



International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the initial report of Andorra*

1. The Committee considered the initial report of Andorra¹ at its 4262nd and 4263rd meetings,² held on 2 and 3 March 2026. At its 4282nd meeting, held on 16 March 2026, it adopted the present concluding observations.

A. Introduction

2. The Committee is grateful to the State Party for having accepted the simplified reporting procedure and for submitting its initial report in response to the list of issues prior to reporting prepared under that procedure.³ It expresses appreciation for the opportunity to initiate its constructive dialogue with the State Party's delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee thanks the State Party for the oral responses provided by the delegation and for the supplementary information provided to it in writing.

B. Positive aspects

3. The Committee welcomes the following legislative, institutional and policy measures taken by the State Party:

(a) Act No. 16/2024 of 7 November 2024 on the Raonador del Ciutadà (Ombudsman);

(b) Act No. 8/2023 of 30 January 2023 on the Regulations Governing Popular Legislative Initiatives;

(c) Act No. 6/2022 of 31 March 2022 on the Effective Implementation of the Right to Equal Treatment and Opportunities and Non-Discrimination between Women and Men;

(d) Act No. 13/2019 of 15 February 2019 on Equal Treatment and Non-Discrimination;

(e) Qualified Act No. 14/2019 of 15 February 2019 on the Rights of Children and Adolescents;

(f) Act No. 4/2018 of 22 March 2018 on Temporary and Transitional Protection on Humanitarian Grounds;

(g) Act No. 9/2017 of 25 May 2017 on Measures to Combat Trafficking in Persons and Protect Victims;

* Adopted by the Committee at its 145th session (2–19 March 2026).

¹ [CCPR/C/AND/1](#).

² [CCPR/C/SR.4262](#) and [CCPR/C/SR.4263](#).

³ [CCPR/C/AND/QPR/1](#).



(h) Act No. 1/2015 of 15 January 2015 on the Eradication of Gender-based Violence and Domestic Violence;

(i) Qualified Act No. 34/2014 of 27 November 2014 on Civil Unions and amending the Qualified Act on Marriage of 30 June 1995;

(j) The establishment of the National Commission for the Prevention of Gender-based and Domestic Violence in 2016;

(k) The National Plan of Action for Children and Adolescents (2022–2026), in 2022;

(l) The strategic plan for the implementation of the Sustainable Development Goals in 2019.

4. The Committee welcomes the ratification of, or accession to, the following international instruments by the State Party:

(a) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, on 25 September 2014;

(b) The Convention on the Rights of Persons with Disabilities, on 11 March 2014;

(c) The Optional Protocol to the Convention on the Rights of Persons with Disabilities, on 11 March 2014.

C. Principal matters of concern and recommendations

Constitutional and legal framework within which the Covenant is implemented

5. The Committee notes the State Party's recognition of the primacy of international treaties and agreements over domestic legislation and their direct application in domestic law upon their publication in the Official Gazette of the Principality of Andorra. However, the Committee regrets the lack of training and public awareness-raising measures regarding the Covenant and the Optional Protocols thereto (art. 2).

6. **The State Party should raise public awareness of the Covenant and the Optional Protocols thereto and the mechanisms that enable individuals to bring cases before the Committee in the event of a violation of the Covenant. It should also increase its efforts to raise awareness of the Covenant and the Optional Protocols thereto among judges, prosecutors, lawyers and law enforcement officials, in order to ensure that the provisions of these instruments are invoked, taken into account and applied by the national courts.**

National human rights institution

7. The Committee notes the various legislative measures taken by the State Party to strengthen and expand the powers of the Raonador del Ciutadà (Ombudsman) in the promotion and protection of human rights since its establishment in 1998. However, it is concerned that the State Party has not established a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

8. **The State Party should take the necessary measures to establish a national human rights institution that is in full compliance with the Paris Principles and allocate sufficient human, financial and technical resources to enable it to carry out its mandate effectively and independently. It should also ensure that civil society organizations are consulted during the process of establishing this institution.**

Anti-corruption measures

9. The Committee takes note of the measures taken by the State Party to combat corruption, such as the adoption in 2021 of Act No. 33/2021 on Transparency, Access to Public Information and Open Government and the various codes of conduct and codes of ethics adopted for members of the Government, senior officials, members of parliament, the

judiciary, the police and the prison administration. It also notes the approval by the State Party's Government of the ratification of the United Nations Convention against Corruption. However, the Committee is concerned about the lack of a comprehensive anti-corruption strategy or public policy and the absence of measures, including legislative ones, to protect whistleblowers. It also regrets that the State Party has not provided sufficient information on investigations carried out, prosecutions initiated and penalties imposed in corruption cases (arts. 2 and 25).

10. The State Party should increase its efforts to prevent and eradicate corruption at all levels. It should, in particular:

(a) Develop and adopt a comprehensive strategy or public policy to combat corruption;

(b) Allocate sufficient human, financial and technical resources to the Unit for Preventing and Combating Corruption and the Public Prosecutor's Office so that they can carry out their mandate effectively and independently;

(c) Ensure that all allegations of corruption are promptly, thoroughly and impartially investigated and that perpetrators are prosecuted and, if convicted, sanctioned with penalties commensurate with the seriousness of the crime;

(d) Implement training and awareness-raising campaigns to inform public officials, politicians, lawyers, the business community and the general public about the economic and social costs of corruption and the mechanisms in place to report it;

(e) Ensure that whistle-blowers and witnesses receive adequate protection, including by enacting legislation and establishing a protection system for this purpose;

(f) Complete the ratification process for the United Nations Convention against Corruption.

Non-discrimination

11. The Committee notes the measures taken by the State Party to strengthen the legal and institutional framework for combating discrimination, including the adoption of Act No. 13/2019 of 15 February 2019 on Equal Treatment and Non-Discrimination and Qualified Act No. 34/2014 of 27 November 2014 on Civil Unions and amending the Qualified Act on Marriage of 30 June 1995, and the establishment of the Department of Equality Policies in 2017 and the Social and Equality Observatory in 2020. However, it is concerned that the Act on Equal Treatment and Non-Discrimination does not expressly prohibit discrimination on the grounds of colour, social origin and wealth, in accordance with article 2 (1) of the Covenant. It is also concerned about reports of online hate speech targeting migrants, Muslims and lesbian, gay, bisexual, transgender and intersex persons, the lack of a competent monitoring body to receive complaints regarding hate speech and the procedural and technical constraints involved in conducting investigations into such matters. It regrets that the State Party has not provided sufficient information, including disaggregated data, on investigations carried out, prosecutions initiated and penalties imposed in cases of discrimination and hate speech. It also regrets the lack of a comprehensive system for collecting disaggregated data on hate speech and hate crimes (arts. 2, 9, 14, 20 and 26).

12. The State Party should increase its efforts to prevent and eliminate all forms of discrimination. In particular, the State Party should:

(a) Bring the legislative framework for combating discrimination into full compliance with the Covenant by including all the grounds for discrimination set out therein, in particular those based on colour, social origin and wealth;

(b) Adopt a national action plan to combat all forms of discrimination, set out clear indicators and targets, establish appropriate monitoring mechanisms and allocate sufficient human, financial and technical resources for the implementation of the plan, ensuring that civil society organizations are consulted during the development, adoption and monitoring of the plan;

(c) **Step up efforts to prevent and combat hate speech – particularly online hate speech – in close cooperation with Internet service providers, social media platforms and the groups most affected by hate speech, including by establishing a competent monitoring body to receive complaints regarding hate speech and by facilitating investigations into such matters;**

(d) **Make it easier to report hate speech and hate crimes and ensure that perpetrators are prosecuted and, if convicted, are punished appropriately and provide victims and their families with access to full reparation;**

(e) **Provide law enforcement officials, judges and prosecutors with effective training in the investigation and prosecution of hate crimes and hate speech and ensure that such offences are identified and recorded, including through a comprehensive system for collecting disaggregated data.**

Freedom of conscience and religion

13. While taking note of the information provided by the State Party, the Committee is concerned about the ban on the conspicuous display of religious signs and symbols by students, teachers, heads of institutions and all school staff, introduced by Act No. 10/2022 of 7 April 2022, which could have a discriminatory impact and result in a restriction of the freedom of thought, conscience and religion of certain persons belonging to religious minorities (arts. 2, 3, 18 and 26).

14. **The State party should review Act No. 10/2022 of 7 April 2022 in the light of its obligations under the Covenant, particularly with regard to freedom of thought, conscience and religion and equality before the law, and ensure that any restrictions on these freedoms strictly comply with the principles of legality, necessity and proportionality.**

Gender equality

15. The Committee welcomes the legislative and institutional measures taken by the State Party to ensure equality between men and women, such as the adoption of Act No. 6/2022 of 31 March 2022 on the Effective Implementation of the Right to Equal Treatment and Opportunities and Non-Discrimination between Women and Men, the adoption in 2026 of a four-year programme for gender equality (2026–2030) and the establishment of the State Secretariat for Equality and Civic Engagement in 2019 and the Andorran Women’s Institute in 2023. It notes the implementation of the gender awareness programme in schools. However, it is concerned by the lack of a comprehensive strategy for the elimination of discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society. It is also concerned that the State Party has not adopted special temporary measures to bridge gender gaps. It regrets that the State Party has not provided concrete, comparable and disaggregated statistical data on the results of measures taken to eliminate structural inequalities between women and men, particularly with regard to vertical and horizontal occupational segregation, the gender pay gap and women’s participation in political and public life, including in executive, judicial and legislative bodies at the national and local levels, and in decision-making positions in the public and private sectors (arts. 3, 23, 25 and 26).

16. **The State Party should:**

(a) **Strengthen measures to ensure gender equality in all areas, in both the public and private sectors, including by adopting a comprehensive strategy aimed at eliminating patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men within the family and in society;**

(b) **Adopt and implement temporary special measures to accelerate the achievement of substantive equality between men and women in all areas in which women and girls continue to be disadvantaged or underrepresented, such as in political and public life, education and employment;**

- (c) **Intensify efforts to increase women's representation in public and political spheres, particularly in decision-making positions, and in the private sector;**
- (d) **Ensure that the principle of equal pay for work of equal value is effectively upheld, in order to reduce and close the gender pay gap, including by conducting regular surveys on wage disparities;**
- (e) **Strengthen impact assessment mechanisms to ensure that gender equality policies are properly monitored and implemented;**
- (f) **Improve the collection, analysis and dissemination of comprehensive and disaggregated data, including by sex and age, and use measurable indicators to assess progress toward achieving substantive equality between women and men in all areas.**

Violence against women

17. The Committee notes the State Party's initiatives to prevent and combat violence against women and girls, such as the adoption of Act No. 1/2015 of 15 January 2015 on the Eradication of Gender-based and Domestic Violence and the establishment of the National Commission for the Prevention of Gender-based and Domestic Violence. It also notes the implementation of the cooperation guidelines and related action protocols for cases of gender-based violence and domestic violence. However, it is concerned about the lack of a comprehensive strategy to prevent and combat all forms of violence against women and girls. It regrets that the State Party has not provided statistical data or indicators that would enable it to assess the results of the measures taken to combat violence against women and girls. It also regrets the lack of comprehensive data on violence against women and girls, including domestic and sexual violence, in particular the number of complaints filed, prosecutions initiated, convictions handed down and penalties imposed on the perpetrators and reparation provided to victims (arts. 2, 3, 6, 7 and 26).

18. **The State Party should continue its efforts to prevent, combat and eliminate all forms of gender-based violence against women and girls. In particular, the State Party should:**

- (a) **Adopt a comprehensive strategy to prevent and combat all forms of violence against women and girls, accompanied by a monitoring mechanism with sufficient human, financial and technical resources, and regularly evaluate the measures taken in this area based on indicators that measure their relevance, progress and effectiveness;**
- (b) **Introduce mandatory capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials to ensure rigorous enforcement of legislation on violence against women and girls and mandatory training for medical staff;**
- (c) **Ensure that all forms of violence against women and girls are thoroughly investigated, that those responsible are prosecuted and, if convicted, sentenced to appropriate penalties, and that victims have access to effective remedies, receive full reparation, including compensation, and have access to adequate protection and support measures;**
- (d) **Allocate resources to support specialized and comprehensive care services for women and girls who are victims of violence, including health care, psychosocial and legal services, and ensure that these services are accessible to all victims, regardless of their status;**
- (e) **Systematically collect statistical data on all forms of violence against women and girls, disaggregated by sex, age, nationality and the relationship between the victim and the perpetrator.**

Voluntary termination of pregnancy

19. While taking note of the information provided by the State Party regarding the institutional framework in Andorra and the fact that the provisions of the Criminal Code criminalizing voluntary termination of pregnancy are not applied in practice, the Committee

is concerned that these provisions remain in force, leading women to travel abroad for abortions, and that the mere existence of these provisions could encourage women to undertake unsafe abortions, thereby putting their lives and health at risk (arts. 2, 3, 6, 7, 17 and 26).

20. Bearing in mind paragraph 8 of the Committee’s general comment No. 36 (2018) on the right to life, the State party should review its legislation to provide effective access to abortion where the life and health of the pregnant woman or girl is at risk, or where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering contrary to article 7 of the Covenant, most notably where the pregnancy is the result of rape or incest or where the pregnancy is not viable.

Climate change and environmental degradation

21. The Committee commends the State Party on the measures taken to combat the effects of climate change and environmental degradation, including the adoption of Act No. 21/2018 of 13 September 2018 on the Promotion of the Energy Transition and Climate Change, and the National Energy and Climate Change Strategy, adopted in 2021, and the establishment of the National Energy and Climate Change Commission in 2018. While noting that the State Party launched a participatory process on climate change adaptation in 2014, it observes the lack of a national climate change adaptation plan (arts. 6 and 25).

22. Bearing in mind the Committee’s general comment No. 36 (2018) on the right to life, the State party should continue its efforts, including through international cooperation, to prevent and mitigate the effects of climate change and environmental degradation, in particular by adopting a national climate change adaptation plan. It should also take the necessary steps to adopt an approach to protecting people, particularly the most vulnerable, from the adverse effects of climate change, environmental degradation and natural disasters, based on the precautionary principle, and ensuring that the entire population participates effectively in decision-making in this regard, with full knowledge of the facts.

Liberty and security of person

23. The Committee is concerned that, according to information provided by the State Party, persons in pretrial detention account for 49.3% of the prison population and that the average length of pretrial detention is 242 days, despite the detailed limits set out in article 108 of the Code of Criminal Procedure (arts. 9, 10 and 14).

24. Bearing in mind the Committee’s general comment No. 35 (2014) on liberty and security of person, the State Party should significantly reduce the use of pretrial detention, particularly by making greater use of non-custodial measures. In particular, it should:

(a) **Ensure that pretrial detention is exceptional and imposed only when necessary and for as short a time as possible and that statutory limits on detention are strictly enforced;**

(b) **Increase the availability of, and recourse to, alternatives to pretrial detention in the light of the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and develop clear rules and procedures for their application;**

(c) **Ensure that pretrial detention is reviewed in a prompt, thorough and impartial manner by the relevant judicial authorities.**

Elimination of slavery, servitude and trafficking in persons

25. The Committee notes the State Party’s initiatives to prevent and combat trafficking in persons, such as the adoption of Act No. 9/2017 of 25 May 2017 on Measures to Combat Trafficking in Persons and Protect Victims and the protocol on action for the protection of victims of trafficking in persons in 2018 and the establishment of the Trafficking in Persons Victim Support Service. However, the Committee is concerned about reports of the risks of

labour exploitation in the sectors of domestic work, seasonal work, construction and agriculture and the fact that potential victims may not report such incidents for fear of being deported. It is also concerned about reports of the low number of labour inspections carried out on the authorities' own initiative and the lack of systematic anti-trafficking training for law enforcement officials, judges and prosecutors (arts. 2, 7, 8, 24 and 26).

26. The State Party should:

(a) Strengthen measures to prevent trafficking in persons and labour exploitation, particularly in the sectors of domestic work, seasonal work, construction and agriculture;

(b) Ensure respect for the rights of workers in the sectors of domestic work, seasonal work, construction and agriculture, particularly migrant workers, regardless of their status, and ensure that they are aware of their rights, are protected from all forms of abuse and have effective access to justice;

(c) Ensure that cases of trafficking in persons are promptly and effectively investigated, that perpetrators are prosecuted and, if convicted, that they are sentenced to a penalty commensurate with the seriousness of their offences;

(d) Strengthen training and specialization activities for judicial personnel, law enforcement officers, labour inspectors, agencies involved in combating trafficking in persons and lawyers and ensure that such training is regular, systematic and targeted;

(e) Ensure that sufficient human, financial and technical resources are allocated to all institutions responsible for preventing, combating and punishing trafficking in persons and to those that provide protection and assistance to victims of trafficking, including civil society organizations.

Asylum-seekers, refugees and stateless persons

27. The Committee welcomes the State Party's initiatives to facilitate and provide support for the reception of refugees, particularly Syrian and Ukrainian refugees, such as the adoption of Act No. 4/2018 of 22 March 2018. Nevertheless, the Committee is concerned about the lack of national legislation governing asylum and of refugee status determination procedures. It is also concerned about the lack of a legal framework and related procedures for determining statelessness (arts. 7, 9, 12, 13 and 24).

28. The State Party should adopt an asylum law that complies with international standards and establishes refugee status determination procedures for persons who could be recognized as refugees. It should also adopt a comprehensive legal framework for the international protection of stateless persons, establishing a procedure for determining statelessness and ensuring compliance with international standards. It should consider ratifying the Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees of 1967, the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961.

Freedom of expression and protection of human rights defenders

29. The Committee notes with concern that the Criminal Code criminalizes defamation and observes that the State Party has not taken steps to decriminalize it. In this regard, it is concerned about the criminal proceedings initiated in 2019 against human rights defender Vanessa Mendoza Cortés, President of the Stop Violències association, who was charged with an offence against the prestige of institutions, as provided for in article 325 of the Criminal Code, in connection with her actions in defence of women's rights, including the criticisms she had made regarding the total ban on abortion in Andorra during her participation in the work of the Committee on the Elimination of Discrimination against Women in September 2019. While noting that the Criminal Court (Tribunal de Corts), in a judgment of 17 January 2024, acquitted Ms. Mendoza Cortés, stating that criminalizing such speech could deter social activists from sharing information, voicing concerns and carrying out activities aimed at better protecting human rights, the Committee is concerned about the

chilling effect that the criminalization of defamation in the State Party could have on freedom of expression, including with regard to human rights defenders (art. 19).

30. **The State Party should consider decriminalizing defamation and, in any event, limit the application of criminal law to the most serious cases, bearing in mind that imprisonment is never an appropriate penalty for the offence of defamation, as stated in the Committee’s general comment No. 34 (2011) of the freedoms of opinion and expression. It should also take all necessary measures to ensure that article 325 of the Criminal Code is not used in a manner that effectively constitutes a form of judicial harassment against human rights defenders, particularly those who promote women’s rights and advocate for the legalization of abortion in the State Party, including those who cooperate with international mechanisms for the promotion and protection of human rights, such as bodies established under an international human rights instrument.**

Rights of the child

31. The Committee notes the measures taken by the State Party to protect the rights of the child, such as the adoption of Qualified Act No. 14/2019 of 15 February 2019 on the Rights of Children and Adolescents and the National Plan for Children and Adolescents (2022–2026), adopted in 2022. However, the Committee notes with concern that the age of criminal responsibility is currently set at 12 years and that a child may be held in pretrial detention for up to 90 days. It is also concerned that minors may be placed in solitary confinement as a disciplinary measure for up to 3 days (arts. 7, 10 and 24).

32. **The State Party should amend its legislative framework to raise the minimum age of criminal responsibility so that it complies with internationally accepted standards. It should also reduce the maximum length of pretrial detention; avoid pretrial detention by ensuring that children who are arrested and deprived of their liberty are brought without delay before an authority empowered to review the legality of the deprivation of liberty or its extension; and ensure that pretrial detention is reviewed periodically by a judicial authority. It should also bring its legislation and practices regarding solitary confinement into line with the international standards set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) by abolishing the placement of minors in solitary confinement.**

Political participation

33. The Committee notes the measures taken by the State Party to promote the effective participation of different segments of the population in public affairs, such as Decree No. 444/2022 of 26 October 2022 on the regulations governing civic engagement and the various forums and bodies for civic engagement (such as the “Citizens’ Watch” (Visura Ciudadana) process and the Operational Commission for Civic Engagement). Nevertheless, it regrets the lack of information on the participation of non-citizens residing in the territory of the State Party in local elections (art. 25).

34. **The State Party should continue its efforts to promote and ensure the meaningful and informed participation of all segments of the population in public affairs, political spaces and decision-making processes. It should also take measures to promote participation in public affairs by long-term residents who are not citizens, including by considering the possibility of allowing them to take part in local elections.**

D. Dissemination and follow-up

35. **The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its initial report and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country and the general public. The State Party should ensure that the report and the present concluding observations are translated into the official language of the State Party.**

36. In accordance with rule 75 (1) of the Committee's rules of procedure, the State Party is requested to provide, by 19 March 2029, information on the implementation of the recommendations by the Committee in paragraphs 8 (national human rights institution), 20 (voluntary termination of pregnancy) and 30 (freedom of expression and protection of human rights defenders) above.

37. In line with the Committee's predictable review cycle, the State Party will receive in 2032 the Committee's list of issues prior to submission of the report and will be expected to submit within one year its replies, which will constitute its second periodic report. The Committee requests the State Party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State Party will take place in Geneva in 2034.
