

# ANDORRA 2018 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 July the government submitted a draft equality and nondiscrimination law, including a prohibition of religious discrimination, to parliament. A vote on the law was expected in early 2019. The government again did not respond to requests by Muslim and Jewish groups to build a cemetery. The government only issued religious work permits to Catholics, but it typically allowed non-Catholics to reside and perform religious work in the country under a different status.

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.

During periodic visits, the U.S. Ambassador, resident in Spain, and the Consul General and other officials from the U.S. Consulate General in Barcelona continued to meet with senior government officials from the Ministries of Foreign Affairs, Interior, and Justice, and with Jewish and Muslim leaders. They discussed such issues 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 (July 2018 estimate). The local government does not provide statistics on the size of religious groups, and there is no census data on religious group membership. The population is predominantly Roman Catholic. Muslim leaders estimate their community has 1,500 members. The Muslim community, of which the large majority is composed 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, 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.” 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 in Catalonia, Spain, Joan Enric Vives i Sicilia, whose diocese 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 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 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 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.

On July 26, the government submitted to parliament a draft law, the first of its kind in the country, providing for equality and nondiscrimination, including religious equality. The draft legislation would establish sanctions of up to 24,000 euros (\$27,500) in cases of discrimination, including on the basis of religious affiliation, and stipulates the burden of proof in cases would rest with the defendant, who would have to demonstrate, if accused, there had not been discrimination. The law would also establish an Equality Observatory to monitor and assess the state of equality and nondiscrimination in the country. Parliament was reviewing the draft legislation and expected to vote on it before the end of the legislative term in March 2019.

There were no reports that government officials, at the national or local level, responded to requests by Muslim and Jewish officials to allow the construction of a cemetery where these groups could bury their dead according to their rituals and traditions. 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. Government officials said they were discussing the issue with municipalities.

In March the Supreme Court upheld a December 2017 finding by the Criminal Court (Tribunal de Corts) that a 2014 assault by two individuals on 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 public Catholic schools at the primary and secondary level 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 reported they could enter the country with permits for other positions such as schoolteachers or business workers and carry out religious work without hindrance.

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

There still was no mosque in the country; the Muslim community relied on two Muslim 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**

Officials from the U.S. Consulate General in Barcelona reiterated the importance of religious tolerance in meetings with the Ministry of Foreign Affairs. Consulate general staff 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 discussed with representatives of the Jewish and Muslim communities issues including the lack of legal status for religious groups other than the Catholic Church, 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.