



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
18 March 2019

Original: English
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*

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

1. It is noted in the fourth periodic report of the State party ([CEDAW/C/AND/4](#)) that a series of training courses has been delivered to judicial, legal and law enforcement officials on topics related to women (paras. 9–14).¹ Please provide information on steps taken to give sufficient visibility to the Convention, to the communications and inquiry procedures provided for under the Optional Protocol and to the Committee's general recommendations, in particular general recommendation No. 33 (2015) on women's access to justice, in order to make them an integral part of the training of judges, lawyers, prosecutors, police officers and other law enforcement officials.

Constitutional and legislative framework

2. In the common core document ([HRI/CORE/AND/2018](#), paras. 47–50), it is indicated that international treaties and agreements duly signed and ratified have primacy over ordinary laws and are directly applicable in national law. Please provide information on any instances in which the Convention has been invoked by individuals, applied directly or referred to in court proceedings in the State party. With reference to the draft bill on equality and non-discrimination to be submitted to the parliament by the end of 2018 (para. 24), please provide information on whether the bill has been adopted, on the key features of the law and on the legal complaint mechanisms envisaged to protect women from sex- and gender-based discrimination.

* Adopted by the pre-sessional working group on 15 March 2019.

¹ Unless otherwise indicated, paragraph numbers refer to the fourth periodic report of the State party.



Access to justice and legal complaint mechanisms

3. Please provide information on measures taken to ensure that women have effective access to legal remedies to address violations of their rights and on the steps taken to raise awareness of women's rights and how women can invoke them. With reference to the Committee's previous recommendations ([CEDAW/C/AND/CO/2-3](#), para. 14), please report on any assessments conducted with a view to addressing the limited access to justice by women.

4. In the report, it is noted that the Ombudsperson has the mandate to receive and consider complaints in cases of discrimination (para. 28). Please clarify whether the Ombudsperson has a specific mandate to accept complaints relating to all areas covered by the Convention. Please provide the Committee with data on the number of complaints of discrimination filed by women with the Ombudsperson in 2018 and on the outcome of such complaints.

National machinery for the advancement of women

5. In the report, it is stated that the Equality Policies Unit of the Ministry of Social Affairs, Justice and the Interior was established in 2015 (para. 30). In the common core document, it is mentioned that the conclusions and priorities derived from the preparation of the white paper on equality were presented in June 2017 ([HRI/CORE/AND/2018](#), paras. 69–72). Please explain what strategies and policies are envisaged to integrate the provisions of the Convention into national legislation and to advance gender equality. Please also explain what the responsibilities of the new bodies envisaged in the white paper will be in relation to gender equality and the implementation of the Convention.

6. In its report, the State party describes some measures of cooperation with its main women's associations (paras. 16–19). Please provide more details about agreed processes of regular consultation and cooperation with non-governmental organizations on matters relating to the implementation of the Convention and about steps taken by the Government to further develop such cooperation.

National human rights institution

7. The Committee takes note of the State party's commitment to study the establishment of a national human rights institution in response to recommendations made on the occasion of the universal periodic review conducted in 2015 ([A/HRC/30/9/Add.1](#), para. 10, recommendations 84.29–84.34). Please inform the Committee as to whether the said study has since been carried out and, if so, provide information on its findings. Please also provide information on the measures taken or envisaged to establish an independent national human rights institution, with a broad mandate to promote and protect women's rights and gender equality, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Temporary special measures

8. The report provides no information on the use of temporary special measures to accelerate the achievement of women's de facto equality with men, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures. Please elaborate on efforts to raise awareness among relevant officials regarding the concept of temporary special measures, and provide updated information on whether such measures are in place to increase the representation of women and girls in all areas covered by the Convention.

Discriminatory gender-stereotypes

9. The Committee takes note of information provided in the report on workshops held in primary and secondary schools (paras. 49–55). Please indicate the steps taken to adopt a comprehensive policy to eliminate discriminatory gender stereotypes and patriarchal attitudes about the roles and responsibilities of women and men in the family and in society.

10. In the report, it is indicated that, in 2018, the Equality Policies Unit will, inter alia, promote the creation of a self-regulatory body for members of the media, to establish criteria and good practices regarding the transmission of information free of gender stereotypes (para. 59). Please provide updated information on the creation of the body and on the measures taken, including those targeting the media, to eliminate stereotypical images and attitudes regarding the roles of women and men in the family and in society.

Gender-based violence against women

11. The Committee takes note of the adoption of Act 1/2015 on the eradication of gender-based violence and domestic violence, as well as of the criminalization of violence against women in all its forms (paras. 61–69). Please indicate the number of prosecutions, the nature and the outcome of all cases of gender-based violence, including domestic violence against women and girls, the sanctions applied to perpetrators and the remedies, including compensation, provided to victims.

12. Please provide statistical data on gender-based violence, including domestic violence, disaggregated by sex, age, nationality and relationship between victim and perpetrator. Please provide information on the availability of shelters for victims of gender-based violence, including domestic violence, in particular the number of places available, their human, technical and financial resources and the services provided to victims.

Trafficking and exploitation of prostitution

13. The Committee takes note of the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings by the State party in 2011 (para. 115) and the State party's second report to the Group of Experts on Action against Trafficking in Human Beings on the implementation of the Council of Europe Convention, issued in October 2017 (para. 117). It notes the amendment to the Criminal Code, which now criminalizes trafficking in persons (paras. 112–113), and the adoption of Act 9/2017 of 25 May on measures to combat trafficking in persons and protect victims (para. 100). In accordance with the latter, the completion of a protocol of action for the protection of victims of trafficking in persons and the adoption of a national programme for the early detection of trafficking in persons, within one year of the entry into force of the Act, are required. Please inform the Committee of the time frame for the adoption of the protocol and the national programme, and provide detailed information on their key features.

Participation in political and public life

14. Please provide information on time-bound measures taken by the State party to ensure the equal participation of women in legislative bodies at the local level, in senior decision-making positions, in the civil service and in the judiciary.

Education

15. Please provide information on the measures taken by the State party to promote human rights education in schools, including a focus on the Convention and addressing the empowerment of women and girls. Please provide information on measures taken to ensure the integration into school curricula of mandatory, age-appropriate sexual education, including on sexual and reproductive health and rights, paying special attention to the prevention of early pregnancy and sexually transmitted infections.

16. The Committee takes note of the data on education presented on the website of the State party's Department of Statistics and referred to in the report (para. 137). Please provide statistical data, disaggregated by sex, age and disability, on school enrolment, completion, repetition and dropout rates at all educational levels. Please indicate the steps that have been taken to combat discriminatory gender stereotypes and prejudices against girls with disabilities at school. Please indicate how the Equality Policies Unit is planning to guarantee a gender perspective in education (para. 145).

Employment and economic empowerment

17. In the report, it is stated that the bill on equality and non-discrimination will address situations of inequality, possibly by establishing social clauses (para. 167). Please indicate whether the bill has now been passed and elaborate on the measures envisaged to address the gender pay gap and to guarantee equal treatment and opportunities for women and men in employment. It is further noted that a bill that will introduce major changes in the area of maternity and paternity leave is under consideration by the parliament (para. 169). Please provide updated information on the adoption status of the latter bill and on the measures that it contains to enable women and men to reconcile work and family life.

18. Please indicate the measures that are in place to raise awareness among women domestic workers and women migrant workers of their rights and of the complaint mechanisms at their disposal (paras. 172 and 191). The Committee takes note of the measures to promote the employment of persons with disabilities (paras. 182–184 and 188–189). Please provide data on the number of women with disabilities who have benefited from the services of the Integration and Employment Service and who are employed in the public and the private sectors. Please indicate the measures that are in place to engage women with disabilities and support their access to the labour market.

Health

19. With reference to the Committee's previous recommendations (CEDAW/C/AND/CO/2-3, para. 32), and in view of the State party's decision to take into consideration the recommendations formulated during the universal periodic review conducted in 2015 to amend legislation in order to decriminalize abortion under certain circumstances (A/HRC/30/9/Add.1, para. 10, recommendations 84.25 and 84.26), please provide information on the measures and decisions taken, including the timeline, to decriminalize abortion in all cases and to legalize abortion in cases of rape, incest, risk to the physical or mental health of the pregnant woman and severe fetal impairment.

Migrant women

20. In the report, it is noted that further analysis of the situation of migrant women will be facilitated by collaboration agreements signed between State bodies in 2018

(para. 218). Please inform the Committee about the findings of any study on the situation of migrant women conducted in compliance with the Committee's previous recommendations (CEDAW/C/AND/CO/2-3, para. 34 (a)). Please provide updated information on the steps taken to adopt a comprehensive bill on asylum that will provide conditions and protections similar to those established under the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol thereto (para. 220).

Economic empowerment, social and economic benefits

21. In the report, it is mentioned that the bill on equality and non-discrimination will provide for programmes to enhance gender equality in various fields (para. 231). Please provide updated information on the measures, including temporary special measures, to develop and strengthen the capacity of women entrepreneurs in all fields of economic activity, including sustainable development and the digital environment, in line with the Sustainable Development Goals.

Equality in marriage and family relations

22. In the report, it is noted that the bill on the rights of children and adolescents will raise the minimum age of marriage to 18 years for girls and boys (para. 238). Please update the Committee on the status of the bill, including information on the time frame for its adoption. Please indicate the efforts that have been made by the State party to implement the Qualified Act 21/2005, which provides for economic rights for women in de facto unions (para. 239), and indicate how the State party monitors the implementation of the Act.
