

# ANDORRA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of individuals to manifest their religion or belief and prohibits religious discrimination. In accordance with the constitution, the government continued to offer the Catholic Church privileges not available to other religious groups. The government permitted ritual slaughter to meet Islamic and Jewish religious dietary requirements under veterinary supervision at the country's slaughterhouse. Some Muslims expressed concerns that individuals wearing head coverings for religious reasons had to remove them in photographs for official documents. The government did not resume meetings with the Jewish and Muslim communities to discuss the possible construction of a cemetery where they could conduct burials in accordance with their religious beliefs and customs. In February the Council of Europe's European Commission Against Racism and Intolerance (ECRI) recommended the government establish a body to combat various forms of intolerance, including anti-Semitism, and enact legislative reforms pertaining to discrimination, including religious discrimination. In July a study by the government also recommended enactment of a nondiscrimination law, which would include religious discrimination. By year's end, parliament had not passed legislation pursuant to the ECRI or government recommendations. Foreign religious workers for religious groups other than the Catholic Church could not obtain religious work permits but could enter the country under a different status and perform religious work unhindered.

The Muslim community used two prayer rooms, but there was no mosque in the country. The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary twice a month to the Anglican community so that visiting Anglican clergy could conduct services for the English-speaking community.

During periodic visits, the U.S. Ambassador, resident in Spain, the Consul General, and other officials from the U.S. Consulate General in Barcelona continued to raise with senior government officials and civil society leaders issues such as the lack of official status for faiths other than Catholicism and the lack of cemeteries for the Jewish and Muslim communities.

## Section I. Religious Demography

The U.S. government estimates the total population at 77,000 (July 2017). The population is predominantly Roman Catholic. Muslim leaders estimate the community has 800-2,000 members. The Muslim community, of which the large majority is comprised of recent immigrants, has grown in recent years. The Jewish community reports it has approximately 100 members. Other small religious groups include Hindus, Anglicans, Seventh-day Adventists, Bahais, the Family Federation for World Peace and Unification (Unification Church), the New Apostolic Church, The Church of Jesus Christ of Latter-day Saints (Mormons), and Jehovah's Witnesses.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution "guarantees freedom of ideas, religion, and cult." It prohibits discrimination on the grounds of religion and stipulates no one shall be required to disclose his or her religion or beliefs. The constitution states such freedoms may be limited only to protect public safety, order, health, or morals as prescribed by law or to protect the rights of others. The constitution acknowledges a special relationship with the Catholic Church "in accordance with Andorran tradition" and recognizes the "full legal capacity" of the bodies of the Catholic Church, granting them legal status "in accordance with their own rules." One of two constitutionally designated princes of the country (who serves equally as joint head of state with the other prince, the president of France) is the Catholic Bishop of Urgell, Joan Enric Vives i Sicilia, whose diocese in Spain includes Andorra.

Faiths other than Catholicism do not have legal status as religious groups. The government registers religious communities as cultural organizations under the law of associations, which does not specifically mention religious groups. To build a place of worship or seek government financial support for community activities, a religious group must register as a nonprofit cultural organization and acquire legal status. To register, a group must provide its statutes and foundational agreement, a statement certifying the names of persons appointed to the board or other official positions in the organization, and a patrimony declaration that identifies the inheritance or endowment of the organization. A consolidated register of associations records all types of associations, including religious groups. The law governing the issuance of official documents such as residence permits, passports, and driver's licenses, requires individuals to appear and be photographed with their heads uncovered.

According to the law, municipalities are responsible for the construction, preservation, and administration of cemeteries and funerary services.

Government regulation permits ritual slaughter as required by the Islamic or Jewish faith, so long as it takes place under the supervision of the veterinary services of the country's slaughterhouse.

Instruction in the Catholic faith is optional in public schools. The Catholic Church provides teachers for religion classes, and the government pays their salaries. The Ministry of Education also provides space in the public schools where religion classes are taught.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

The Catholic Church continued to receive special privileges not available to other religious groups. The government paid the salaries of the eight Catholic priests serving in local churches and granted all foreign Catholic priests citizenship for as long as they exercised their functions in the country.

Authorities at the local and national level did not resume meetings with the Jewish and Muslim communities to further discuss construction of a cemetery where they could bury their dead according to their customs, and Jewish and Muslim representatives said no municipality had identified a space for such use. Government officials stated they were still exploring the possibility of building cemeteries for those communities but that there was no precedent for providing land for such a purpose. Although Jews and Muslims could bury their dead in existing cemeteries, municipalities did not allocate separate burial areas in those cemeteries for use by those communities. As a result, these communities generally buried their dead outside the country. The Jewish community, for example, continued to use cemeteries in Toulouse, France, and Barcelona, Spain. The Muslim community continued to use cemeteries in Toulouse or bury their dead in their countries of origin.

Based on a court hearing that took place on October 10, the prosecutor's office concluded the 2014 assault by two individuals of a Jewish man outside of a discotheque in the city of La Massana did not constitute an anti-Semitic hate crime.

The government continued to fund three Catholic schools at the primary and secondary level.

In February the Council of Europe's ECRI published its quinquennial report on the country and recommended establishing a national body to combat racism, racial discrimination, xenophobia, anti-Semitism, and intolerance; more comprehensive antidiscrimination legislation; and introduction into law of the principle of sharing of the burden of proof in civil cases alleging discrimination, including religious discrimination. As a follow-up to the recommendations in the ECRI report, on November 23, the parliament extended the mandate of the national ombudsman to process complaints, including those involving incidents with a religious motivation.

In July a study on equality, including religious equality, that the government carried out with civil society recommended enactment of a law on nondiscrimination, which would also address cases of discrimination on the basis of religious belief. By year's end parliament had not enacted such a law.

Members of the Muslim community again raised concerns that individuals wearing head coverings for religious reasons were required to remove them in photographs for official documents.

According to members of the Muslim community, a Muslim halal butcher regularly performed ritual slaughter at the country's slaughterhouse.

Foreigners performing religious functions for religious groups other than the Catholic Church remained unable to obtain religious working permits because the law did not define what constituted a "religious worker." These workers had to enter the country under a different status. Foreign religious workers could enter the country with permits for other positions such as schoolteachers or business workers and were able to carry out religious work without hindrance.

### **Section III. Status of Societal Respect for Religious Freedom**

There continued to be no mosque in the country, but there were two Muslim prayer rooms in Andorra la Vella and in Esclades Engordany.

The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary twice a month to the Anglican community so that visiting Anglican clergy could conduct services for the English-speaking community.

#### **Section IV. U.S. Government Policy and Engagement**

Officials from the U.S. Consulate General in Barcelona discussed continued concerns about the lack of cemeteries for the Jewish and Muslim communities with senior Ministry of Foreign Affairs and Ministry of Interior and Justice officials.

Consulate general officials met with representatives of the Jewish and Muslim communities to discuss issues such as the lack of legal status as religious groups for faiths other than Catholicism, the implications of regulations requiring individuals to remove head coverings for official identity documents, and the lack of cemeteries for the Jewish and Muslim communities.