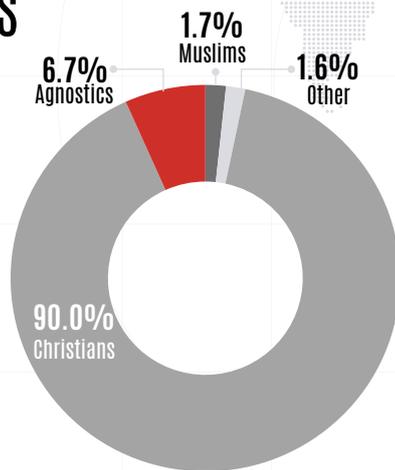


ANDORRA

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Andorra is a parliamentary democratic diarchy (Article 43, 2).¹ The Co-Princes are the President of France and the Bishop of Urgell, a diocese in Spain.

The Constitution of the Principality guarantees freedom of religion and provides that “freedom to manifest one’s religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in the interests of public safety, order, health or morals, or for the protection of the fundamental rights and freedoms of others” (Article 11, 2).

The constitution acknowledges a special relationship between the Andorran state and the Catholic Church “in accordance with Andorran tradition” and “recognises the full legal capacity of the bodies of the Roman Catholic Church which have legal status in accordance with their own rules” (Article 11, 3). The Concordat of 2008 regulates relations with the Holy See.²

The constitution also provides that all persons are equal before the law and bans “discrimination on the grounds of birth, race, sex, origin, religion, opinions or any other

personal or social condition” (Article 6, 1).

In February 2019, the Andorran General Council (parliament) passed the Equal Treatment and Non-Discrimination Act,³ which prohibits discrimination on the basis of birth, nationality or lack of nationality, racial or ethnic origin, sex or gender, religion, religious or philosophical beliefs, political or union opinion, language, age, disability, sexual orientation, identity or expression of gender, or any other personal or social condition or circumstance (Article 4, 2). The law also created the Office of the Ombudsman (Article 28) and the Equality Observatory (Article 29), and set penalties for violations (Article 40).

Faiths other than Roman Catholicism are not accorded legal status as religious groups, but religious communities can register as cultural organisations under the Law of Associations.⁴ Such registration is required to build places of worship or receive government financial support.⁵

Given its legal status, the Catholic Church has some privileges which are unavailable to other religious groups. For instance, the government pays the salaries of foreign Catholic priests serving in local parishes. Foreigners who perform religious functions for non-Catholic groups are unable to obtain permits as religious workers, but are generally permitted to reside and perform religious work with

a different immigration status.⁶

There are no mosques in Andorra, but the Muslim community has two prayer rooms. The Jewish community has a small synagogue and a community centre.⁷

The government did not respond to repeated requests by Muslim and Jewish groups to have their own cemetery.⁸

In a 2012 report, the European Commission against Racism and Intolerance (ECRI) of the Council of Europe recommended that Andorra address the lack of Jewish and Muslim cemeteries, grant a special status to minority religions, and authorise the construction of a mosque.⁹

In 2015 and 2016 follow-up reports, the ECRI did not revisit any of these recommendations. The 2016 report made interim recommendations related to equal treatment and non-discrimination legislation, which the government enacted in 2019.¹⁰

INCIDENTS AND DEVELOPMENTS

In the period under review there were no reported violations of religious freedom in Andorra.

Although Jewish and Muslim communities are permitted to use existing cemeteries, they have no separate area for

them. As a result, most choose to bury their dead outside the country.¹¹

Members of the Muslim community have raised concerns that religious head coverings have to be removed for photographs on official documents.¹²

Andorra regularly completes the Organisation for Security and Co-operation in Europe's annual hate crime questionnaire. No hate crimes motivated by a religious bias were reported in 2018 by the government or civil society organisations.¹³

Restrictions on religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of services, but places of worship were open for private prayer.¹⁴

PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is guaranteed and the prospects for religious freedom remain stable. The passage in 2019 of the Equal Treatment and Non-Discrimination legislation is likely to further protect religious minorities in Andorra; however, it could also have negative implications for some religious organisations and individuals when their religious beliefs come into conflict with the law itself.

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