

ANDORRA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of individuals to manifest their religion or belief and prohibits religious discrimination. It names two co-princes – the President of France and the Roman Catholic Bishop of Urgell in Catalonia, Spain – as joint heads of state. In accordance with the constitution, the government offers the Catholic Church privileges not available to other religious groups. In February, the Department of Equality Policies within the Ministry of Social Affairs, Housing and Youth established the Observatory on Equality. The observatory is tasked with advising the government on issues pertaining to equality and discrimination, including those involving religious issues. The government did not respond to longstanding requests by Muslim and Jewish groups to build cemeteries for these communities, but tasked the Ministry of Territorial Planning to look for public land on which to build a multi-confessional cemetery. The government issued religious work permits only to Catholics, but it allowed non-Catholics to reside and perform religious work in the country under a different status.

In the absence of a mosque in the country, the Muslim community continued to rent two prayer rooms. The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary twice a month to the Anglican community.

The U.S. Ambassador, Resident in Spain, the Consul General and other officials from the U.S. Consulate General in Barcelona continued to meet and communicate regularly with senior government officials including the Attorney General and representatives from the Ministries of Foreign Affairs and Social Affairs, the Office of the Head of Government and others, as well as with the Office of the Ombudsman. During visits to the country and periodic communications, consulate officials discussed with Jewish and Muslim leaders and human rights nongovernmental organizations (NGOs) 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 86,000 (midyear 2020 estimate). The local government does not provide statistics on the size of religious groups, and there is no census data on religious group membership. Government officials report that approximately 92 percent of the population is Roman Catholic.

Muslim leaders report an increase in membership and estimate their community, largely composed of recent immigrants, has approximately 2,000 members. The Jewish community reports it has approximately 100 members. Other small religious groups include Hindus, Anglicans, Seventh-day Adventists, Baha'is, the Family Federation for World Peace and Unification (Unification Church), the New Apostolic Church, The Church of Jesus Christ of Latter-day Saints, 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.” The Catholic Bishop of Urgell in Catalonia, Spain, is 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. The current Bishop of Urgell is Archbishop Joan Enric Vives i Sicilia, whose diocese includes Andorra.

A nondiscrimination law provides for the right to equal treatment and nondiscrimination, including for members of any religious group. The law establishes judicial, administrative, and institutional guarantees, which protect and provide compensation for victims of discrimination. The law also provides for fines of up to 24,000 euros (\$29,400) in cases of discrimination, including on the basis of religious affiliation, and stipulates the burden of proof in such cases rests with the defendant, who must demonstrate there has not been discrimination.

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 acquire legal status by registering as a nonprofit cultural organization. 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 national ombudsman is responsible for investigating complaints of racism, discrimination, and intolerance, including those involving a religious motivation, in the public and private sectors. The ombudsman makes recommendations to the public administration to correct problems and reports annually to parliament. The ombudsman is a member of the commissions established by the newly created Observatory on Equality.

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, as 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 public schools for Catholic religious instruction.

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.

According to the government, although the construction of cemeteries fell within the responsibility of the municipal authorities, the Ministry of Territorial Planning in October began to look for public land on which to build a multi-confessional cemetery; by year's end, the ministry had not indicated it had identified land for

the cemetery. Government officials at the national and local levels continued not to respond to longstanding requests by Muslim and Jewish community representatives to allow the construction of separate cemeteries where they could bury their dead according to their rituals and traditions. Muslim community representatives stated they were disappointed due to the lack of government response to their requests. According to municipal authorities, Jews and Muslims could use existing cemeteries, but these did not allocate separate burial areas for these communities to use. As a result, most Jews and Muslims continued to bury their dead outside the country.

The government continued to fund three public Catholic schools at the primary and secondary level. These were open to students of all faiths. Catholic instruction was mandatory for all students attending these schools.

The government continued to maintain a policy of issuing religious work permits for foreigners performing religious functions only to members of the Catholic Church. Foreign religious workers belonging to other groups said they could enter the country with permits for other positions such as schoolteachers or business workers and carry out religious work without hindrance.

During the year, the national ombudsman's office did not report receiving any complaints of religiously motivated discrimination or intolerance in the public or private sector. The principal religious groups said they had not reported any incidents of discrimination to the ombudsman.

In February, as provided for in the 2019 nondiscrimination law, the Department of Equality Policies in the Ministry of Social Affairs, Housing and Youth established the Observatory on Equality to collect and analyze data and advise the government on issues of equality and discrimination in the country, including those involving religious issues. The observatory created commissions including representatives of the government, civil society, the national ombudsman, and state-owned companies to identify indicators that will be used when gathering data to issue reports in the future. The observatory did not issue any reports during the year.

Section III. Status of Societal Respect for Religious Freedom

In the absence of a mosque in the country, the Muslim community continued to rely on two Islamic prayer rooms that it rented in Andorra la Vella and in Escaldes-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 members of that community.

Section IV. U.S. Government Policy and Engagement

The U.S. Ambassador, Resident in Spain, the Consul General in Barcelona, and other officials from the U.S. Consulate General in Barcelona reiterated the importance of religious tolerance in periodic in-person and virtual meetings and other communications with the Ministry of Foreign Affairs, Attorney General, Office of the Head of Government, other government officials, and the ombudsman. The consulate general also used social media to convey messages underscoring the importance of religious freedom and citing issues of concern. Consulate General staff discussed the equality law with representatives from the Ministry of Social Affairs, and raised continued concerns about the lack of cemeteries for the Jewish and Muslim communities with senior Ministry of Foreign Affairs officials.

In periodic communications and meetings with representatives of the Jewish and Muslim communities and human rights NGOs, consulate general officials discussed the lack of legal status for religious groups other than the Catholic Church and the lack of cemeteries for the Jewish and Muslim communities.