



## LEGAL AND JUDICIAL INFORMATION ON MIGRANT SMUGGLING

### ANDORRA

Last update 07/11/2023

#### GENERAL INFORMATION ON MIGRATION



#### MAIN FIGURES AND TRENDS

With regard to immigration arriving in Andorra, it should be noted that the tendency that is being observed in the country is a decrease in the number of immigrants who are nationals of the European Union or the European Economic Area to the detriment of a marked increase in immigrants of non-EU nationalities, with a predominance of nationals of South American countries.

The only details that are available are the nationalities of the immigrants.

A table with the initial authorisations granted this year (until October 25, 2023) is attached below<sup>1</sup>.



#### MIGRATORY ROUTES

The Immigration Department does not have data on the countries of origin, transit or destination of migrants entering or leaving the country.

A table with the different nationalities of the immigrant population in Andorra, taking into account the authorisations in force on October 25, 2023 is attached below<sup>2</sup>. It can be seen that we have a total of 52.582 immigrants in the Principality of Andorra of 124 different nationalities.

It should be noted that the Principality of Andorra is not located on any migratory route.

<sup>1</sup> See Annex 1.

<sup>2</sup> See Annex 2.



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## INSTITUTIONAL ORGANISATION

The Police Department of Andorra organisationally depends on the Ministry of Justice and Interior, having among others, competencies in immigration matters, a mission delegated to the Borders and Foreigners Unit which is organisationally subdivided into three groups: Borders Group, Foreigners Group and Anti-Fraud Group.

The Borders and Foreigners Unit is entrusted with the following missions in immigration matters:

- a) To control the entry of foreigners into the Principality of Andorra and the immigration status of foreigners who are in the country.
- b) To process all applications, instruct files on immigration matters related to security and public order and the effectiveness of residence, and in the latter case, conduct residence surveys or other investigations aimed at ensuring compliance with immigration matters and adequacy to the legally provided assumptions.
- c) To process and instruct all files relating to authorisations for residence without work.
- d) To adopt administrative police measures of expulsion or denial of entry, in the cases provided for and following the procedure set in the current Immigration Law.
- e) To prepare studies and reports to facilitate the determination of future immigration quotas.
- f) To exercise the powers which, in accordance with current regulations and in a complementary manner with the Immigration Department, are typical of the Immigration Service.



## LEGISLATIVE FRAMEWORK

Our criminal code punishes the different kinds of migrant smuggling in its articles 121 bis (organs trafficking), 134 bis (sexual exploitation) and 252 (labor exploitation).



## JUDICIAL FRAMEWORK

In our judicial system, migrant smuggling is not investigated in any special court. The only way to force the investigation of a case of migrant smuggling by a specialised court is when the crime is committed by organised crime.

The procedural law applying to both cases is the same, the only thing that changed is the distribution criterion. When besides of the migrant smuggling there exist one type of crime reserved to the specialized court, the case has to be allocated to a specialized judge.

The role of the prosecutor is the same as in any other procedures, to prosecute the public accusation.



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## INTERNATIONAL COOPERATION

The International Police Cooperation Office, reporting to the Directorate of the Police of Andorra, exchanges information with INTERPOL, embassy law enforcement liaisons, and information sharing networks to combat migrant smuggling bilaterally and multilaterally. This cooperation occurs through INTERPOL, bilateral agreements, regional networks, and letters rogatory.

Andorra values ongoing collaboration with partners to share timely, actionable intelligence disrupting organised crime while upholding human rights. With mutual respect for sovereignty, Andorra seeks to expand authorised intelligence sharing related to migrant smuggling and human trafficking, contributing to collective security. Andorra remains committed to enhancing international police cooperation against migrant smuggling through existing mechanisms and new partnerships. The Police Department is currently working on an agreement with Europol to be implemented in the International Police Cooperation Office, which will cover the European region and facilitate joint police operations with other Europol members in this fight.

In addition, the Principality of Andorra is a State Party to numerous conventions on judicial cooperation in criminal matters, as well as to international organisations such as IberRed, which has specific contact points depending on the subject, as well as the contact points provided for in the United Nations Convention against Transnational Organized Crime.

Andorra has signed a number of different international conventions, some covering very specific subjects. Among these, one of the most widely used conventions for international cooperation in general is through the Council of Europe's 1959 European Convention on Mutual Assistance in Criminal Matters.



## RELEVANT CASES

### ❖ Case #1

Date of the events: June 2018

The owner of a business hired three people from South America by imposing illegal and abusive conditions upon their arrival. These people traveled from their country to Andorra seduced by some announced good work conditions which in the end were no real. Investigation is still ongoing.

### ❖ Case #2

Date of the events: /

Three people who worked as administrative managers created fake legal entities and they inscribed several foreign people as members of these entities to get them legal residence in Andorra although they lived outside the country. In some cases, the investigated people forced some of these foreign people to prostitute themselves as payment for the services.



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They were prosecuted for migrant smuggling for the purpose of work exploitation, money laundering, fake enterprises and document forgery. Investigation is still ongoing.

## ❖ **Case #3**

Date of the events: May 2021

Two people rented an apartment in Andorra to start an illegal prostitution business. They offered a prostitution job through the internet and a foreign woman contacted them to apply for the job. These two people rented an apartment to have a place for the sexual activity and they offered the services of this foreign woman through the internet, giving the contact number of one of these two people.

Several clients contacted these people to contract the announced sexual services and the two people forced the woman to do these services even when she was exhausted and they took all the money that the clients paid for the services.

In addition, the two people hit the victim.

They were prosecuted for, among others, migrant smuggling for the purpose of sexual exploitation and they were acquitted of this crime, but they were condemned for other crimes such as pimping.

# COUNTRY FACTSHEET\* – Smuggling of migrants



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## ANNEX 1. Initial authorizations granted in 2023 (as of 25/10/2023)

Nationality	Number	%
AFGHANESE	2	0,01
ALGERIAN	35	0,21
AMERICAN	44	0,26
ANGOLISH	29	0,17
ARGENTINE	2131	12,58
ARMENIAN	11	0,06
AUSTRALIAN	16	0,09
AUSTRIAN	7	0,04
BAHRAINIAN	1	0,01
BANGLADESHIAN	2	0,01
BELARUSIAN	6	0,04
BELGIAN	56	0,33
BENINESE	1	0,01
BOLIVIAN	22	0,13
BORN IN ANDORRA	4	0,02
BRAZILIAN	277	1,64
BRITISH	116	0,68
BULGARIAN	21	0,12
CAMEROONIAN	1	0,01
CANADIAN	52	0,31
CAPVERDIAN	1	0,01
CHILEAN	152	0,90
CHINESE	41	0,24
COLOMBIAN	842	4,97
CONGOLESE	2	0,01
COSTA RICAN	6	0,04
CROATIAN	7	0,04
CUBAN	50	0,30
CZECH	11	0,06
DANISH	12	0,07
DOMINICAN	62	0,37
DUTCH	39	0,23
ECUADORIAN	160	0,94
EGYPTIAN	6	0,04
FINNISH	11	0,06
FRENCH	804	4,75
FROM ANTIGUA AND BARBUDA	1	0,01
FROM GUINEA BISSAU	41	0,24

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FROM SIERRA LEONE	1	0,01
GAMBIAN	6	0,04
GEORGIAN	146	0,86
GERMAN	46	0,27
GREEK	6	0,04
GUATEMALAN	3	0,02
GUAYANESE	1	0,01
GUINEAN	9	0,05
HONDURANIAN	54	0,32
HUNGARIAN	10	0,06
INDIAN	38	0,22
IRISH	6	0,04
ISRAELIAN	8	0,05
ITALIAN	335	1,98
IVORIAN	1	0,01
JAPANESE	3	0,02
JORDANIAN	1	0,01
KYRGYZ	1	0,01
LETHONIAN	2	0,01
LIBANESE	1	0,01
LITHUANESSE	10	0,06
LUXEMBURGUER	4	0,02
MALIAN	11	0,06
MALTESE	1	0,01
MAURITIAN	8	0,05
MEXICAN	83	0,49
MOLDOVAN	6	0,04
MOROCCAN	368	2,17
MOZAMBIKESE	2	0,01
NEOZELANDESE	13	0,08
NICARAGUAN	13	0,08
NIGERIAN	3	0,02
NO NATIONALITY SPECIFIED	1	0,01
NORWEGIAN	1	0,01
PAKISTANESE	278	1,64
PARAGUAYAN	69	0,41
PERUVIAN	548	3,24
PHILIPPINE	87	0,51
POLISH	35	0,21
PORTUGUESE	467	2,76
ROMANIAN	314	1,85

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RUSSIAN	189	1,12
SALVADORAN	17	0,10
SENEGALESE	66	0,39
SERBIAN	5	0,03
SINGAPOREAN	2	0,01
SIRIAN	10	0,06
SLOVAK	2	0,01
SLOVENIAN	2	0,01
SOUTH AFRICAN	4	0,02
SOUTH-COREAN	1	0,01
SPANISH	8196	48,39
SWEDISH	9	0,05
SWISS	7	0,04
TUNISIAN	10	0,06
TURKISH	1	0,01
UKRAINIAN	189	1,12
URUGUAYAN	54	0,32
VENEZOLAN	90	0,53
VIETNAMESE	1	0,01
<b>TOTAL</b>	<b>16937</b>	<b>100,00</b>

## ANNEX 2. Immigrants with authorization in force (as of 25/10/2023)

Nationality	Number	%
AFGHANESE	1	0,00
ALBANIAN	17	0,03
ALGERIAN	83	0,16
AMERICAN	154	0,29
ANGOLISH	3	0,01
ARGENTINE	2949	5,61
ARMENIAN	10	0,02
AUSTRALIAN	84	0,16
AUSTRIAN	38	0,07
AZERBAIJANI	3	0,01
BAHRAINIAN	1	0,00
BANGLADESHIAN	1	0,00
BELARUSIAN	67	0,13
BELGIAN	234	0,45
BELIZIAN	3	0,01
BENINESE	1	0,00
BOLIVIAN	40	0,08

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BOSNIAN	1	0,00
BRASILIAN	606	1,15
BRITISH	829	1,58
BULGARIAN	43	0,08
BURMESE	1	0,00
BURUNDIAN	1	0,00
CAMBODIAN	3	0,01
CAMEROONIAN	7	0,01
CANADIAN	85	0,16
CHILEAN	456	0,87
CHINESE	123	0,23
COLOMBIAN	1087	2,07
CONGOLESE	9	0,02
COSTA RICAN	11	0,02
CROATIAN	7	0,01
CUBAN	177	0,34
CYPRIOT	10	0,02
CZECH	26	0,05
DANISH	71	0,14
DOMINICAN (DOMINICA)	11	0,02
DOMINICAN (REPUBLIC)	137	0,26
DUTCH	240	0,46
ECUADORIAN	107	0,20
EGYPTIAN	5	0,01
ERITREAN	1	0,00
ESTONIAN	6	0,01
FINNISH	28	0,05
FRENCH	4106	7,81
FROM BARBADOS	1	0,00
FROM GUINEA ECUATORIAL	1	0,00
FROM SAINT KITTS AND NEVIS	11	0,02
FROM SAO TOMÉ AND PRÍNCIPE	1	0,00
FROM TRINIDAD AND TOBAGO	2	0,00
FROM VANUATIANA	1	0,00
GAMBIAN	3	0,01
GEORGIAN	36	0,07
GERMAN	269	0,51
GHANAIAI	3	0,01
GREEK	19	0,04
GRENADIAN	4	0,01
GUATEMALAN	3	0,01



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HONDURANIAN	57	0,11
HUNGARIAN	16	0,03
INDIAN	61	0,12
INDONESIAN	2	0,00
IRANIAN	5	0,01
IRISH	59	0,11
ISRAELIAN	72	0,14
ITALIAN	876	1,67
IVORIAN	3	0,01
JAPANESE	24	0,05
JORDAN	3	0,01
KAZAKHSTANI	10	0,02
KYRGYZ	2	0,00
LAOTIAN	1	0,00
LETHONIAN	13	0,02
LIBANESE	5	0,01
LITHUANIAN	19	0,04
LUXEMBURGUER	9	0,02
MACEDONIANS	1	0,00
MALAYSIANS	3	0,01
MALGASY	3	0,01
MALIAN	2	0,00
MALTESE	7	0,01
MAURITIAN	1	0,00
MEXICAN	209	0,40
MOLDOVAN	27	0,05
MONGOLIAN	1	0,00
MONTENEGRIN	5	0,01
MOROCCAN	511	0,97
MOZAMBIKESE	3	0,01
NEOZELANDESE	30	0,06
NICARAGUAN	37	0,07
NIGERIAN	3	0,01
NORWEGIAN	22	0,04
PAKISTANESE	24	0,05
PANAMANIAN	13	0,02
PARAGUAYAN	148	0,28
PERUVIAN	726	1,38
PHILIPPINE	649	1,23
POLISH	105	0,20
PORTUGUESE	9799	18,64

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ROMANIAN	154	0,29
RUSSIAN	845	1,61
SALVADORAN	16	0,03
SENEGALESE	33	0,06
SERBIAN	19	0,04
SINGALESE	1	0,00
SINGAPOREAN	3	0,01
SIRIAN	18	0,03
SLOVAK	16	0,03
SLOVENIAN	5	0,01
SOUTH AFRICAN	27	0,05
SOUTH-COREAN	4	0,01
SPANISH	24591	46,77
SWEDISH	80	0,15
SWISS	73	0,14
TAIWANESE	1	0,00
THAI	12	0,02
TOGOLESE	3	0,01
TUNISIAN	40	0,08
TURKISH	9	0,02
UKRAINIAN	519	0,99
URUGUAYAN	121	0,23
UZBEK	2	0,00
VENEZOLAN	181	0,34
VIETNAMESE	5	0,01
ZIMBABWEAN	1	0,00
<b>TOTAL</b>	<b>52582</b>	<b>100,00</b>