



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Ninety-eighth session

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Item 4 of the provisional agenda

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined initial and second to sixth periodic reports of Andorra

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

Statistics

2. Comprehensive and up-to-date statistical data on the demographic composition of the population, including migrants, refugees and asylum seekers (CERD/C/AND/1-6, para. 2; A/HRC/WG.6/22/AND/3, para. 5).

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 3, 4 and 6)

3. Harmonization of the definition of racial discrimination in the Constitution and national legislation with article 1 of the Convention (CERD/C/AND/1-6, paras. 100–102). Adoption and content of the bill on equality and non-discrimination (CERD/C/AND/1-6, paras. 59 and 108).

4. The anti-racism activities carried out by the National Commission for Equality (CRC/C/AND/CO/2, paras. 24–25; A/HRC/WG.6/22/AND/3, para. 7), the Equality Unit (CERD/C/AND/1-6, para. 62) and other relevant national bodies. Adequacy of their human, technical and financial resources to allow for proper functioning. Progress made in establishing a body with specialized capacity to combat racism, racial discrimination, xenophobia and intolerance (A/HRC/WG.6/22/AND/3, para. 6).

5. Progress made on the development of the national action plan for equality (CRC/C/AND/CO/2, para. 24) and a national integration policy (A/HRC/WG.6/22/AND/3, paras. 7, 15 and 23). Results achieved as regards the integration of foreigners (CERD/C/AND/1-6, paras. 114 and 172).



6. Consistency of articles 359 and 360 of the Criminal Code with article 4 (b) of the Convention and application of these legislative provisions to criminalize racist organizations and participation in such organizations (CERD/C/AND/1-6, para. 125).
7. Measures to facilitate the lodging of complaints about acts, events or situations of racial discrimination. Information on the handling of cases relating to racial discrimination, racist hate speech and hate crimes, and acts of incitement to racial hatred brought before the State party's civil, administrative and criminal courts (CERD/C/AND/1-6, paras. 48, 132–133 and 141) and the Raonador del Ciutadà (Ombudsman) (CERD/C/AND/1-6, paras. 51–54 and 142), including complaints lodged, investigations conducted, proceedings initiated, convictions secured and sentences pronounced, and reparation granted to victims.
8. Information on the number of persons who have received free legal aid from the Judicial Assistance and Mediation Service under the State party's justice and legal aid system for the purpose of filing a complaint of racial discrimination (CERD/C/AND/1-6, paras. 56 and 144–149).
9. Efforts made to inform the public about their rights under the Convention and relevant complaint mechanisms and judicial remedies. Measures to provide judges, prosecutors, lawyers and other legal professionals, and law enforcement officers, with mandatory training in the Convention (CERD/C/AND/1-6, paras. 76–79, 153–155 and 165).
10. Establishment of an independent national institution for the promotion and protection of human rights, with an appropriate mandate and adequate financial and human resources, that fully complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (CERD/C/AND/1-6, para. 65; CAT/C/AND/CO/1, para. 12).

Situation of ethnic minorities (arts. 1, 5 and 7)

11. Latest statistics, disaggregated by ethnicity and sex, indicating the level of fulfilment of economic, social and cultural rights among ethnic minorities, including access to employment, education, housing, social security and health services.
12. Measures taken to ensure adequate participation by ethnic minorities in public and political life. Statistics, disaggregated by sex, on ethnic minorities in the civil service and political decision-making positions (CERD/C/AND/1-6, paras. 139–140).

Situation of non-citizens, including migrants, asylum seekers and refugees (arts. 5–7)

13. Effective protection of non-citizens in the enjoyment of their economic, social and cultural rights, including access to employment, education, housing, health care and family reunification for seasonal workers (CERD/C/AND/1-6, paras. 28 and 131; CEDAW/C/AND/CO/2-3, paras. 29–34; CRC/C/AND/CO/2, paras. 45–46).
14. Update on the bill on temporary and transitional protection for humanitarian reasons (CERD/C/AND/1-6, para. 39). Adoption of legislation on asylum seekers and refugees that complies with international standards and establishment of procedures for the determination of refugee status for persons who could be recognized as refugees. Accession to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (CAT/C/AND/CO/1, para. 15; CRC/C/AND/CO/2, paras. 43–44; A/HRC/WG.6/22/AND/3, para. 33). Statistics, disaggregated by nationality of the applicant, on asylum claims filed and granted.
15. Extent of trafficking in persons in the State party. Amendment of the Criminal Code to explicitly criminalize human trafficking and legislative and policy measures to combat trafficking for the purposes of forced labour, sexual exploitation and domestic servitude (CAT/C/AND/CO/1, para. 14; CEDAW/C/AND/CO/2-3, paras. 23–24; A/HRC/WG.6/22/AND/3, paras. 4 and 19–22). Information on complaints, investigations, prosecutions, convictions, sentences and measures of reparation and rehabilitation for victims.

Education to combat prejudices and promote understanding (art. 7)

16. Raising public awareness about racial discrimination and tolerance, with a view to combating prejudice and racial stereotypes. Promotion of human rights and understanding between different groups in school curricula and vocational training programmes. Impact of the training courses on racism and racial discrimination, exclusion and the perception of otherness for Andorran journalists and communications professionals (CERD/C/AND/1-6, paras. 81–83, 87–88, 116–117, 161–167 and 173–175).
