, on temporary and transitional protection for humanitarian reasons, included in its second final provision a recommendation that the Government conduct an in-depth analysis of national and international regulations on the right to asylum, with a view to the subsequent approval of a draft law to regulate that right, which is recognized in our Constitution.

Economic empowerment, social and economic benefits

Response to paragraph 21 of the list of issues

109. On 15 February 2019, Act No. 13/2019 on equal treatment and non-discrimination was adopted. The parliament, conscious of the importance of that legislation, set aside days to convene the sessions necessary and adopt the Act before its dissolution for the general elections.

110. Since the entry into force of the Act, on 21 March 2019, and alongside the formation of the new Government, we have begun the work related to its implementing regulations: establishing the Equality Observatory and editing the amended texts of the laws that were modified in order to provide legal security; and for that reason we have not yet begun the process of adopting the different plans and programmes provided for by the Act.

111. The above notwithstanding, we can state that in accordance with the adoption of our strategic plan for the achievement of the Sustainable Development Goals, in which gender equality is recognized as an objective in and of itself, but also as a tool that can facilitate the achievement of the rest of the Goals, the current Government has established the State Secretariat for Equality and Public Engagement as a body that reports directly to the Head of Government and that will facilitate cross-cutting action with the other ministerial departments.

112. The purpose of the State Secretariat for Equality and Public Engagement is to foster interaction among and with institutions, creating mechanisms that support citizen involvement, from information-sharing and participation to decision-making. Also, the Secretariat will be the competent body with regard to equality and will develop the Act on equal treatment and non-discrimination, which was adopted during the last legislative session, as well as the regulatory framework that is emerging in connection with the impetus to adopt the Act, which provides for real equality between women and men.

113. The Equality Policies Unit has seen its gender equality-related competencies enhanced: specifically it is worth highlighting, along with its promotion of equality and work to combat inequality and discrimination against vulnerable groups, its promotion and development of cross-cutting programmes and actions designed to prevent inequality and fight for real equality between women and men, as a separate competency provided for by the Decree on the organization of the Ministry of Social Affairs, Housing and Youth of 12 June 2019.

114. The development of public policies on equality will be the joint responsibility of the State Secretariat for Equality and Public Engagement and the Equality Policies Unit, which is part of the Ministry of Social Affairs, Housing and Youth.

115. The programme for equality between women and men, which will form part of the comprehensive plan for equal treatment and non-discrimination, will include a study of gender equality in the different realms of public, private and social life, and we will adopt the measures considered necessary to redress any inequalities identified.

Equality in marriage and family relations

Response to paragraph 22 of the list of issues

116. With regard to the minimum age for marriage, we must rectify an error in our report. The bill that would change the age at which individuals could marry was a proposed qualified act on the individual and the family, which raised the minimum age for marriage to 18. However, the early dissolution of the Andorran parliament because of the general elections meant that it was not possible to complete the legislative procedure required for its adoption.

117. Adopting that act is one of the legislative priorities of the Government and the parliament for the current legislative session.

118. With regard to the protection of the property rights of women in stable de facto unions, we would like to add to the information provided in our report that our

legislation requires that a notary must certify an agreement on the economic relations of couples in such unions, and the Civil Registry performs a legal check to verify that the process has been followed. As such, Andorra provides stronger guarantees in those situations than do other European countries.

119. The Qualified Act on marriage is applicable, in a subsidiary manner, to everything not covered by Qualified Act No. 21/2005, and the procedure for matrimonial separation or divorce governs parent-child measures and any compensatory benefits.

Annex 1

Sex education in the Andorran education system

<i>Level</i>	<i>Age</i>	<i>Methodology</i>	<i>Duration</i>	<i>Topic</i>
Sixth year of primary	11–12 years	Overview	20 hours	<ul style="list-style-type: none"> • Emotions and sexuality: sexual differences, gender-based prejudice, diversity of expression and experiencing emotions and sexuality • Knowledge of self with regard to emotional responses to different situations and individual resources for self-regulation, changes that come with physical, personal and relational development • Comprehensive presentation of the genitalia and systems that enable vital functions: reproduction and the organs and genitalia that make up the reproductive system
First year of secondary	12–13 years	Workshop	1 hour	<ul style="list-style-type: none"> • “How prejudice, stereotypes and rumours affect us”
Second year of secondary	13–14 years	Overview	28 hours	<ul style="list-style-type: none"> • Building awareness about the risks of social media and our use of it (cyberbullying, grooming, phishing and sexting)
		Overview	28 hours	<ul style="list-style-type: none"> • Recognizing emotions, knowing how to express and regulate them
		Project	16 hours	<ul style="list-style-type: none"> • The hormonal revolution
		Workshop	2 hours	<ul style="list-style-type: none"> • Sexuality, sex, gender and social relations
		Workshop	1 hour	<ul style="list-style-type: none"> • Criminal behaviour on the Internet
Third year of secondary	14–15 years	Workshop	1 hour	<ul style="list-style-type: none"> • Cinema as a mirror to help spot small everyday instances of machismo and analyse the roles of the characters and the subjects of films aimed at teenagers
		Workshop	2 hours	<ul style="list-style-type: none"> • First sexual relationships, contraceptive methods and gender-based violence
Fourth year of secondary	15–16 years	Workshop	2 hours	Sexually transmitted infections, the importance of communication and assertiveness in relation to sex

Sex education in the French education system

<i>Level</i>	<i>Duration</i>
Primary	<ul style="list-style-type: none"> – The time devoted to sex education depends on the teacher. The time should be identified as such in the syllabus and be integrated into teaching. It will be adapted according to the progress of the class or school.
Secondary and <i>baccalaureate</i>	<ul style="list-style-type: none"> – At least three sex education sessions per year are given at secondary and <i>baccalaureate</i> levels. The sessions are interrelated and are incorporated into the various subjects taught in the classes. The length of the sessions and the size of the groups depends on the educational level. The sessions are organized by a team of volunteers and professionals (including teachers, heads of studies and nursing staff), and, if necessary, in cooperation with external affiliated staff who have relevant national or academic credentials. – To prevent sexually transmitted infections, particularly HIV/AIDS, teenagers are informed of the risks of sexually transmitted infections and about protection methods. – This is done through: <ul style="list-style-type: none"> – The subjects of life and earth sciences – Annual sex education sessions – Educational activities that facilitate a cross-cutting focus on HIV/AIDS prevention

Sexuality workshops offered by the *Consulta Joven* (Government of Andorra)

<i>Level</i>	<i>Content</i>
Primary	<ul style="list-style-type: none"> – Anatomy and physiology of the female and male reproductive organs – Pregnancy – depending on the syllabus – Respect and use of appropriate language
First year of secondary (12–13 years of age)	<ul style="list-style-type: none"> – Physical changes that accompany adolescence (recapitulation of the anatomy and physiology of the reproductive organs) – Psychological changes that accompany adolescence. Masturbation – Attitude to the changes, respect and use of appropriate language – Emotions versus sexuality: pillars of sexuality: pleasure, feelings/emotions and difficulties/solutions – Respect for the diverse ways of expressing sexuality – Sexuality, sex and gender – Each culture has a different conception of sexuality – Sexuality and new technologies

<i>Level</i>	<i>Content</i>
	<ul style="list-style-type: none"> – Identification of risky sexual behaviours (use of condoms) – Adolescence and social relationships (fathers, mothers and groups of peers) – Group dynamics: sex and gender
Second year of secondary (13–14 years of age)	<ul style="list-style-type: none"> – Concepts linked to first sexual relations – Assertiveness, respect, trust and affection in sexual relations – Body image – Gender-based violence, sexuality and legality – Different types of contraceptive methods: advantages and disadvantages – Technique for putting on condoms
Third year of secondary (14–15 years of age)	<ul style="list-style-type: none"> – Concepts linked to first sexual relations – Assertiveness, respect, trust and affection in sexual relations – Body image – Gender-based violence, sexuality and legality – Different types of contraceptive methods: advantages and disadvantages – Technique for putting on condoms
Fourth year of secondary (15–16 years of age)	<ul style="list-style-type: none"> – Sexually transmitted infections – Reinforcement of all the content covered in the earlier years and resolution of uncertainties – Group dynamics: sexually transmitted diseases and assertiveness and communication