

Committee of the Parties



Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Andorra

IC-CP/Inf(2020)7

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The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

Bearing in mind the provisions of Article 66 (1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter referred to as “GREVIO”);

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Andorra on 22 April 2014;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Andorra adopted by GREVIO at its 22nd meeting (13-15 October 2019), as well as the comments of the Government received on 18 November 2020;

Considering the overarching priorities set out in Chapter I of the Convention (purposes and scope of the Convention, definitions, equality and non-discrimination, due diligence and gender-sensitive policies);

Bearing in mind the primordial importance of the provisions set out in Chapter II of the Convention, in particular the obligations to (1) ensure a holistic response to violence against women by devising a set of comprehensive and co-ordinated policies implemented by way of effective multi-agency co-operation; (2) institutionalise and fully mandate one or more co-ordinating bodies as required by Article 10 of the Convention; (3) adequately resource policies, measures and mandates introduced to prevent and combat all forms of violence against women, including government and non-governmental specialist support services; and (4) to collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship of the perpetrator to the victim and geographic location;

Welcoming the measures taken by the Andorran authorities in implementing the Convention and noting in particular:

- the creation of a comprehensive and gender-sensitive legislative framework laid down by Law 1/2015 on the eradication of gender-based violence and domestic violence which recognises the rights of victims, emphasises the importance of the prevention of violence and creates a robust integrated support and protection system for victims;
- the efforts undertaken, under the impulse of the Equality Policy Unit of the Ministry of Social Affairs, to set up more structured co-operation between public entities through the adoption of the “Guide to collaboration in cases of gender-based violence and domestic violence”, other protocols and enhanced training;
- the setting-up of the Support Service for Victims of Gender-Based Violence (SAVVG), a “one-stop-shop” public service with specialised expertise aimed at providing comprehensive and free support to women victims of gender-based violence;
- the adoption of various laws that recognise the discriminatory nature of violence against women, the right to seek legal redress for sexual and gender-based harassment (Law 13/2019), the detrimental effects on the development of children of violence against women

- (Law 14/2019) and the prohibition of civil mediation in situations of violence where equality and the parties' freedom of decision are not guaranteed (Law 3/2018); and
- the introduction in 2018 of a programme for perpetrators aimed at promoting non-violent relationships and prioritising the safety of women victims of violence.

A. Recommends, in light of the considerations indicated in the preamble above, that the Government of Andorra take the following measures identified in GREVIO's Baseline Evaluation Report¹ for immediate action to:

1. ensure the implementation of the provisions of the Istanbul Convention without discrimination on any of the grounds listed in Article 4, paragraph 3, while promoting research and data collection on gender-based violence affecting groups of women who are or might be exposed to multiple discrimination, as well as by integrating their needs in the development, implementation, monitoring and evaluation of comprehensive and co-ordinated policies in this area, in particular by co-operating with NGOs representing these groups of women (paragraph 22);
2. increase the involvement of all the institutions concerned in the establishment of a co-ordinated and transversal approach to preventing and combating violence against women, by setting clear objectives and performance indicators, while ensuring the capacity-building of each of these institutions (paragraph 33);
3. increase the financial resources allocated to preventing and combatting violence against women, including in particular the budget of the co-ordinating body; while at the same time earmarking funding for all relevant national and local institutions among others by strengthening access to stable, long-term funding in line with the estimated need for NGOs active in combating violence against women as well as those supporting women exposed to multiple discrimination (paragraph 38);
4. strengthen the involvement of NGOs in the development, co-ordination, implementation and evaluation of laws and measures relating to preventing and combatting violence against women, while supporting, including economically, NGOs helping women victims, ensuring an effective institutional dialogue with these entities and ensuring that this co-operation is not subject to a duty to report cases of violence (paragraph 44);
5. strengthen the capacity of the national co-ordinating body to carry out its mission, among others by
 - a) by ensuring, that it operates on the basis of clear policy guidelines that identify the objectives to be achieved;
 - b) providing it with appropriate financial and human resources;
 - c) ensuring the independent monitoring and evaluation based on sound data on the implementation of the public policies to prevent and combat violence against women; and
 - d) involving members of civil society, in particular specialist women's rights NGOs, in the co-ordination, implementation, monitoring and evaluation of these policies (paragraph 51);
6. ensure the comprehensive collection of data by public bodies, including law enforcement, judicial and health services, in relation to all forms of violence against women covered by the Istanbul Convention disaggregated by sex, age, type of violence as well as the relationship of the perpetrator to the victim and to improve the collection of data on protection

¹ The number of the paragraph setting out the GREVIO's proposals and suggestions in the report is indicated in brackets.

orders issued, their breaches and consequences of such breaches, while ensuring that law enforcement and judicial services use harmonised categories of data (paragraph 58);

7. promote regular research activities on the situation of women victims of all forms of violence covered by the scope of the Istanbul Convention, including women exposed to multiple discrimination, and by extending the research to the evaluation of the implementation of laws and policies on violence against women (paragraph 64);
 8. take additional measures to afford all victims of sexual violence access to specialised services providing forensic expertise and short-term medical care along with psychological support over a longer period, while ensuring that the reproductive choices of women victims of rape do not restrict their access to these services (paragraph 128);
 9. align their legal framework with the requirements of Article 52 of the Istanbul Convention on emergency barring orders and/or remove any obstacles in practice to their application (paragraph 192);
 10. take measures, including legislative measures, to comply with the requirements of Article 59 of the Istanbul Convention regarding the residence status of victims of violence against women (paragraph 206);
- B. Requests the Government of Andorra to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 15 December 2023.
- C. Recommends that the Government of Andorra take measures to implement the further conclusions of GREVIO's Baseline Evaluation Report.