Since the foundation in 2014 of the association Stop Violències we have observed some progress concerning violence against women that we consider important. We believe there has been an important progress on the way of thinking and society is demanding changes that our government feels obliged to listen to. Although insufficient, some laws have been established to address the gender wage gap, to fight human trafficking for sexual exploitation, reception of refugees and against discrimination in general.

However, we have also suffered from constant violation of our rights, and an administration that has ignored our petitions and uses the state model as a justification for its patriarchal policies.

April 3rd, 2020
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On UPR previous cycles Andorra received 163 recommendations;
A general recommendation made in 1st cycle by 6 countries 14 countries on the 2nd Cycles is related to the International Covenant on Economic, Social and Cultural Rights which has not been Signed or ratified by Andorra since his creation

Current Labor rights deficiencies;
• Dismissal is free and it has been a with a reduction in severance payments since the last labor reform in 2018
• Economic unemployment benefits are scarce and with somewhat inflexible parameters, only full-time employment is accepted and the population with part-time jobs or does not work in order to take care of children or older people are not entitle to the health coverage unless they register with their partners (civil unions or marriages) that has a monthly income of the interprofessional minimum salary. Due to this system we are deeply concerned that in case of being in an abusive relationship it means more vulnerability for women

Current Health rights deficiencies;
• Health coverage in Andorra is neither universal nor free. Almost the entire population pays 25% of the cost of their health service, with an exception for some people over the age of 65 and only if the person applies for it.
• In adulthood, health coverage is only accessed when the monthly income arrives the minimum interprofessional salary or in the situation explained above.
• Article 12.2, reproductive rights of the treaty, due to our co-principal status and one of them being under the command of the Catholic Church, are not viable up to date in Andorra, this point will be detailed below.

Current education rights deficiencies; Andorra has an illiteracy rate of 1’7%.

In consequence of the above we encourage the petition for our government to sign and ratify the International Covenant on Economic, Social and Cultural Rights as a democratic guarantee and commitment to the citizens of Andorra, we also request Andorra be part of the ILO (International Labor Organization) to guarantee, above all, legitimate labor rights in a country with a huge influx of tourism.
28 of this recommendation where related to Women's rights or Discrimination against Women;

**Cycle 1**
- **Australia** - Continue to ensure strong legislative protection for children, including by increasing the minimum age of marriage to 18
- **Azerbaijan** - Carefully monitor the impact of legislation, policies and programs to eliminate inequality between women and men, and take steps to ensure that equal rights are enjoyed de facto
- **Netherlands** - Amend legislation in order to decriminalize abortion under certain circumstances, such as pregnancies that are the result of rape
- **Netherlands** - Take measures to eradicate traditional stereotypes of women, especially through educational programs, and apply a gender perspective in the design of future policies and programs
- **Spain** - Continue to develop legislation and policies to ensure effective gender equality and to combat gender violence

**Cycle 2**
- **Australia** - Continue its efforts to prevent gender-based and domestic violence and to protect and support victims
- **France** - Amend legislation in order to decriminalize abortion under certain circumstances, such as pregnancies that are the result of rape
- **Monaco** - Redouble its efforts in the field of violence against women and domestic violence through the different measures provided in the legislation aiming at the eradication of violence against women and domestic violence
- **Netherlands** - Amend legislation in order to decriminalize abortion under certain circumstances, such as pregnancies that are the result of rape, as previously recommended
- **Sierra Leone** - Raise the minimum age of marriage from 14 to 18
- **Spain** - Continue to develop legislation and policies to ensure effective gender equality and to combat gender violence
Women sexual and reproductive rights in Andorra

The consequences of not having an institutional framework that protects and respects sexual and reproductive rights are:

a) **Criminalization of abortion**, in all its forms which have physical, psychological and sexual consequences on women and girls in childbearing age in the country, in 2015 a minor who became pregnant as a result of a rape was forced to give birth.

b) **Absence of legal regulations against obstetric violence**,  
   • Coactions or violence during gynecological consultations, as an example, to force a woman to listen to the fetal heartbeat who has requested information on where to have an abortion outside our borders.  
   • An excess of unjustified C-sections, from 467 births during 2019, 40.9% were by C-section when 10% to 15% are the recommendation of the WHO

c) **Absence of specialized and effective services against sexual violence**  
   • Sexual violence will be accepted institutionally and structurally if there are no specialized services in the country to deal with sexual violence in the public space, and intimate partner violence.  
   • There is no known if there are official action protocols in case of rape.  
   • Our experience when accompanying women has been that the police act in a paternalistic and chaotic way when facing a rape, and the hospital does not have medical specialists to assist them.
Recommendations for immediate action on women sexual and reproductive rights

1. Create a comprehensive legislation regarding sexual and reproductive rights, with a gender perspective and non-discrimination towards women.

2. Legalize abortion under the following circumstances; Rape, fatal or severe fetal malformations, psychological and/or physical risk for the mother, vulnerability and/or social exclusion of the mother and remove from the Criminal code punishment for consented abortion eliminating article 108.

   Article 108. Consented abortion
   1. Whoever produces an abortion with the woman’s consent must be punished with a prison sentence of three months to three years and disqualification from practicing any health profession for a period up to five years.
   2. The woman who commits an abortion or consents to another to cause it must be punished with penalty of arrest.
   3. The attempt of the behavior described in the first section is punishable.

3. Create a legislation that defines and classifies what is consider obstetric violence as a measure of protection and respect for women's sexual and reproductive rights.

4. Ensure that all emergency services (Police, emergency room, courts) has a trained team specialized in domestic and sexual violence during all shifts, 24/7.
Regarding the efforts at the elimination of discrimination against women and in relation to the previous recommendations;

**Cycle 1**
- **Azerbaijan** - Carefully monitor the impact of legislation, policies and programs to eliminate inequality between women and men, and take steps to ensure that equal rights are enjoyed de facto
- **Canada** - Institute mechanisms to ensure that a gender perspective is incorporated into its future policies and programs
- **Chile** - Continue considering the incorporation of a gender perspective into policies and programs, in accordance with what was recommended by the Committee on the Elimination of Discrimination against Women
- **Hungary** - Take the gender perspective into consideration in the design of future policies and programs
- **Netherlands** - Take measures to eradicate traditional stereotypes of women, especially through educational programs, and apply a gender perspective in the design of future policies and programs
- **Spain** - Continue to develop legislation and policies to ensure effective gender equality and to combat gender violence

**Cycle 2**
- **Morocco** - Continue its efforts aiming at the elimination of discrimination against women by further aligning its legislation and national policies to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women
- **Spain** - Continue to develop legislation and policies to promote gender equality, placing particular focus on the participation of women in politics
- **Uruguay** - Continue incorporating the gender perspective in all policies and programs and improve existing practices in this matter
In 2018 Stop Violències started the “Xarxa la Meri”, a secure, specialized and respectful net for women to inform and accompany them to have an abortion in Barcelona while we fight for the decriminalization of abortion.

In March 2020 the government started very similar service called SIAD

Some of the following doubts arise to us regarding this service:

- No study on women's needs has been done or not has not been published.
- We do not know the protocols of action in case of suspicion of sexual assault or any other violence
- No legal guarantee that they will not revictimize them, since obstetric violence is NOT legislated.
- We suspect of low service specialization of the service, regarding the abortion process, sexual or intimate partner violence, or no feminist or gender perspective.
- How can the government guarantee a respectful and dignified service if it does not decriminalize abortion
- Lengthen the waiting on economic support due to the abortion might jeopardize abortion access

We reiterate the need, once again, to decriminalize abortion. We ask for an act of courage from our government, which it is sure to be able to do, for the advancement in our country of human rights and especially in the rights of women. We also ask that our association is considered and collaborate in the service called SIAD, as the professionals we are, with political will and financial support, to avoid possible secondary victimization of women.
### Previous recommendations Migrant workers rights

#### Following the 16 recommendations related to all Migrant workers

**Cycle 1**
- Algeria and Mexico - Pursue its commitment to the ratification of international conventions by ratifying fundamental instruments, in particular the IC on ESC Rights, the International Convention on the Protection of All Migrant Workers and Members of Their Families
- Brazil - Consider taking necessary steps to guarantee access to fundamental social human rights, such as health care and education, for foreign residents, including their children, regardless of their migratory status
- Mexico - Promote the right of temporary workers to family reunification in accordance with the European Commission’s recommendation against racism and intolerance, particularly in the light of the Immigration Law which entered into force in July 2008
- Morocco - Establish a system for data collection to better evaluate the situation of migrants, and consolidate efforts to ensure that their rights are respected and - Turkey – and which would allow a stock-taking of the situation of immigrant problems in areas such as employment and access to public office, and take measures to solve these problems

**Cycle 2**
- Angola - Strengthen national policies for the promotion and protection of migrants
- China - Improve the policy on health care to provide affordable health-care services to immigrant women and girls
- Costa Rica - Adopt public policies for migrants in conformity with its international obligations
- Indonesia, Nicaragua, Philippines - Strengthen its legal framework on the fulfilment of the rights of migrants, by considering accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Nicaragua - Consider ratifying those international human rights instruments to which it is not yet a party, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Sierra Leone, Uruguay Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and - Uruguay - and the International Convention for the Protection of All Persons from Enforced Disappearance
Seasonal migrant workers rights in Andorra

We identify a structural violence against seasonal migrant workers, specially women who come to work during the winter season, mostly from Latin America. Throughout our social activity we have seen the following problems:

1. **No health coverage** our health system only provides semi-public assistance (we paid a small part) **only once the person is employed**.
2. Labor protection, **women or men that just arrive to our country are not aware of their rights** also they are not provided in Spanish or another language
3. They are **requested by some companies to pay for the temporary residence card** or green card (when it is the obligation of the company)
4. **Job offers in exchange for sexual favors.**
5. They are **more unprotected against a rape or sexual abuse as many arrive to our country without a previous work agreement looking for a job**, we have known of sexual abuse on temporary workers who have not wanted to report because of fear of repercussions or being expelled from the country. If there is data collection or studies regarding this situation this are not published.
6. **More difficulties to access a safe abortion** outside our borders due to lack of economic resources or strong emotional social networks in a country that they just have arrived.
We would like our government to promote and protect the rights of the women who come to our country to work since they also contribute to the economic and welfare growth of the country, and we think is our responsibility as a recipient country to ensure their wellbeing and not to treat them only as workforce.

• **Create a service with the aim to help seasonal workers and women to be informed about their rights** in a language they understand and to be assured they will be heard and protected in case of need

• **Carry out studies and collect data* of seasonal workers population** on why they come to work to Andorra, economic precariousness, political or armed conflicts in their country of origin or if they need specific help or assistance.

*As recommended previously by Morocco - establish a system for data collection to better evaluate the situation of migrants, and consolidate efforts to ensure that their rights are respected and - Turkey – and which would allow a stock-taking of the situation of immigrant problems in areas such as employment and access to public office, and take measures to solve these problems
Following the 15 recommendations related to civil organization cooperation, right of freedom of expression and opinion

Cycle 1
• Algeria - Continue efforts in the submission of periodic reports, including by utilizing the potential offered by international cooperation and technical assistance
• Argentina - Strengthen educational measures and intensify cooperation with civil society organizations and the media, with a view to eradicating traditional stereotypes that perpetuate discrimination and violence against women
• United Kingdom - Become a party to the Optional Protocol to the Convention against Torture

Cycle 2
• Brazil - Adhere to the Optional Protocol to the Convention against Torture
• Canada - Adopt a law on access to information in order to fully promote the exercise of the right to freedom of expression and freedom of opinion
• Denmark - Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
• Estonia - Decriminalize defamation, currently in the Criminal Code, and place it within the Civil Code, in accordance with international standards
• France - Sign and ratify the Optional Protocol to the Convention against Torture
• Italy - Ensure swift approval of its plan to recognize the right to strike, in accordance with the Andorran Constitution and international standards
• Montenegro - Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
• Portugal - Ratify the Optional Protocol to the Convention against Torture
• Slovenia - Extend its human rights education efforts to human rights training for media professionals and journalists
• Sweden - Review its legislation so that it provides legal support for collective bargaining and the right to strike
• United States - Adopt legislation providing for the right to collective bargaining and prohibiting acts of anti-union discrimination
• Uruguay - Ratify the Optional Protocol to the Convention against Torture
Situation of human rights defenders and recommendations

Our government has requested the public prosecution to investigate one of the points of the report presented by our entity and the president Vanessa Mendoza Cortés as responsible as responsible. This report was presented during our participation in the 74th session of the CEDAW in October 2019. Since we were aware of this action through the press at the end of November 2019, we know nothing about this petition, up to date we have no response either verbally or in writing and we have requested publicly the prosecutor's office to confirmed whether or not the petition of investigation has been accepted.

We would like the government of Andorra, to stop trying to criminalize us, more active listening and to start implementing effective means to end the suffering of women which we have been witnessing and exposing since 2014.

We encourage the petition to our government as recommended in previous cycles to;

• Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
• Ratify the International Convention for the Protection of All Persons from Enforced Disappearance
• Decriminalize defamation, currently in the Criminal Code, and place it within the Civil Code, in accordance with international standards

Flagging out what is wrong, should serve to change it and take political responsibility, we are confident that our country and government can do it.
THANK YOU

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