

ASSOCIATION STOP VIOLÈNCIES ANDORRA

**REPORT FOR BEIJING 95 PLATFORM
YEARS 2014 - 2018**

Andorra, April 20, 2019

E-mail: stopviolencies@gmail.com

Web: stopviolencies.es

Telegram: @Stopviolencies_

Twitter: @caterinayvonaSV

Youtube Channel: youtube.com/channel/UC2VjDVeFaNyK1GKS5ErnH1g



A short presentation of the association:

Stop Violències is a professional non-governmental association that specialises in gender violence towards women, founded in 2014 by Vanessa Mendoza Cortés, its current president, a social psychologist specialising in violence towards women in general and sexual violence in particular.

The objectives of the association:

- The fight for human rights that women in Andorra are deprived of, with emphasis on sexual and reproductive rights, and with the fight for decriminalisation of abortion as its baseline.
- Projects aimed at raising awareness about gender violence against women in the streets.
- Social criticism (both in Andorra and on the international level) of the violence that women suffer because of their gender and the lack of quality services to attend to women who have suffered from violence.
- Promotion of feminism, gender perspective and everything that is related to this social movement via cultural actions, celebrations, concentrations, demonstrations and other related activities.

Important projects of the association:

- "La Meri" network that provides assistance and information to women willing to abort
- "No i punto. Respeto la fiesta de todas": gives attention to sexual violence at night.
- Providing legal and psychological assistance to women who have suffered from violence

Networks and international organisms which we collaborate with:

- Portugal: Asociación UMAR
- Italy: NON UNA DI MENO
- Catalonia (Spain): Calala Fondo de mujeres, l'Associació de drets sexuals i reproductius, Marea Verde Barcelona, Ca la Dona, la Plataforma Unitaria Contra les violències de gènere.
- France: Mujeres del mediterraneo, Feministas de Perpignà.

Information presented in this report is based on our experiences, on what we have collected from the media and what we have experienced as activists, feminists and professionals.

Disclaimer: due to the lack of systematic data, some of the points addressed in this report have not been expressed through exact figures, and have only been numbered according to how we, as association, have encountered and treated them. Many of the questions addressed in this report have been transferred to competent politicians for them to make necessary changes but have not been addressed by them. Although the small size of our territory allows to make changes and introduce projects promptly, work is not done quickly enough.

Preparation of the report:

Having read the manual and the recommendations for preparation of reports for Beijing95 platform, from the association we are aware that we are not able to respond to many questions the way they are presented in the guide, due to the fact that in our country we observe an important lack of research and awareness about the gender violence towards women and girls; apart from this we feel the backlash from the right-wing government, and the lack of consideration and collaboration on their part. This is why we have decided to divide this report into 3 parts.

1 - Summary of what we have observed in the evolution of the treatment of violence from 2014 up to date

2 - Report according to the 12 critical areas from Beijing 2019 report

3 - Final thoughts

1- Summary of what we have observed in the evolution of tackling the violence from 2014 up to date

From the foundation of the association Stop Violències we have observed some progress concerning violence against women that we consider important. However, we have also suffered from constant violation of our rights, and the administration that has ignored our petitions and has used the state model as a justification for its misogynist policies.

We believe that there has been an important progress in the change of the way of thinking and that the society has been demanding some changes that the government feels obliged to listen to. Some necessary, although insufficient laws have been adopted to address the gender wage gap, to fight human trafficking for the purpose of sexual exploitation, laws about reception of refugees and some laws against discrimination in general ¹. Further on, these laws and their possible effects on the population will be analysed. Other important advances in which Stop Violències participated providing social criticism, have been: 24/365 hotline for reporting violence against women, though not attended by specialists in all its working hours; and providing a meeting space for mothers who have suffered from violence from their partner or ex-partner to be able to leave and pick up children without meeting the aggressor.

The government has contacted us mostly only to provide us with information rather than with laws and services.

The two big actions that have been carried out during these years and which are the objects of this report are: the creation of the White book of equality (Llibre blanc de la igualtat) and a commission of social entities participation called COPEC.

In approximately 2 years that it took to create the White book of equality, none of the critical areas addressed in this report were tackled seriously. There wasn't any research of any type about the female part of the population including young girls, we were not contacted to contribute from our perspective about what we were seeing and what we thought was necessary for the real and effective equality of women and girls in the country; on the contrary, we felt inhibited to talk about the issue. In those meetings not only the feminist entities were present, but rather all the social entities of the country. No meeting by sector or topic was conducted. When we had the courage to make a point about how bad we felt about the fact that there was no talk about the situation of women and girls we were silenced by the government who said that the women issue was tackled in the document in a general way and there was no need for addressing any issues separately, and when we attempted to address the issue of sexual and reproductive rights, and, among them the right to abortion, we were completely ignored with a reference to the state model and to Article 8 of the constitution that defends life.

By the end of the process we decided to stop going to those meetings and boycott the official presentation of the document. We informed about our non-conformity the means of communication and the government.

COPEC meetings are organised in a similar way, that is, all the social entities of the country (including those belonging to the church) are invited, and during two hours we are being presented laws of draughts for us to see, with deadlines that are impossible for us. Everything discussed in these meetings is made public.

The last COPEC meeting was called for by two Andorran entities: AFMMA and Stop Violències, to discuss some scandals around the way the government was taking children from families and keeping them in its centres. Mr Xavier Esport, the minister of Social affairs, Justice and Domestic Affairs until March 2019 and the future head of government after the April 2019 elections, admitted that when a mother can't leave the household where she's abused by her partner, for the sake of the children they are taken into state custody because the interests of the child are above everything else. Further on, when addressing the question on the position of young girls in our country we will refer to what we have detected in these youth centres and the state violence that these children and their mothers suffer from.

During these years we have put emphasis on some important issues and the progress that Andorra has to make in order to get on the path to real equality, and we have been continually ignored by the Government which disregarded our petitions using the state model as a justification for this.

The most important issue that our organization is occupied with in particular is decriminalization of abortion. We have managed to put it in the political agenda, but we are denied this right with the model of the state as justification. The

¹ Véase las leyes aprobadas y las referencias a estas leyes en el Anexo 1 Leyes que ayudan a avanzar

problems that we observe due to the prohibition of abortion are described in the section "I. The fundamental rights of women". Although we support unrestricted abortion, we demand legalization of abortion just in the 3 basic cases as we believe that this is the beginning of the change in the way of thinking and the minimal level of dignity and human rights for women.

It should be pointed out that in Andorra the women experience a high rate of obstetric violence during pregnancy, both in the case of willing to abort or to keep the baby, therefore there is almost a total lack of sexual and reproductive rights which is not mentioned nor taken into account by almost no department or public service.

Here we are proceeding to list what we consider to be lacking in our country for it to be able to get on the path to real and effective equality for young girls and women.

- The lack of specialized public services, which in 2019 are still inexistent, in relation to violence towards women from their partner or ex-partner, and in relation to sexual violence, or other types of violence towards young girls. The following things are lacking:
 - o Specialised courts and lawyers
 - o Specialised police and/or security services
 - o Teams that could deal with violence towards young girls and women in the only hospital of the country.
 - o Professionals specialising in 24h phone assistance to women who have suffered from violence. When the specialists from the Government are out of their working hours, the person attending calls is just any social assistant available. Using this service ourselves we have discovered that the on-call member of staff did not know how to tackle our call and how to use the protocol of action in case of violence
 - o Services for detection and raising awareness of violence towards young girls and women in municipalities or parishes of Andorra.
- The lack of educational programs for effective prevention of violence in educational centres of the country.
- There is no communication or action coordination between different departments of the government, and the violence isn't treated in an integral way. For example, it has been impossible to do something in respect to the high level of medicalization that women, going through violent situations with their partners or ex partners, receive, due to the fact that the only hospital of the country is managed by the health department, while women are assisted by the department of social affairs, and from the government's point of view "*these are different ministries and each one of them has to maintain its autonomy*"

As a consequence, there are women who have lost their jobs due to the excess of psychotropic drugs and the custody over their children due to impoverishment, that is, their abusive spouse was granted custody over their children despite the fact that it was proven that there had been violence against their partner or ex-partner. In Andorra it's still believed that an abuser can be a good father, up to a point that, regrettably, there is an association that deceitfully proclaimed itself "Abused men" and is managed in a misogynous and chauvinist way. It was founded by violent men, some of whom managed to get custody over their children through a court ruling and their partners did not have courage to go against them, our entity has witnessed such cases.

To finish off this introduction, we want to put emphasis on power and authority abuse that we are starting to detect through women who are coming to our entity.

- Women get excessive medication from the psychiatric institution, especially those of them that have been raped
- Policemen neglecting women who wanted to report sexual aggression in public spaces up to a point of leaving them in the middle of the street with the aggressors, thus neglecting their obligations
- Social assistants have denied help and service to women who suffered from violence for the lack of belief in their words. The social assistants here in Andorra have power to provide real help and if they do not have proper training what they do instead is further hurting these women.

Finally, we'd like to point out the systematic lack of data about violence towards women and young girls and we'd also like to emphasize the good work that the staff of team for equality issues, independently of the current government, has been doing the best way they can, taking into account all the constraints that having a right-wing government creates, and the lack of political or economic will for Andorra to be able to make real progress towards equality.

2- Report on 12 critical areas of Beijing 2019 report

A. Women and poverty

According to a piece of news from the country's media, 13.4% of the Andorran population are poor or at risk of social exclusion, which constitutes more than 10,000 people. That is the only official and public data.

Unfortunately, this data is not broken down by sex, family load, and neither are known the peculiarities of this impoverishment of the population.

What we, as an entity, have encountered through women who have asked us for help is that:

- There are very young women (18 years old) who find themselves in a precarious situation
- Poverty in case of young women and women with a family load is criminalized up to the point that the state has taken away from these mothers the custody over their children due to low income.

From Stop Violències we have witnessed that the state investigates working women who seek financial aid from the government and we have seen many cases of taking children into custody by social services from these mothers. We do not know the exact numbers, but between 2018 and the first trimester of 2019 in our entity we have received 5 such cases². The state has not provided any social measures to change this situation, instead it has continued with massive removal of minors from families due to financial situation of those, which diverse entities of the country denounced in 2018. 2 the news³

We have also found young women dependent on state institutions, without having a specific programme of studies and neither searching for a job, they are protected by the government without need, which makes them depend on the state aid. Between 2018 and the first trimester of 2019, 7 young women under 25 in a precarious and impoverished situation have come to our entity.

We don't know what is the real level of impoverishment of women in Andorra, nor if this is more pronounced in case of immigrant women, women of colour and/or with other vulnerability factors, which is what we are sure of, and the state hasn't seen it fit to make this data public (if it has it), in a serious and detailed way.

Other data that we lack is that in relation to immigrant women, their nationality, their level of inclusion, financial independence and many more things. In Andorra, there are Muslim, African, Russian, Portuguese, British and diverse Latin American communities, and there is no data about them, not only data related to poverty issues, but any data whatsoever.

B. Education and training of women

According to the public study "Andorra in numbers" (Andorra en xifres)⁴ until 2017, 1,7% of the population above 14 does not have any studies, and 23,3% only have primary studies. As usual, this research does not specify the data by gender, therefore we do not know how many of these are adolescents or women.

This data is not even published on the official state page about education. There is an alarming absence of any information related to this area.⁵ We can only find one study which embraces the period from 2013 until 2016 and speaks about labour integration of minors in state care.⁶

In no part of the report is the information broken down by gender, which demonstrates the lack of interest from the part of the government and that the education and training of women is not its priority.

Apart from this, remain unknown:

- The level of academic failure.
- How many adult women are studying in the only adult centre of Andorra, nor their characteristics or peculiarities.
- Sex/gender rate by profession, as well as occupation of leading positions.
- Obviously, there is no data about educational background of immigrant women or of those who come as seasonal workers to do low-qualified badly-paid jobs

We can also state that the women who work in the service sector cannot access studying programmes in order to change their labour situation due to the lack of rights of conciliation of work and family. To be criticized are also long working days which they have to endure that can last up to 12 hours in summer with one hour for lunch break and rotating shifts, which

² Links medios de comunicación sobre denuncia de la criminalización de familias por falta de recursos económicos <https://www.altaveu.com/noticia/6283/el-proyecto-dexternalitzar-menors-actualment-internats-a-la-gavernera-aixeca-dubtes>

are totally legal factors but which prevent them from taking up any training, and if to all this we add family load and lack of public resources, to study as an adult in this country seems to be virtually impossible. Even though we have reported this to the government we have not seen any sign of political will to change this situation.

C. Women and health

1. Access to the healthcare:

- If the salary is lower than the official minimum established by the government, the person is not eligible for healthcare coverage, in this case the person has to be beneficiary of their partner's (legal) state health insurance, or pay contributions directly to the social security.
- Loss of healthcare coverage 60 to 120 days after ceasing to pay contributions to the social security. To continue being covered by the healthcare, the person has to register in the Employment service and renew the registration every 3 months until finding another job.
- Healthcare isn't received in the first 25 days of the first job after registering at the Social Security, which can be adverse for seasonal workers who come to work in winter, in case there is an accident out of workplace or a sudden grave condition, like, for example, appendicitis. We do not know the quantity of women who are subject to these conditions upon starting the winter working season.

2. Racism in Healthcare:

- We know that it is not rare to hear racist or judgemental comments from members of staff in healthcare institutions. One of the groups that suffers from this most frequently is Muslim women.

3. Obstetric violence; the following points are based on the information that has reached us in an informal way and through various communication channels:

- Unjustified labour induction: frequently gynaecologists, to be able to organize their agendas better, programme labour before 41 weeks + 6 days of pregnancy.
- Unjustified caesarean sections: some gynaecologists schedule birth by caesarean section due to a previous birth by caesarean, while in some centres women are able to give birth naturally even after two previous caesarean sections
- Episiotomy is a normal practice, while often it's unjustified and not necessary.
- Manual fundal pressure is still applied, while this practice has been considered inadvisable due to the risk for the health of the mother and the fetus
- Some women report having heard derogatory comments during the labour from healthcare staff, mainly gynaecologists and anaesthetists, these comments are often related to the women's weight and/or the way they behave in the process of labour.
- In many cases caesarean section forceps (an obstetric tool) are used, which is not required for a caesarean section. This tool often causes bruising to new-born babies.
- In Andorra most gynaecologists do not allow midwives perform uncomplicated delivery, even though they are trained to accompany the labour process and assist during the delivery as long as it is uncomplicated.
- In Andorra women are not given the possibility of labouring in water, and neither the possibility of receiving a walking epidural (a type of anaesthesia which would allow women in the process of labouring to walk and not feel pain). Gynaecologists practically always oblige them to labour in the gynaecologic position).
- During caesarean section, the pregnant women's partners are not allowed to be present, nor be with the new-born until the effects of the anaesthesia are over.
- In case of miscarriage, some gynaecologists follow medical treatment without prescribing any type of painkiller, which causes women to cope with miscarriage alone at home suffering from strong physical pain together with psychological pain caused by the loss.

4. Maternity and adolescence:

- In case of pregnant minors, social services assess the situation and decide if monitoring is required

5. Gender violence:

- Healthcare staff lacks training in how to tackle gender violence. Even though there is an action protocol called 'código lila' ('Lilac code'), most members of staff do not know it are not trained how to tackle cases of gender violence, how to act or to collaborate.
- There is lack of knowledge on how to detect and/or report cases of gender violence. There are cases when there is risk for the health of the mother and the fetus, and the way the husband acts and decisions he makes deteriorate the situation. For example, not long ago there was a case when the best option for the pregnant woman's health, taking into account the high level of health risk she was running, was to transfer her to a baseline hospital in Barcelona, the husband did not want to be there and the woman had to be moved three times.

- In some cases, language barrier is an obstacle for the woman to express her will during pregnancy and/or labour. If the husband acts as a translator and communicates with the healthcare workers, he ends up deciding for the woman. There is a phone translation service, but it is almost never put to use.

6. Vaccination:

- The vaccine for human papilloma virus (HPV) is included in the vaccination calendar in Andorra, and is administered to girls of 12 years old, but not to boys, even though men are also carriers of HPV.

D. Violence against women

In Andorra, with the exception of the team for equality issues, there is no other service that could be considered to be specialized in violence. The government has this service overloaded with 3 areas, which we think should be led by separate teams. They are: violence, LGBTIQ collective and disability.

We think that, although the team is good, it is overloaded and it is impossible to work well in the areas of violence having to take care of the other mentioned areas as well. The country lacks the following things:

- A service specialized in violence, which would be available 24/365 and include:
 - A police service specialized in gender violence. There is only a service called: Citizens assistance team, that takes care of all the social issues.
 - One or several units specialized in gender violence in the only hospital of the country.
 - A court specialized in gender violence
- Regional services (in each 'parish') that would coordinate with the team for equality issues.
- Coordinated campaigns for prevention of and raising awareness about gender violence that would run all year round.
- A public service specialized in sexual violence, which is a big taboo in the country. Only Stop Violències specializes in working with sexual violence and does it for free, with no fixed agreements with the government. There is no political will to offer solution to this situation.
- Trustworthy research on gender violence towards women. This necessity is constantly denied, and there are many laws that the Government adopts and many actions it carries out without knowing the real situation of the women in this country.

What we do have in the country:

- Malpractice and secondary re-victimization of women, ill-treated by their partners, or ex-partners, and towards raped women.
- An excess use of medical drugs by the only psychiatric unit of the country.
- A high level of power social assistants possess, many of them not aware nor trained in the field of violence against women, and they are capable of blocking helps and protocols designed to help women, ill-treated by their partners or ex-partners.
- A high level of mediation in divorces with gender violence where there are children
- A high level of making women who suffered from violence feel vulnerable and weak
- A meeting space to leave and pick up minors, that Stop Violències had fought for, as in 2015/2016 we had to this in the streets with women, who had suffered from violence, exposing ourselves with these women to the aggressors, without any protection from the government. When we informed the competent ministry about the lack of this service in order to find a solution to this situation, we were told that we must not interfere with judicial matters. We do not know if this service is of due quality, what type of violence they assist, how many women use it or the way it is organized, since Stop Violències does not have access to it and the government does not make this data public.
- There is just one lawyer specialized in violence, who works in the team for equality issues. Even so, women do not have lawyers, specialized in violence, nor do they have real free access to such help.

HEALTHCARE AND POLICE ASSISTANCE IN VIOLENCE TOWARDS WOMEN

We have detected specific problems related to how the police and the hospital treat the women who suffer from gender violence, specifically we have data about women who suffered violence from their partners or ex-partners, and women who have suffered from sexual harassment.

Police service:

In relation to the police and the way they assist a woman suffered from violence;

- We have witnessed that the police refuse to accept complaints on the weekend that women who have suffered from violence from their partners or ex-partners file.
- We have witnessed how they put women in violent situation at risk by asking them in front of the aggressor if they were being assaulted and telling them to not hesitate calling them if they felt they were in danger. This way of acting is totally inadequate.

- We have witnessed, how, trying to insist that the police accept a complaint on the weekend, they have created more problems to the woman. For example, while filing a complaint about an aggression that formally took place on Sunday morning, and the police had to interfere to stop the aggression, so there was a proof of it, and the captain on duty told us he was going to call the father of the minor that was present there to tell him where they were. The way they treated the woman, the way they talked to us and the way the meeting finished were truly disparaging, and in the end, they did not accept the complaint.

We know that this is a crime and we have informed the government about this, but nothing happened. The answers we receive go usually along the lines that we should not interfere or that they took some measures, but we do not know which measures they are. We have seen that this is the way they have acted these years.

The police say things like "If you file a complaint, he will not have a place to go, don't you feel pity?" or "If you file a complaint it's your word against his" to coax the women not to file it. There are women who have told us that they had to call up to 10 times to receive due assistance.

- Invention of concepts like "mutual violence", which is used when a woman has defended herself from a machist aggression, they have decided to call it like this. We are worried by the way things are invented in this country and the way police units, not specialised, invent new terms and euphemisms to avoid talking about the violence that women suffer from.

We are truly worried by the fact that a police officer can be sensitive to the situation or no, depending on their personal circumstances, and with what we have mentioned before, this person gets to decide which cases should or should not be transferred to the team for equality issues. We believe that each intervention that the police makes in a household during a fight in a couple, is subject to be a case of violence towards women and therefore should be transferred to the team for equality issues for them to assess if this particular woman is in the situation of gender violence or no.⁷

We find it increasingly alarming that the police in 2018 assisted in 495 cases of "marriage disagreements", and the technical equality team has only seen an increase in its numbers by 122. We see that there is some sort of selection process and also a loss of information and women that is important. Stop Violències has also witnessed how the cases assisted during the weekend are not transferred to the team for equality issues, there is a fluent communication between this team and our entity and some weekends we have been called to activate protocols of acting in case of violence and we were worried to have seen that, calling the following Monday to the team for equality issues to inform them about what had happened, they did not know about the case and they had not been informed by the police or the non-specialized social assistant who was on call duty at the violence assistance hotline in the hours when team for equality issues cannot attend to these calls.

In our country the type of violence which is gaining more visibility is the violence in case of partners or ex-partners, which we find important, though not sufficient.

The only entity that has run campaigns and carried out actions of raising awareness about, prevention and detection of sexual violence was us. That is true, the government has partly subsidized some of these projects.

Healthcare assistance (Hospital);

In Andorra, there is only one hospital with only one psychiatric unit.

According to the annual report:

The average stay in the psychiatric unit is of 13.3 days and 211 patients were admitted to this unit which has 12 beds for adults, 4 for children and adolescents, and 6 spare beds according to the annual 2017 report⁸. We have not managed to get data about the number of interventions from the 2017 report.

In the 2016 report⁹ we can clearly see that there were 12.372 visits to the mental health department, of which 5.188 were explicitly for the psychiatric unit. This data is not broken down by sex, nor by type of action undertaken by the unit. In the part dedicated to young girls we will get back to this question, as in 2016 from the 6 members of staff, 4 were childcare specialists. The concept of reports changes every year, which makes it difficult to find data about the number of patients admitted to the psychiatric unit in 2017. The 2018 report is not yet available.

In this hospital there are no, nor have been support teams specialized in violence against women, violence towards partners or ex-partners, nor sexual violence.

If a woman is admitted to the emergency department suffering from an anxiety attack, a psychotic episode or any other reaction that was triggered by violence, she is shut away in the psychiatric unit "for her own sake". In Stop Violències we have witnessed how women who suffered from violence were locked away for the lack of professional resources, when women, due to the anger provoked by malpractice, complained actively and they were indoctrinated by locking them up in the psychiatric unit. This is a grave situation, the only thing necessary to be able to place a patient on the "4th floor" (a popular name for the psychiatric unit) is a resolution issued by the coordinator of psychiatry and that one judge executes it against the will of the women to carry out the forced placement, without objective evidence nor more options offered. From our entity we have seen a massive use of such practice, the women are placed on the 4th floor and no visits are allowed. We believe that in this unit human rights are violated.

When the women tell us about the violence they have endured in this psychiatric unit, they mention that they pass through coaxing and infantilization in order to be convinced to take the medicine and "behave themselves" if they wanted to get out of there; many women mention that if they resisted, physical restriction was applied. We have not witnessed application of these methods directly, but we have seen marks on the legs and arms of many women, which could well have been caused by straps while being restrained physically.

In the light of these events, from the entity we have tried to approach the coordinator of the psychiatric unit to make these practices disappear, but it has not been possible. We met 3 times between 2017 and 2018, and in all the occasions this person was against us, she believes that the only valid diagnosis is that of the Mental health department, that is, if a woman has had a schizoid episode which had been triggered by violence, the important thing is the schizoid episode and the violence is not treated in an adequate way. This is a problem, because we encounter many women who have suffered from violence who receive medication for a mental disorder without taking into account what had happened to them, and many women are kept in an institution, in our opinion, without need.

We have tried to collaborate with this psychiatric unit to create joint projects, but nobody has shown political or economic will to do so. So, we keep seeing it constantly, not being able to carry out necessary actions, from gender perspective and combining specializations.

This is accompanied by the fact that the diagnostic teams are always the same and we have detected abuse of power by members of these teams, that is, the coordinator of the psychiatric unit, who administers excessive medication to women, is the same person who will issue a report for the court about the mental health of women for a divorce process in which minors are involved, to decide the question of custody. We have seen reports in which, after administering excessive medication to a woman, which has led her to lose her job, the coordinator of the psychiatric unit stated that the woman was not capable of performing her duties as a mother, and we have seen that in a massive amount of cases minors were given to the husbands despite suspicions of the latter being aggressors, suspicions that nobody from any unit with objective proofs and adequate professionals has stated or denied, but we did attend to a process which resembled a Medieval prosecution of women. For example, in conflictive divorces, women undergo a psychiatric evaluation to check their mental health, while men do not normally have to do so.

We can affirm that we have seen cases of violent men in this country who have threatened their partners or ex-partners that they would have them locked up in the psychiatric unit and they would lose custody over their children and it happened.

Types of violence and how they are treated in the country:

Violence in couple or ex-couple

In this part and after everything we have covered before, we want to add that many women have decided to leave the country alone, without their children, to be able to have a new start somewhere else. In Andorra they are vulnerable, totally victimized and they have managed to re-do and normalize their lives in other parts of the world. In the last 4 years we have seen 10 women in this situation.

Paradoxically, there are French and Spanish women who have come to Andorra fleeing from their aggressors and have found a good shelter here.

As a border country, we are neglecting our obligation to inform, receive these women and give them answers. In 2018 Stop Violències helped 2 women who were passing through Andorra heading to France to collect their kids "kidnapped" by an aggressor father. The help was of economic character and we coordinated with the entities in the territory where these women were heading.

Women trafficking for the purpose of sexual exploitation.

Even though Andorra has signed international agreements, we see trans-border women trafficking, that is, while it seems that prostitution and trafficking are prosecuted, like in the case with "several networks" disbanded in 2018 and in the first term of 2019, Andorra accepts advertising of prostitution businesses from La Seu d'Urgell. This town, 10 km from Andorran border is the closest Catalanian and Spanish settlement. These advertisements, published in full colour in Andorran newspapers, offer 24h sexual services with constant renovation of women every 3 weeks. Having investigated a little bit, we have heard that at the border everyone knows when a taxi with one of these women is passing and they are allowed to cross the border without problems. We do not know the scale in which this happens and why, if pimping is illegal in Andorra, it is turned a blind eye. It is clear that there is a big negligence.

There is a protocol which describes in detail how to proceed in case a victim of human trafficking is found. This protocol lists measures to be taken by state departments that have to intervene. Taking into account the 8th clause related to the interview to be conducted with the victims, we are worried how these interviews will be carried out in case it is a woman who is a

victim of sexual exploitation, because there are no professionals specialized in sexual violence in police, hospital, legal assistance and courts, and the situation would be even worse if the victim is a minor.

8. Interviews with the victims

The interviews are to be conducted in a reserved and confidential way by **duly trained members of Police**, in a language understood by the victim and with the assistance of an interpreter, if necessary. As long as possible, it will be carried out in an environment favourable for the victim according to their age, sex, and personal circumstances. Necessary measures will be applied to avoid contact between the victim and the alleged trafficker.

a. Not to cause any damage; not to initiate interviews that aggravate the situation of the person interviewed.

b. Know the topic and assess the risks.

c. Select and adequately prepare interpreters and assistants.

d. Not to traumatize the person interviewed again.

The government demonstrates its political will about this, but for years in Andorra a free newspaper of a nation-wide print run has been allowed to publish advertisements about prostitution 20 km from Andorra in the Spanish territory.



Photo attached from Bon Dia newspaper from 18 April 2019

See APPENDIX 1 Laws that makes it difficult 1. Num 36 2018 (13 June 2018) Decree of 6-6-2018 about the publication of the Protocol of action to protect the victims of human trafficking.

Sexual violence in public spaces

Historically, the government has been refusing to admit the fact that in Andorra machismo, misogyny and patriarchy take out their anger on women, especially through sexual violence.

Even though sexual harassment on the street is constant, there are no laws against it in Andorra. It is still thought to be a flirting attitude and if we complain about it, we are told that we exaggerate.

From 2014 to 2017 we have seen just one sexual violence prevention campaign, which is why we decided to start running them ourselves.

In 2018 we initiated a project, pioneer in the country, about the detection of sexual violence in nightlife places. The project's name is "No i punto, respecta la fiesta de todas." ("No, full stop. Respect the party of everyone"). Its objectives are:

- Collect data and testimony of women about sexual aggression in nightlife places.
- Raise awareness about sexual violence among the population in nightlife places and among celebration commissions that help to organize popular celebrations in the country. In fact, we have worked at prevention and assistance stands ("punto lila") in five public celebrations, when actually only three were planned.
- Visit schools to work towards prevention of sexual violence and collect data about the culture of violence in the country.
- Provide specialist training in sexual violence to our technical team and to the staff of public services of the country

For the three training session dedicated to sexual violence and how to tackle it that we have conducted, we invited the state security forces, that is, the police and the firefighters, team for equality issues and members of healthcare staff, but only the team for equality issues attended, the others turned down our invitation. The police came to the first training session and did not attend the other two.

We were present in 5 popular celebrations, distributing bracelets with a phone number that we had contracted specifically for this purpose. We spread the information about the call line and what could or could not happen during the celebrations.

The results of the project after being present in 5 popular celebrations are:

- Testimony of more than 40 young women about sexual aggression. Most of them are characterized by inadequate police actions, application of medicine which has not helped the problem, secondary victimization caused by the lack of adequate services and a strong impact on the women.
- Collection of data in school and the university of the country, where 476 youngsters, aged 14-18 were questioned. The survey we had chosen is the most widely used one on myths about rape with true/false answers, where all the answers are false. We have found that 40% of boys and 50% of girls who participated, had misbeliefs about rape, for example that if a woman is raped that is because she has not demonstrated enough resistance.
- In 4 out of 5 celebrations we attended working at violence prevention and assistance stands ("punto lila") we witnessed machist sexual violence, subtle and/or direct. We personally have been object of verbal violence, we were pushed by groups of adult males and/or young ones to leave the street, up to the point that we were attacked by a man in one of those celebrations, who broke the stand where we had all the information about the project. The government downplayed it and never invited us to talk about it, they said it was a one-off occurrence, but it was not. During another celebration after the first one, a man wanted to attack us again but did not manage to do so, because we already had a plan how to protect ourselves which we had worked out after the first instance. In the first case, the police arrived late, did not arrest the aggressor, they only collected his personal details and let him go, advising us against filing a complaint about it, because it was our word against his. We filed a complaint anyway and won the case.
- In some celebrations we have witnessed how the police did not assist women who were reporting a case of aggression. In the town festival of La Massana, we saw from a distance how a woman was talking to a police car which was moving away from her. We got close and saw that she had mild injuries in her face and a hand and we called the police again. It took them half an hour to come back, in a town that can be crossed in 10 minutes. They accepted her complaint and she went to the hospital to have her injuries registered (which was our recommendation, not that of the police, who said that it was mutual aggression because the girl had tried to defend herself from the aggressor). At the end of the night it was possible to locate the aggressor and file a complaint against him. This is another example of inadequate way of acting by the police, that we witness constantly, we believe it is very grave and it puts us in a dangerous and vulnerable situation. We should say that we have seen this type of action during these years and this is just another example. We do not think it is necessary to put more examples of everything the police did wrong, because it would make this report twice as long and we consider that this example is enough to make it clear what happens, but not the scale at which it happens.

Here are links to the media coverage this project has received:

News about the creation of the project and the campaign

<https://www.andorradifusio.ad/noticies/stop-violencies-iniciara-una-campanya-pionera-sobre-violencia-sexista-durant-el-carnaval-dencamp>

News about the training sessions

<https://www.andorradifusio.ad/noticies/stop-violencies-organitza-formacio-donar-seguretat>

<https://www.andorradifusio.ad/noticies/stop-violencies-considera-protocols-violencia-sexual>

<https://www.andorradifusio.ad/noticies/stop-violencies-vol-fer-formacions-estatal>

News about popular celebrations

<https://www.andorradifusio.ad/noticies/stop-violencies-recopila-testimoni-20-noies>

<https://www.andorradifusio.ad/noticies/stop-violencies-reparteix-al-carnaval-dencamp-un-miler-de-polseres-per-lluitar-contra-lassetjament-sexual>

News about the attack we suffered in one of the celebrations

<https://www.andorradifusio.ad/noticies/stop-violencies-denuncia-agressio-masclista-roser>

<https://www.andorradifusio.ad/noticies/stop-violencies-mante-campanya-violencia-sexista>

News about the results and conclusions of the project

<https://www.andorradifusio.ad/noticies/stop-violencies-alerta-agressions-sexuals-majoria>

We are also concerned about the law that refers to alcoholic beverages sale to minors and it qualifies it like a minor offence which only leads to fines of 200 to 500 euros.

1. *To be considered as minor offences:*

d) *Serving of alcoholic beverages to minors or to people who appear evidently under the effects of alcohol or toxic drugs during events that are required to be communicated beforehand, as is stipulated in clause 1 of article 32.*

3. *These minor offences lead to fines of 200 to 500 euros.*

We have stated through the project "No i Punt" for sexual violence prevention and assistance in nightlife places, which we carried out in 2018 in some town festivals in Andorra, that alcohol consumption in the streets by minors under 16 has increased, be it due to the easy access to it, low prices or social acceptance of it. We believe that such mild measures about alcoholic beverages sale to minors only help to encourage this habit, putting in danger the physical integrity of the minors, according to what we were able to observe.

We believe that, penalising sale of alcohol in such a mild way threatens the previously revised Law 14/2019 from 15 of February, qualified as the rights of children and adolescents in its Article 39, 1c and 3.

Article 39. Actions of promotion, prevention and protection of health.

1. *Children and adolescents, in the terms established in the applicable regulation are recognised to have:*

c) ***The right to receive protection in the area of health to be able to develop themselves in a healthy environment.***

3. ***The public administrations, within thier competence, will adopt the necessary measures to prevent, and, in its case, eliminate traditional practices, harmful to the health of children and adolescents.***

See APPENDIX 1 Laws that makes it difficult 2 Num, 3, year 2019 (10 January 2019) Law 30_2018 of 6 December, qualified as public security.

Violence in the work space

The state continues without sanctioning enterprises that commit violence and they leave it as something optional to tackle correctly.

The compensation for unlawful dismissal, among others, of a pregnant woman, during maternal leave or in the breastfeeding period has been reduced with the new labour law, and damage repair, which obliges the enterprise to reinstate the sacked woman, does not exist either.

The positive point of this new law is that maternity and paternity leaves have been extended and that it regulates trade-union action.

See APPENDIX 1 Laws that makes it difficult 2. Num. 3, year 2019 (10 January 2019) Law 31/2018, of 6 December, about labour relations

Many Latin American people have been coming to Andorra for years to work during the winter season. This year, due to the precarious and insecure situation in Argentina, many more people and many more women among them than usual came to do the ski season, and they found themselves in an extremely precarious situation. 2017 saw the beginning of discussions about the fact that the country does not have sufficient infrastructure to host seasonal workers, in 2017 there were already cases of people sleeping in vans, due to the serious lack of decent places to live, and in Andorra in winter at night temperatures can drop up to -10 degrees. This also happens because of the increase in the number of touristic apartments in the country that used to be rented to seasonal workers.

In winter of 2018 we have witnessed from the entity the lack of consideration and resources for the women who came as seasonal workers, without having a job in Andorra people are not eligible for healthcare coverage, and many of these women spent up to 2 months incessantly looking for a job, afraid of falling ill or having an accident.

Due to the precarious situation, we learned about at least 3 cases of getting work in exchange for sex, these cases were reported for sexual harassment and labour violence towards seasonal female workers.

The situation of extreme precariousness and poverty has not made the government do anything about this. The Argentinian community works in places where Andorrans do not want to work, in the ski slopes, they cover jobs that are necessary for the country to get revenue from the tourism and we believe that human rights of seasonal workers have been violated by the abuse they suffered in search for a job.

Cyber violence:

This type of violence exists and is not punished. That is true that there are laws that could qualify such acts as offences against honour, but we are constantly suffering from cyber-attacks and nothing happens, the government does not take actions against it and we understand that this is not a priority for them.

Insulting messages about us and women have been spread and the government did not interfere.

You can see the news about it here.

<https://www.andorradifusio.ad/noticies/stop-violencias-denunciara-policia-missatge-whatsapp>

State violence

During 2018 we have seen the following cases of state violence:

- Widow's pensions: In Andorra if a person under 50 gets widowed, they do not have a right to a life long's widow's pension and only receive it for 5 years. Many widows under 50 are mothers and face evident financial problems, but the answer these women obtain to the complaints about the precarious financial situation they are facing is that they are still young and good-looking and they will find another man to share expenses and start another life, so apart from having to endure pain after losing their partner, they also have to deal with frustration about the system that does not take care of them.
- Taking new-born babies into state custody by public administration from young women due to their financial situations without offering solutions to help them improve situation, for example with a reintegration project, or placing minors into the extended family until the mother is ready to assume the care duties. Taking minors into custody seems to be the country's first option when working with women with socio-economic problems, which is a violation of rights.
- Inadequate assessment of ineptitude or disability. We find women with social problems that can be easily solved, but they get considered as inept. 17 of April 2019, the government launched a campaign of raising awareness about and detection of the disability with the following definitions:
 - o A tourist or a migrant that comes to the country and does not speak the language is considered to be functionally inept.
 - o A pregnant woman, a woman carrying a baby or walking with a baby carriage, is physically inept.
 - o A woman with overweight or of a very small size is also physically inept.

Link to the news: <https://www.altaveu.com/reportatge/7335/si-esta-embarassada-es-discapitada-segons-el-govern>

We, as an entity, receive subtle, but constant state violence:

- There are no collaboration agreements with our entity to elaborate laws and improvements of services, and neither do we receive any financial recompense for our assistance to women some weekends
- March 8, 2017 while talking in a square about the rights of women, governmental agents came to threaten us to stop talking because they considered that what we were saying was going against the good name of the country. The following year we asked to be given a permission to talk in this square again and we were informed that we were not going to be given access to it for association acts. We have never been allowed to speak in a square as central as that one in the capital.
- Silence from the administration about itineraries for demonstrations like the one we summoned on November 28, 2018 (International day for the right to abortion). Not knowing if the itinerary was approved or not, the demonstration took place anyway with no punishment from the town hall.
- Another strategy is to use with bureaucracy as a shield, like it happened on March 8, 2019, when we were not allowed to do the itinerary we asked for with no alternative proposed to us.
- As a result of the new law on public safety the right for manifestation was limited. The Socialist party of Andorra, whose opinion we share, stressed that the new law discourages demonstrations due to the obligation to communicate it and ask for permission minimum 8 and maximum 45 days in advance, which takes away the possibility to organize a protest as a response to some event, or a visit of some important person. It was also qualified as a demonstration attending to an event and realising a silent protest, a measure which we consider totally disproportionate. We believe that it was also done to avoid repetition of a silent protest that our association carried out last year during the visit of Mr. Michael Moller, director of the UN office in Geneva, during the inauguration of an artistic installation whose aim was to defend and spread the importance of the universal human rights.

<https://www.andorradifusio.ad/noticies/stop-violencies-reivindica-dret-avortament-inaguracio>

APPENDIX 1 Laws that make it difficult, 3 num. 3, year 2019 (January 10, 2019) Law 30_2018 of December 6, about public safety

E. Women and armed conflicts

Our association is not competent to answer this question in a serious and professional way.

F. Women and the economy

The women in Andorra are the ones who do most of part-time job, they are the ones who are in a most precarious situation and the ones who get paid less than men for the same type of work. According to a research on a wage gap, which is cited at the bottom of the page, 70% of the precarious work and underground economy is done by women and they do so to ensure that they are able to perform care duties.

We found a state research about the wage gap in 2018, published March 8 in a public nation-wide print run journal ¹⁰ which demonstrates that:

- The employment rate of women, 66,4%, is slightly higher than that of men, with 63,8%.
- The entrepreneurship rate of women falls at 32%, therefore they have less purchase power in relation to men, 68% of whom are self-employed.
- In 2017 the employment rate of employed and self-employed women was of 73.7% and that of men 78,3%.
- Generally (without specifying type of work and the exact number of women and men in research), women earn an average of 500 less than men in Andorra.
- 56% of women of working age earn less than 991,97€.
- 35,5% of women earn more than 3000€, while the amount of men earning the same quantity is that of 64,5%.

In this research it is stated that the 5 ambits with most working women, which supposedly are worse paid, are, among others, education, healthcare and veterinary activities, social services and cleaning work. It is worth pointing out that the jobs that are at the very bottom of labour hierarchy are occupied mostly by women. For example, 17% of women work as office clerks, against 5,5% of men; 30% of women work in the service sector, with only 17% of men. To finish off, it is worth mentioning that 21% of women work in unskilled labour against 9% of men.

This data has a correlation with the poverty rate, which, as we suspect, is higher in case of women. In the mentioned report it is not until the very end that it admits the fact that maternity can be an important factor of sanctioning women in the labour ambit, and the government has not applied any real measures to help the matter.

G. Women and decision-making.

In enterprises, the proportion of women who occupy responsible positions is clearly lower than that of men. Stop Violències cannot contribute more data about this point.

H. Institutional mechanisms created in favour of the promotion of women

Stop Violències is not competent enough to assess this point, nor to provide information in respect to this.

I. Fundamental rights of women

In this part we are going to focus on sexual and reproductive right women do not have in Andorra. They are: the right to abortion, assisted reproduction and surrogacy, and how we are dealing with them.

Abortion

Abortion is completely forbidden and penalised in Andorra, even in the three basic cases. We have been carrying out different actions to raise awareness about it on the international level¹¹, Since 2016 we have been fighting for the legalization of abortion at least in the 3 basic cases, and in these years, we have detected:

- Growing rate of obstetric violence and impunity when women ask for information about abortion, they are made to listen to the fetal heartbeat and/or to look at the ultrasound image of the fetus before providing them with information on how to get abortion outside of Andorra.
- Since the moment we created our aid network in December 2018 to inform women about abortion and to help them carry it out, we have been informed that some gynaecologists give illegal abortion pills to women to perform clandestine abortions at home, with total carelessness about the consequences for women. This is embedded in the system
- There is a tendency to convince young women to give birth, for the babies to be later taken into state custody. In the first trimester of 2019 we met 3 women who were offered this option. Some of these women have decided to abort to avoid it. All of them report that the babies are taken away to be given into adoption.
- Girls raped at the age of 12 were obliged to give birth at the age of 13. We know at least two cases like this. Apart from that, these minors were taken out of their families by the government and locked away in the only centre of minors of the country which, as we now, is not functioning in an adequate way.

Stop Violències has managed to get abortion into the political agenda and that people have started to go out to the streets to fight for this right.

Assisted reproduction and surrogacy

Women do not have a right for assisted reproduction covered by the government.

Some years ago, the association Som com Som, which does not exist anymore, and its president Carles Perea, managed to legalize adoption of children by gay couples, but they forgot to consider lesbian couples. As a result, women have to pay for the insemination treatment in Barcelona, and after that, the mother who is not pregnant has to initiate the process of adoption of this baby, even if the women are officially in a civil partnership.

From our point of view, this law, propelled by the department of tourism and commerce, is disastrous. On the economic level we doubt that any clinic of assisted reproduction is planning to open a branch in Andorra.

<https://www.elperiodic.ad/noticia/67219/marques-descarta-installar-se-a-andorra-malgrat-la-nova-legislacio>

It is obvious that this law was designed so that, though surrogacy is not allowed in Andorra (clause 1), the registration of surrogate babies could be permitted, as it is reflected in Clause 4.

Article 12. Surrogacy

1. To be considered null and void contracts, paid or not, in which a pregnant woman renounces her baby in favour of a contractor or a third party.

....

4. Notwithstanding the foregoing in the Clauses 1 and 2 of this article, the resolution of requests to register foreign children born outside of Andorra through surrogacy and with a proved biological relation with at least one of the parents, is to be decided placing the interests of the minor above all.

In this way, they "legalize" the registration of surrogate babies "bought" in other countries, where women venture in this due to their financial situation, and like this these people take advantage of the bodies of the women from poorer countries. Another aspect to mention is the destruction of the embryos within the legal framework.

Article 14. Cryo-preservation and purpose of in vitro embryos. Clause 3, 6.

Article 15. Common aspects in the previous sections. Clause 3

According to the Andorran constitution, *Article 8.1 The constitution recognises the right to life and protects it fully in its different phases.*

The Andorran government uses this article to justify the refusal to legalize abortion in Andorra, but it is clear that there could be exceptions. This law was signed by only one of the co-princes of Andorra, making it clear that the Bishop co-prince can opt out of signing certain laws if he finds they go against his religious beliefs, otherwise he would resign, action with which he usually threatens when we have debates about the legalization of abortion in Andorra.

APPENDIX 1 Laws that make it difficult, 4 Num 27, year 2019 (20 March 2019) Law 12/2019 of February 15, qualified as technology of assisted reproduction

Conferences about sexual and reproductive rights

In Andorra there is no institution or observatory dedicated to sexual and reproductive rights, they are not recognised by any official organism, everything related to this topic is a taboo.

From Stop Violències for two years we have been organizing conferences to speak about sexual and reproductive rights, focusing on some more specific topic, that is the only way and the only place to talk about this openly in Andorra.

J. Women and the media

Between 2017 and the first trimester of 2019 we have reported at least 3 degrading adverts to the department of equality which considered it necessary to do their job well with the mentioned adverts.

There is a constant objectification of women and dissemination of stereotypes which are seen as totally normal.

K. Women and the environment

Stop Violències is not competent enough to assess this point, nor to provide information.

L. The girl child

There is hardly any research about young girls in Andorra. Notwithstanding, there are some issues we are concerned about. Recently a new law about childhood was adopted that says that after a minor is taken into state custody, if in two years the family has not taken the child back, he/she will be legally given into adoption by the government.

We are really concerned about this. No data is disclosed to the public about the centre of minors called la Gavernera, we do not know how many children there are, we suspect that most of them are girls and that they are not given due attention. We have exposed this question publicly; you can follow the news at the bottom of the page¹². We know that girls frequently run away from this centre, that they are given a lot of psychic drugs there, even the teacher trade union issued a piece of news

exposing the way the kids are badly treated in the centre because they come dirty from there to school. We do not see necessary and adequate action from the government to solve this problem.

In the country, female genital mutilation is not spoken about, it is not talked about whether we have this problem here or not. There is an African community in Andorra and they even have an association. The country does not study this question and therefore does not take any measures. There is an important lack of integral programmes about sexuality and diversity.

3. Final thoughts

Andorra is a small country, which, with political will, could become a pioneer in the treatment of violence against women and girls. Unfortunately, the political will is directed mostly towards tourism and neoliberal exploitation of our resources. In a very general way, we deeply regret that:

- there is a lack of services (police, healthcare, legal environment), specialized in gender violence in general and sexual violence in particular
- there is a lack of sexual and reproductive rights in general and the right to abortion in particular
- the lack of rigorous study that reflects the reality of the country to be able to act accordingly

Secondary victimization is very frequent in the country, women and girls are not a priority, we do not see political nor economic will to finish with it, the country employs people from outside, having resources here, and the same happens with other social entities from other sectors, there are no initiatives about destinating budgets to create efficient agreements of collaboration and fieldwork.

We deeply regret the situation of women in Andorra.

APPENDIX 1:

LAWS THAT MAKES IT DIFFICULT, OR LAWS THAT HELP THE SITUATION WITH VIOLENCE

Laws that help to advance:

1. **Num. 12 2015 (11 February 2015) Law 1/2015, 15 January, for the elimination of gender violence and domestic violence**
<https://www.bopa.ad/bopa/027012/Pagines/lo27012003.aspx>
2. **In relation to the wage gap Num. 3 year 2019 (10 January 2019) Law 31/2018, 6 December, about labour relations.** https://www.bopa.ad/bopa/031003/Pagines/CGL20190107_12_45_59.aspx
3. **Num. 27 2019 (20 March 2019) Law 13/2019, 15 February, for the equality of treatment and no discrimination**
https://www.bopa.ad/bopa/031027/Pagines/CGL20190312_14_02_03.aspx
4. **Num. 27 2019 (20 March 2019) Law 14/2019, 15 February, rights of children and adolescents**
https://www.bopa.ad/bopa/031027/Pagines/CGL20190312_14_02_50.aspx

Laws that make it difficult

1. **Num. 36 2018 (13 June 2018) Decree of 6-6-2018 about publication of the protocol of acting to protect the victims of human trafficking** https://www.bopa.ad/bopa/030036/Pagines/GV20180607_11_25_30.aspx
2. **Num. 3, year 2019 (10 January 2019) Law 31/2018, 6 December, labour relations.**
https://www.bopa.ad/bopa/031003/Pagines/CGL20190107_12_45_59.aspx
3. **Num. 3, year 2019 (10 January 2019) Law 30_2018 6 December, public safety**
https://www.bopa.ad/bopa/031003/Pagines/CGL20190107_12_45_08.aspx
4. **Num. 27, year 2019 (20 March 2019) Law12/2019, 15 February, technology of assisted reproduction**
https://www.bopa.ad/bopa/031027/Pagines/CGL20190312_14_00_16.aspx