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Consideration of reports of States parties

Replies of Andorra to the list of issues in relation to its combined third to fifth periodic reports** *

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* The present document is being issued without formal editing.

** The annexes to the present report are available on the Committee's web page.



Part I

Reply to the issues raised in paragraph 2 (a) of the list of issues in relation to the combined third to fifth reports of Andorra (CRC/C/AND/Q/3-5)

1. At the end of 2012, the United Nations Children's Fund (UNICEF) National Committee launched the Andorra Observatory for Children's Affairs, consisting of a system of child welfare indicators, with a view to assessing the situation of children and teenagers, collecting public and private statistical data and better monitoring the implementation of the Convention on the Rights of the Child. The 2022 annual report included 58 child welfare indicators, 41 of which had been updated. See: <https://unicef.ad/wp-content/uploads/2023/01/observatori-infancia-2022.pdf>.

2. In 2022, a study on the use and impact of technology among teenagers was published for the first time. The study looked at their habits with regard to use of the Internet, social media, video and online games, unsafe practices such as sexting and contact with strangers, and their motivations, beliefs and expectations regarding screen use. It was based on a survey sample of 2,161 teenagers drawn from 9 secondary schools. See: https://unicef.ad/wp-content/uploads/2023/03/MAQUETACIO_FINAL_160123.pdf.

Reply to the issues raised in paragraph 2 (b) of the list of issues

3. In accordance with article 8 of Qualified Act No. 4/2019, of 15 February, on the Rights of Children and Adolescents, the first Andorran National Plan for Children and Adolescents, covering the period 2022–2026 (see Annex 1), was adopted on 17 December 2021 with the aim of establishing policies, strategies and specific measures that benefit children and teenagers over the next four years.

4. The 42 actions envisaged under the Plan were selected on the basis of input from the National Commission for Childhood and Adolescents and its expert committee, the Council of Europe Children's Rights Division, staff from different government ministries and the *comuns* (parish councils), civil society organizations, associations and bodies, children and teenagers aged from 6 to 16 years old who completed individual questionnaires and group activities in schools, and a representative sample of teenagers aged from 16 to 18 years old who completed online questionnaires and took part in group activities with Secretaries of State, ministers and the Head of State.

Reply to the issues raised in paragraph 3 of the list of issues

5. Act No. 31/2018 of 6 December 2018, on Labour Relations, has a section on employment contracts for minors in which it is stressed that, until the end of their compulsory education, teenagers over 14 years of age may undertake a vocational apprenticeship, but only as part of a training programme that respects the school calendar and timetable and is under the supervision of the Ministry of Education and Ministry of Social Affairs. The Act also establishes restrictions on the work that those under 18 years of age may perform and prohibits night work, overtime and hazardous labour.

6. The employment of minors under 15 years of age is prohibited in all cases without exception. Teenagers over the age of 15 may work up to a maximum of two months per year during school holidays, provided that they have at least one month of holiday in the summer and are not working for at least half of the school holidays in the rest of the year. In line with the rules set forth in the preceding paragraphs, minors aged 15 or over may perform light work that is appropriate to their age and not harmful to their physical or psychological development. Since compulsory schooling ends at 16 years of age, employment from the age of 16 is possible provided that an employment contract is signed between the employer and the legal representative of the young person or the person him- or herself if he or she is an emancipated minor. An official form is available for this purpose and the employment contract must be approved by the Labour Inspectorate.

7. Annex I of Act No. 34/2008 of 18 December 2008, on Occupational Health and Safety, regulates activities that are hazardous, unhealthy or harmful due to the elements, processes or substances involved. The regulations establishing minimum health and safety provisions for

the manual handling of heavy loads prohibit children aged 14 or 15 years old from performing work that involves lifting weights of more than 10 kg, even on an occasional basis. For children aged 16 and 17, the maximum load is 15 kg. The International Labour Organization (ILO) International Labour Standards apply to any occupational health and safety issue that is not regulated by law in Andorra.

8. Article 54 (9) of the Qualified Act on the Rights of Children prohibits minors from participating in any activities that advertise or promote alcoholic beverages, tobacco and tobacco-related products. Act No. 7/2022 of May 17, on Protection against Second-Hand Tobacco Smoke, ensures effective protection against fumes emitted by any tobacco product and establishes as an offence any violation of the protection requirement.

9. Article 22 of Act No. 46/2022 of 22 December, on the Status of Artists in the Principality of Andorra provides that the Ministry of Labour may authorize the engagement of artists under the age of 18 provided that their engagement does not jeopardize their physical or mental health or their personal and professional development.

10. Article 49 of Act No. 37/2018 of 20 December 2018, on Sport in the Principality of Andorra, establishes that sports federations must take measures to encourage all sports organizations to promote grass-roots sport and prevent any exploitation in sport. It also provides that organizations based in the Principality of Andorra may not claim retention, extension, training, compensation or any other similar rights in respect of athletes under 16 years of age. Article 56 of the Act establishes that the following persons may not work as either paid or volunteer sports coaches: persons under 16 years of age; persons with a criminal record for offences against physical and psychological integrity or offences involving minors; persons serving a suspension for a violation of chapter two of title IV of the Act; and persons subject to an administrative measure prohibiting them, for any reason, from participating in activities involving young persons and minors.

Reply to the issues raised in paragraph 4 of the list of issues

11. On 21 July 2022, the *Consell General* (parliament) approved Qualified Act No. 30/2022, on Persons and Families, which was later amended by Qualified Act No. 12/2023 of 30 January 2023. This Act brings together all civil legislation relating to persons and families, including legislation on marriage. Article 81 establishes that, without exception, persons under the age of 18 years may not marry.

Reply to the issues raised in paragraph 5 of the list of issues

12. Andorra is the first country in the world to have had all its parishes certified as Child-friendly Parishes by UNICEF. This means that all parish councils are committed to upholding the rights of children and teenagers and have a specific strategy for creating safer, more protective environments that facilitate access to high-quality essential services for all children. In addition, children's opinions are heard, through municipal participation councils, in the implementation of such actions and in local decision-making processes and are taken into account in the setting of budgets, regulations and public policies.

13. The Andorran National Plan for Children and Adolescents provides for various actions to be taken to increase and guarantee the participation of children and teenagers in decision-making, including:

- Creating new municipal councils of young persons to continue the work of the existing councils and open them up to young persons aged between 12 and 16 years old, and thus encourage them to take an interest and participate in public affairs in their parish (action 6).
- Transforming the National Council for Children and Adolescents – previously an educational initiative giving children experience of legislative work – into a forum for working with parliamentarians through which children and teenagers can request information and propose changes or improvements, especially in areas that affect them (action 5).
- Strengthening existing participation mechanisms (action 7).

- Ensuring that children and teenagers are consulted on issues that directly affect them (action 8).
- For all the above actions, the government body and person with overall responsibility for their execution is specified in the Plan.

Reply to the issues raised in paragraph 6 of the list of issues

14. Article 31 of the Qualified Act on the Rights of Children and Adolescents establishes the right to the protection of honour, privacy and one's image, which includes the inviolability of the home and of correspondence and the confidentiality of communications, including those sent and received via information and communication technologies. It also establishes that consent for the use of a child's name, voice or image for advertising, commercial or similar purposes may not be given by means of standard-form contracts.

15. Qualified Act No. 29/2021, of 28 October, on the Protection of Personal Data states that processing the personal data of a minor is lawful only if the minor is at least 16 years old or, if he or she is under 16 years old, the consent of his or her legal representative has been obtained. The data controller must check that consent has been given or authorized by the legal representative, taking into account the available technology.

16. One of the functions of the Andorran Data Protection Agency is to publish and raise awareness of recommendations and instructions, in accordance with existing legislation. Particular attention is given to activities aimed at minors and, in this context, the Agency has given talks and provided training in schools on issues related to online privacy, the risks and dangers of unsafe browsing and the processing of student data in classrooms and schools, thereby facilitating access to protection and security tools and instructions.

17. Regarding the digital literacy of students, the Ministry of Education provides a number of resources to help educators to teach digital skills to their students. It provides technological equipment and tools including the national education system Intranet (known as XENA, its Catalan acronym), Internet access in all classrooms and a digital profile, created and managed by the Ministry of Education, for teachers and students in each of the three education systems. At the pedagogical level, the Ministry supports cooperative learning and the acquisition of digital skills by students using the following tools:

- Google Workspace. This platform is linked to the single sign-on system and all students can access the services it offers. The Google Classroom platform is used to teach classes in most schools.
- EDUCAND-Campus. This learning management system, which is based on Moodle, is designed so that each school can manage and adapt it to their own needs.
- Tablet computers. In the Andorran education system, tablets are made available to schools and educational institutions. In early childhood education, at least one tablet is available in every classroom; in primary education, the Ministry of Education provides one tablet for every four students and one tablet for teachers; and, in secondary education, students each have their own tablet. In the Spanish and French education systems, the allocation of tablets is linked to the specific learning project.
- Robotics. In the last five years, steps have been taken to encourage educational robotics and computational thinking and increase their role in the digital literacy of students. In addition, in the 2022/2023 academic year, the Ministry provided all schools with a Cubetto educational robot and a mandatory teaching plan on its operation and application to learning. A day-long educational robotics workshop has also been organized for the past three years.

18. Regarding the digital literacy of teachers, an educational training catalogue that is published each school year is provided to the teaching staff of the three systems by the Ministry of Education in order to improve teachers' skills in the use of new technologies, enhance their digital literacy and help them to discover and reinforce software and tools for use in the classroom that may improve teaching practice and development.

19. Regarding the digital literacy of parents, the Lifelong Learning Centre offers free training on information and communication technologies to persons over 16 years of age. A

decree on the creation and regulation of digital skills diplomas for citizens that provides for the award of diplomas at the basic, intermediate and advanced user levels has been adopted, marking an advance towards providing digital skills training for all and reducing the digital gap in various social sectors.

20. Lastly, it should be noted that the Andorran National Plan for Children and Adolescents includes training for children and teenagers on the responsible use of technology and on aspects of cybersecurity (action 32) and guarantees Internet and computer access for all families with minor children (action 40).

Reply to the issues raised in paragraph 7 (a) of the list of issues

21. The parish councils have created schools for parents that offer a meeting space for families and organize sessions led by professionals to address parenting concerns and provide positive psychoeducational guidance. They also organize talks and conferences about specific problems or needs that are open to the public, including both parents and teenagers.

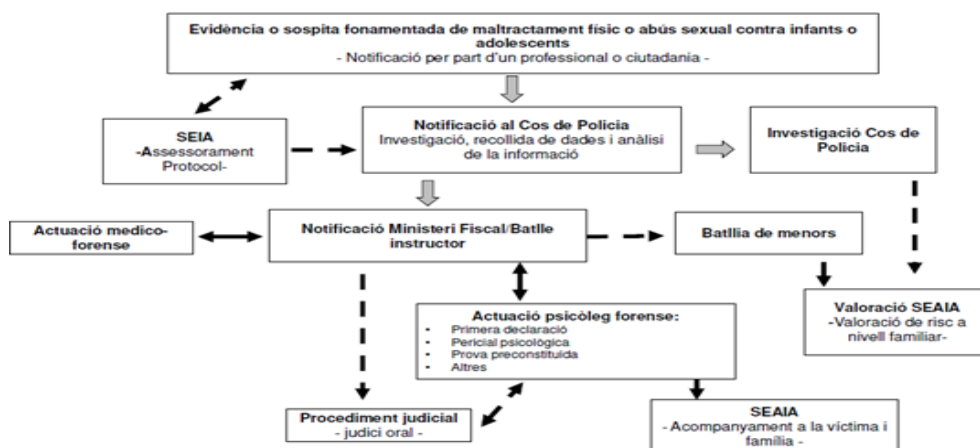
22. In 2022, the Ministry of Social Affairs created the Family Support Service for families monitored by the child and youth protection services. The Service includes a parenting skills programme designed to help parents, to build a positive family coexistence dynamic and develop appropriate parenting patterns.

23. In 2020, the Ministry of Social Affairs and the Ministry of Education launched a plan to raise awareness of gender issues in schools, provide professionals with training and guidelines on real and effective equality and eliminate gender inequalities. The plan provides for the appointment of “school equality officers” responsible for monitoring equality issues, identifying shortcomings and creating a detection and intervention protocol for cases of gender and domestic violence. Every year, workshops are organized in all secondary schools with a view to guaranteeing gender equality and girls’ empowerment in education, preventing the underage consumption of alcohol and other substances and providing information about safe and healthy alternative forms of recreation.

24. Lastly, the development of the psychosocial skills that enable young persons to cope with difficult situations and make health-friendly decisions is integrated into school curricula.

Reply to the issues raised in paragraph 7 (b) of the list of issues

25. The Qualified Act on the Rights of Children and Adolescents stipulates that reporting, intervention and cooperation protocols should be developed that set out the procedures to be followed when there is evidence to suggest or reason to suspect a situation of risk or neglect. Accordingly, in 2020, the protocol for action in respect of children at risk was updated and a decree enacting two protocols – one for reporting and social service intervention in situations where children or teenagers are at risk and one for immediate action in cases where there is evidence to suggest or reason to suspect that children or teenagers are being subjected to abuse, sexual aggression or physical mistreatment – was adopted. The purpose of the first protocol is to clarify and harmonize identification criteria and set out procedures for timely and effective reporting, referral and intervention in situations of risk or neglect. The purpose of the second is to set forth the relationship between the authorities and the professionals who intervene in situations of physical mistreatment, abuse or sexual aggression, ensure coordination between them and specify the action to be taken to guarantee the best interests of the child or teenager, ensure the he or she receives support (whether personalized, specialized, minimal or priority), reduce secondary victimization and guarantee the victim’s physical and emotional recovery.



26. To facilitate reporting, two forms have been created and are available on the website of the Ministry of Social Affairs: one is for the use of any citizen, including children and teenagers, while the other is specifically for professionals. A free child helpline (175) has also been set up and is open 24 hours a day, 365 days a year.

27. See:

- <https://www.aferssocials.ad/infancia/notificacio-d-una-situacio-de-risc-d-un-infant-o-adolescent> (Guide and forms)
- https://www.bopa.ad/bopa/032135/Pagines/GR20201117_13_29_34.aspx (protocol for reporting and social action in situations where children or teenagers are at risk)
- https://www.bopa.ad/bopa/032135/Pagines/GR20201117_13_28_24.aspx (protocol for immediate action in cases where there is evidence to suggest or reason to suspect that children or teenagers are being subjected to abuse, sexual aggression or physical mistreatment)

28. The “Unidos” Prevention Programme under which a professional specializing in protection works with professionals from day-care centres and primary and secondary schools to train and support them in the detection and early reporting of risk situations, is now in operation.

29. The Qualified Act on the Rights of Children and Adolescents provides for the implementation of coordination mechanisms to ensure effective cooperation in the prevention, detection, reporting and referral of child abuse and guarantee immediate care, physical and psychological recovery, social reintegration and the corresponding judicial intervention.

30. Lastly, the Andorran National Plan for Children and Adolescents provides for improvements to detection and reporting mechanisms for all risk situations (action 29).

Reply to the issues raised in paragraph 7 (c) of the list of issues

31. As mentioned in paragraph 25, the protocol for reporting and social service intervention in situations where children or teenagers are at risk and the protocol for immediate action in cases where there is evidence to suggest or reason to suspect that children or teenagers are being subjected to abuse, sexual aggression or physical mistreatment were introduced in 2020. Since then, professionals from the Support Unit for Children and Adolescents have regularly provided comprehensive training on the prevention and detection of risk situations and on existing reporting protocols to professionals working with children and teenagers, including school staff, psychologists, public and private doctors, police officers and university students.

32. Since 2018, the Ministry of Social Affairs and the Ministry of Sports have offered free training on the prevention and detection of child sexual abuse to all coaches and trainers of the country’s sports clubs and federations.

33. Specific protocols for the prevention of sexual abuse have also been developed in conjunction with certain sports federations, including the Andorra Ski Federation, and a framework protocol to protect children and teenagers against violence in sports is currently being developed.

Reply to the issues raised in paragraph 8 (a) of the list of issues

34. Regulations for recreational activities were approved on 22 July 2020. The regulations introduced, for the first time, rules covering all matters related to the development and organization of recreational activities, with a special emphasis on non-discrimination and the inclusion of children and teenagers with disabilities (art. 16). Under the regulations, the organizers of such activities must reserve at least 10 per cent of available places for children and teenagers with disabilities, with the Government providing the technical and professional support necessary to ensure their participation on an equal basis.

35. See: https://www.bopa.ad/bopa/035047/Pagines/GR20230331_11_18_59.aspx.

36. The Department for the Promotion of Personal Autonomy, which is attached to the Ministry of Social Affairs, organized events to celebrate the International Day of Persons with Disabilities on 3 December 2022, including publishing a story entitled “Captain Hook’s Hook”, aimed at children aged 3 to 10 years old, that is intended to make them aware of physical disability and open to diversity. On 27 April 2023, which is celebrated as the National Day of the United Nations Convention on the Rights of Persons with Disabilities, a performance of “Spasticity” – a monologue by a person with spastic quadriplegic cerebral palsy – was staged with the aim of normalizing disability. In the monologue, the performer uses humour to describe their personal experiences.

37. Action to raise awareness of disability envisaged under the Andorran National Plan for Children and Adolescents includes the development of informative content for sharing, in particular, among children and teenagers themselves (action 2). The Plan also provides for a review of the regulations governing the enrolment of students with disabilities in educational institutions (action 15), a review of disability assessment indicators and the establishment of a commission to undertake the review (action 17), adjustments to signage to make it accessible to all (action 27), and a refit of parks and recreational areas to ensure that they are universally accessible (action 28).

Reply to the issues raised in paragraph 8 (b) of the list of issues

38. The right of inclusion and the right of all children to a quality education that takes account of their special needs and individual educational requirements are fundamental rights and a priority for the Government of Andorra.

39. To ensure effective, inclusive and violence-free learning, the Ministry of Education has a group of service units that monitor educational quality. The Educational Inspection Service takes part in assessments of the needs of children with disabilities in order to determine their degree of dependency and establish the form of educational support that will facilitate their access to education most effectively. It is also responsible for approving and overseeing the implementation of initiatives promoting the inclusion of students with disabilities in schools and ensuring the provision of specialized resources for educational institutions.

40. In terms of support, specialized human and material resources are made available to educational institutions in order to guarantee the inclusion of every student with a disability. These resources include:

- Specialized teachers
- Specialized teaching assistants
- Educational materials
- Technological resources.

41. Educational institutions have also been equipped with spaces in which medical professionals working in the school environment can hold consultations with pupils.

Reply to the issues raised in paragraph 8 (c) of the list of issues

42. The most senior management body in the Andorran education system is the School Council, composed of representatives of all members of the educational community. Its functions include approving teaching plans, overseeing the distribution of budget appropriations, monitoring the application of educational policy and submitting proposals for the improvement of facilities. Other internal management and decision-making bodies through which the educational community can channel suggestions and proposals include the Junior Council (Petit Consell or Pequeño Consejo), the School Assembly and the Let's Do School (Fem l'Escola or Hagamos la Escuela) initiative. At the lower and upper secondary levels, students can contribute to improved coexistence in school through the Council of Delegates, which is a participatory body.

43. In the French educational system, parent representatives and student delegates (two students from each class, who are elected by their peers) have seats on class councils, are kept informed of students' academic results and are able to give their opinion on school matters concerning them such as grants, school trips and financial contributions to projects.

44. In the Spanish educational system, all members of the educational community, including the school principal, deputy principal, teachers, parents, students, administrative and service personnel and a representative of the diplomatic mission, are represented on the Participation Committee. Students have their own representative body, the Council of Delegates, and elect their representative on the Participation Committee.

Reply to the issues raised in paragraph 9 (a) of the list of issues

45. Act No. 6/2014 of April 24, on Social and Socio-health Services, establishes that parish councils may help individuals or families who lack sufficient resources to pay the regular price of the services they use. The parish council assesses whether families are eligible to receive social security benefits that may partially or totally cover the cost of day care. In some family situations, these financial benefits are supplemented by allowances awarded by the Government of Andorra.

46. Subject to a financial assessment, for families in need, the Government of Andorra may also cover, totally or in part, the cost of private day-care centres that offer longer hours of operation.

Reply to the issues raised in paragraph 9 (b) of the list of issues

47. The Government grants rental subsidies for individuals and family units living in rented accommodation that is their permanent and habitual residence. In granting these subsidies, it gives priority to those in situations of need and to the following priority groups: young persons; women who are in disadvantaged financial situations, living in a broken home or victims of gender-based or domestic violence; older persons; persons with disabilities; single-parent families; and large families. Subsidies are granted in cases where the family nucleus is made up of children and teenagers even if they do not meet all the requirements.

Reply to the issues raised in paragraph 10 (a) of the list of issues

48. Although article 108 of the Criminal Code, concerning consensual abortion, remains in force, the Government guarantees free access to information and education on sexual and reproductive health. Evidence of this commitment is the establishment, on 2 March 2020, of the Comprehensive Support Service for Women – a public space where women and teenage girls who need guidance on sexual and reproductive health matters can obtain information and professional advice. The Service offers personalized assistance free of charge throughout the country and provides gynecological, psychological, legal and social referrals in order to comprehensively address the particular circumstances of each case.

Reply to the issues raised in paragraph 10 (b) of the list of issues

49. The Government adopted the Comprehensive Plan on Mental Health and Addiction for the period 2022–2030, designed to guarantee comprehensive person- and community-centred care by means of a cross-cutting approach ensuring that all actions envisaged under

the Plan take the specific needs of children and young persons into account. See: <https://www.salut.ad/temes-de-salut/pisma>.

50. Psychological services are also now State-funded, being covered under Andorran social security as an outpatient service for all persons over 3 years of age when prescribed by a doctor. For children under 3 years of age, services are provided in special units.

51. As part of its response to the health crisis caused by the coronavirus disease (COVID-19), the Government rolled out the Psychological Support Programme under which psychological care was made available to all persons over 6 years of age whose mental health was affected by the crisis.

52. The Rapid Consultation Service for Adolescents in Crisis – a space where young persons and their families can obtain guidance on psychoemotional concerns and mental health problems from professional psychologists without charge – continues to operate. The Service also provides diagnoses and, where appropriate, referrals for psychiatric disorders.

53. Information campaigns targeting teenagers are run to help them to identify mental health problems and avoid stigma.

54. Children and young persons are a priority group under the National Plan against Drug Addiction, the following objectives and actions having been defined for this group under the Plan for the period 2021–2023:

- Maintaining and expanding measures to reduce the supply of addictive substances and prevent minors' from gaining access to such substances
- Promoting preventive action at the school, family and community levels with a view to raising awareness of and sensitizing minors to the effects and consequences of tobacco, alcohol and other drug use and encouraging and reinforcing healthy lifestyles
- Providing training to social workers and educators working with children and teenagers to promote and reinforce their active participation in preventive efforts
- Creating alternatives to criminal punishment for minors that are focused on participation in preventive and rehabilitative initiatives
- In the area of training, including the prevention of addiction in training for recreational monitors and providing training in mental health and addiction for community and social workers at the University of Andorra
- Supporting patient and family associations in a position to offer different mental health resources and community support activities.

55. Lastly, the Andorran National Plan for Children and Adolescents provides for differentiated action to address mental health problems in this age group, including the following:

- Ensuring access to medical and psychological counselling services both during school and out-of-school hours (action 10).
- Updating workshop materials on addiction and healthy lifestyles (action 13).
- Establishing specific programmes to support children and teenagers with addictions (action 14).
- Improving mechanisms for identifying and reporting risk situations (action 29).
- Training children and teenagers in the responsible use of technology and in issues of cybersecurity (action 32).
- Drawing up a protocol and establishing an expert committee for coordination and intervention in cases where children and teenagers are in highly complex risk situations (action 35, already completed).

Reply to the issues raised in paragraph 10 (c) of the list of issues

56. The following sexual and reproductive health information and assistance resources are available to children under 16 years of age:

- Sexual and reproductive health education programme in all secondary schools
- Youth Consultation Service, designed for young persons between 12 and 20 years old with a remit to promote healthy affective-sexual habits and responsible attitudes and behaviours, both in relationships and in respect of their own sexuality, and to prevent sexually transmitted diseases and teenage pregnancies
- Comprehensive Support Service for Women, under which specialist nurses provide information on sexual and reproductive health. When needed, emergency contraceptive treatment together with appropriate counselling is available free of charge through both the Youth Consultation Service and the Comprehensive Support Service for Women. The official website of the Comprehensive Support Service for Women also offers information on sexual and reproductive health (www.siad.ad/siad)
- Gynaecology and midwifery services
- The basic training programme for recreational monitors includes a module on affective-sexual education.

57. Lastly, the Andorran National Plan for Children and Adolescents envisages an expansion of available information on sexual health and sexually transmitted diseases and existing services in this area (action 4) as well as easier access to contraception (action 12).

Reply to the issues raised paragraph 11 (a) of the list of issues

58. The School Bullying Prevention Plan formulated by the Ministry of Education is designed to prepare the educational community and provide it with assistance in preventing, identifying and eliminating bullying among pupils. The Plan has been deployed in all educational institutions and at all levels. With the promotion of emotional education, coexistence and respect for others as the point of departure, the Plan provides for dedicated teams to carry out case-by-case follow-up until the situation is resolved.

59. Since the start of the 2021/2022 academic year, a number of activities have been organized to help to raise awareness, including sensitization campaigns, information days, prevention workshops and training days aimed at all those with roles within the educational community.

60. Current school programmes are designed to provide skills and opportunities for reflection that help to develop critical thinking, democratic values and the art of coexistence, as well as tools for counteracting attitudes that are not respectful of human rights. See: [cataleg-activitats-educatives-22-23.pdf](#).

61. Another important measure was the update of the legal framework for combating truancy enacted through the adoption of a decree on preventing and addressing school absenteeism. New elements introduced include: a revised definition of school absenteeism that takes the specific circumstances, the type of absenteeism and the number of days of absence into account in order to determine with greater precision the nature of the absenteeism; improved data management regulations; and the revitalization and redefinition of the remit of the Absenteeism Monitoring Committee. The decree also introduced measures for preventing and reducing school absenteeism by means of a plan for communicating and raising awareness of the new regulations and procedures for dealing with each type of absenteeism among families and in educational institutions. In addition, it provided for educational institutions to receive advice on the procedures to be followed when dealing with cases of absenteeism and cases in which the pupil concerned cannot be located, for improved coordination between the different government services, for the roll-out of measures to prevent school absenteeism such as the School Bullying Prevention Plan, for stronger cooperative action and action to foster group cohesion, and for the promotion of democratic culture.

62. See: https://www.bopa.ad/bopa/031029/Pagines/GD20190321_12_39_07.aspx.

Reply to the issues raised in paragraph 12 of the list of issues

63. For the purposes of Qualified Act No. 15/2019 of 15 February, on the Criminal Responsibility of Minors, a minor is understood to be a person who has not yet reached the

age of majority or reaches the age of majority during the criminal proceedings or while serving a sentence or subject to an agreement ending the custodial penalty, unless otherwise indicated in the Act.

64. However, as established in article 4 of the Act, a person under 12 years of age cannot face criminal prosecution. Accordingly, any claim for damages or compensation for injury resulting from an offence committed by a person under 12 years old must be filed with and adjudicated before the competent civil court.

65. The Act restricts the use of pretrial detention to specific cases and to persons who are least 14 years old. The same restrictions apply to the use of confinement in closed and semi-open regimes as a disciplinary measure.

66. In addition, regulations governing applications for retrial and judicial review, the detention regime applicable to minors and the specific disciplinary regime applicable to minors in custody have been adopted for the first time in order to ensure better safeguards and protection.

67. These measures are set forth in the articles on temporary detention (art. 20) and disciplinary measures (art. 33). See annex 2 for the content of the articles.

Reply to the issues raised in paragraph 13 (a) of the list of issues

68. The offences referred to in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, including all forms of sale of children and online sexual exploitation and abuse, are covered by the following article of the Criminal Code in force in Andorra:

- Child abduction (art. 162)
- Trafficking of children with a view to changing their filiation (art. 164)
- Organized criminal groups (art. 165, as applied to arts. 162 and 164)
- Procuring (art. 152)
- Encouraging prostitution (art. 151)
- Sexual acts with minors or persons with a disability who have been prostituted (art. 154)
- Sexual exploitation of children in prostitution (art. 154 bis)
- Use of minors or persons with a disability for pornography (art. 155)
- Trafficking in human beings for the purpose of sexual exploitation (art. 157 bis)
- Use of social media, Internet or other information and communication technologies (art. 157 ter).

69. See annex 3 for the content of the articles.

Reply to the issues raised in paragraph 13 (b) of the list of issues

70. The workshop on the subject of the Optional Protocol has not yet been incorporated in school curricula.

Reply to the issues raised in paragraph 14 (a) of the list of issues

71. Under article 370 of the Criminal Code, acts of terrorism are considered to include any act intended to cause death or serious bodily injury to a civilian or any person not taking an active part in the hostilities in a situation of armed conflict when the purpose of such act, by its nature or the circumstances in which it occurs, is to intimidate a population or to compel a government or an international organization to do or to abstain from doing a given act. In addition, any person who commits or attempts to commit an act of terrorism, as perpetrator or accomplice, and any person who belongs to, acts in the service of or collaborates with a terrorist group is considered a terrorist. Lastly, any group of persons organized for the purpose of carrying out one or more acts of terrorism is considered a terrorist group.

72. Article 30 of the Criminal Code provides that, if the victim is especially vulnerable because of his or her age, aggravating circumstances will apply to the offence.
73. Other articles of the Criminal Code that are applicable in the context of terrorism are:
- Other offenses with a terrorist purpose (art. 364)
 - Concept of unlawful association (art. 359)
 - Penalties for members of unlawful associations (art. 360).
74. See annex 3 for the content of these articles.

Reply to the issues raised in paragraph 14 (b) of the list of issues

75. No specific measures have been taken to identify children entering Andorra who may have been involved in armed conflicts abroad as this is a situation that has not arisen.

Part II

Reply to the issues raised in paragraph 15 (a) of the list of issues

76. Qualified Act No. 12/2023, amending Qualified Act No. 30/2022, of 21 July 2010, on Persons and Families, was adopted on 30 January 2023. The Act represents an advance in that it brings together, in a single body of law, all the related civil regulations. It also constitutes a step forward in the process of adapting personal and family law.
77. The following regulations have been adopted:
- Decree No. 4-12-2019, enacting the operating regulations of the National Commission for Children and Adolescents. Articles 7, 8 and 9 of the Children's Act provide for the establishment of this Commission as a collegiate body whose primary remit is to coordinate the policies and measures adopted by government departments working in the field of childhood and adolescence. The regulations define the nature and mandate of the Commission, its composition, duties and methods of work, its required quorum and its decision-making processes, among other details. Additionally, they provide for the establishment of an expert committee to support the Commission in the performance of its duties and regulate the operation of this committee.
78. See: https://www.bopa.ad/bopa/031106/Pagines/GR20191206_12_31_49.aspx.
- Decree No. 261/2021, of 30 June 2021, enacting the operating regulations of the Commission for the Care of Children and Adolescents. Article 5 of the Children's Act provides for the establishment of this Commission as a decision-making body composed of professionals specialized in the provision of protection and care for children and teenagers. The enactment of these regulations established the nature, mandate, composition, methods of work and duties of the Commission. The latter include examining and assessing the files of children and teenagers in situations of serious risk or neglect, proposals for expert intervention, and proposals for judicial intervention and protection in cases of neglect.
79. See: https://www.bopa.ad/bopa/033076/Pagines/GD20210701_12_26_44.aspx:
- Decree No. 305/2022, of 20 July 2022, enacting the operating regulations of the social and health care committees responsible for monitoring persons in highly complex situations. The laws in force require government departments, within the scope of their competencies, to establish appropriate measures to guarantee the well-being of persons in particularly vulnerable situations, especially when their mental health is affected or they display addictive behaviours. The aforementioned regulations and two commissions – one focused on children and teenagers and the other on young persons and adults – were established to this end. The two commissions conduct the groundwork for the holistic, joint intervention of the various professionals and services involved, the aim being to propose, assess and follow up on the interventions necessary to achieve the physical, psychological and functional recovery and social reintegration of the persons concerned.

80. See: https://www.bopa.ad/bopa/034090/Pagines/GR20220721_14_22_29.aspx:
- Decree No. 136/2023, of 29 March 2023, enacting regulations for recreational activities. Under these regulations, recreational activities are considered a channel for learning skills and competencies conducive to the holistic development of children and teenagers. Thus, owing to their specific role in the promotion of health, social skills and values education, professionals working in the recreational field are key to holistic education. The regulations set forth the requirements for managing recreational activities and facilitating access to such activities for children and teenagers.
81. See: https://www.bopa.ad/bopa/035047/Pagines/GR20230331_11_18_59.aspx:
- Decree 166/2023 of 12–4-2023, establishing and regulating the qualifications required of monitors and managers of recreational activities and recreational training centres, establish and regulate the qualifications and training of monitors and managers, relevant training programmes and ways of obtaining and gaining recognition for training and experience in this profession.
82. See: https://www.bopa.ad/bopa/035051/Pagines/GD20230414_14_48_08.aspx.

Reply to the issues raised in paragraph 15 (b) of the list of issues

83. The Residential Centre for Intensive Education provides specialist residential care and education, for limited periods, for teenagers in situations of neglect who suffer from recurrent behavioural disorders or addictions. The Centre offers a socio-educational and therapeutic model for their treatment and recovery and care can be provided either residentially (in cases where the severity of the behavioural disorder or addiction precludes intervention by means of other protective measures) or under a day programme (an innovative, preventive service through which the specific needs of teenagers and young persons from 12 to 21 years of age can be met when their behavioural difficulties are not serious enough to warrant residential care or they are transitioning from the residential programme provided by the Centre or by a therapeutic institution abroad).

Reply to the issues raised in paragraph 15 (c) of the list of issues

84. National action plans:
- National Plan for Children and Adolescents. The Plan consists of 42 actions and a budget of between 4 and 4.5 million euros is envisaged for its execution over the next four years.
 - Andorran National Youth Plan. This Plan, which is being rolled out over the course of 2023, is intended to provide the new reference framework for the active participation of young persons at all levels. It updates current methodologies and lays the foundations for a shared work model coordinated among the various actors. Since the new Plan is to be aligned with the recommendations of the Council of Europe and the European Union Youth Strategy for the period 2019–2027, the Government of Andorra has commissioned the Steering Committee for Youth of the Council of Europe to advise it on how to structure youth policies in Andorra, drawing on current knowledge and the 2021–25 objectives of the Youth Department of the Council of Europe.
85. Programmes:
- Social and Labour Inclusion Programme for Adolescents and Young Persons at Risk. Qualified Act No. 14/2019 of 15 February, on the Rights of Children and Adolescents, stipulates that government departments should provide incentives for the development of programmes for teenagers and young persons of working age that facilitate the transition to decent work, especially for those in vulnerable situations. Accordingly, this Programme was launched in March 2021 to promote the employment of teenagers and young persons at risk who are not pursuing post-compulsory education, are unemployed and are finding it difficult to find or keep a job. The programme combines

mentoring, training, monitoring and intermediation services with a view to ensuring labour inclusion and job retention to the greatest extent possible.

86. See: https://www.bopa.ad/bopa/033033/Pagines/GD20210312_12_15_47.aspx:

- The Family Support Service is a preventive and educational programme for monitored families who are finding it difficult to manage the upbringing of their children and are receiving help to develop their parenting skills by means of appropriate personal, emotional and educational strategies. Through group support based on a pre-designed programme of 11 two-hour sessions, families work to develop the skills necessary to build a positive family coexistence dynamic and develop appropriate parenting patterns.
- The Post-Adoption Care Programme, implemented by the Specialized Adoption Service, is designed to ensure specialized follow-up and support (both individually and in groups) to all members of the adoptive community, specifically the adoptee, adoptive parents, other members of the adoptive family and related professionals.

Replies to the issues raised in paragraph 15 (d) of the list of issues

87. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, entered into effect on 21 October 2022.

88. On 18 October 2022, Andorra ratified the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

89. On 14 December 2021, Andorra signed the Council of Europe Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine.

Part III

Data, statistics and other information

Reply to the issues raised in paragraph 16 of the list of issues

90. Information on the Government budget for the last three years, including budget lines regarding children and the percentage of the total national budget they represent, is provided below.

	2020	2021	2022
Expenditure	123 155 324.18	132 877 556.98	115 856 853.79
GDP	2 531 090 000.00	2 810 970 000.00	3 187 500 000.00
% of GDP	4.87%	4.73%	3.63%

Reply to the issues raised in paragraph 17 (a) of the list of issues

91. There have been no cases of child marriage.

Reply to the issues raised in paragraph 17 (b) of the list of issues

<i>Family allowances</i>	2020	2021	2022	<i>Change 21/22</i>
Families already receiving allowances	123	114	126	10.5%
Applications submitted	764	799	724	-9.4%
Applications approved	595	604	580	-\$%
Applications rejected	162	193	144	-25.4%
Total families receiving allowances	718	718	706	-1.7%

<i>Family allowances</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Change 21/22</i>
Total children benefitting	1 284	1 263	1 250	1/1
Amount disbursed	€1 336 479.6	€1 367 370.4	€1 380 130.5	0.9%
Amount disbursed per family	€1 861.39	€1 904.42	€1 954.86	2.6%

92. The Government of Andorra pays a family allowance in respect of dependent children to families with one or more child under 18 years of age (or 25 years of age if they are students, and with a 20 per cent supplement for children with a disability) to help to offset the costs of raising children (food, housing, clothing, health care, education and recreation-related expenditure, among other items). The allowance is paid to the person or couple who have care of the child. To be eligible for the allowance, families must meet the legal residence requirement and must have a total family income not exceeding the social solidarity threshold and total assets not exceeding the regulated asset valuation threshold. The allowance is paid for each dependent child or foster child and the amount paid is equivalent to 10 per cent of the individual social security threshold.

Reply to the issues raised in paragraph 17 (c) of the list of issues

<i>Year</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Percentage of students with a disability in regular schools	3.87%	4.69 %	3.22%
Percentage of students with a disability in specialized institutions	0.11 %	0.07 %	0.04 %
Budget	€3 789 099	€4 301 681	€5 384 740.68

Reply to the issues raised in paragraph 17 (d) of the list of issues

<i>Minors</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>	<i>Total</i>
Total charged	3	5	2	10
No. of cases				7 (two cases involving two minors)
	3	3	1	
Male	3	3	2	8
Female	0	2	0	2
Age				1=14 years 3=15 years 4=16 years 2=17 years
	1=15 years 2=17 years	1=15 years 4=16 years	1=14 years 1=15 years	
Andorran	2	4	2	8
Spanish	0	1	0	1
Portuguese	1	0	0	1
Resident	3	5	2	10
Non-resident	-	-	-	-
Detained	0	0	2	2
Not detained	3	5	0	8

Reply to the issues raised in paragraph 18 of the list of issues

93. Reports submitted to the Council of Ministers for adoption include a report on the Sustainable Development Goals that have an impact on children. The most frequently mentioned Sustainable Development Goals are Nos. 1, 3, 4, 10, 16 and 17.

Reply to the issues raised in paragraph 20 of the list of issues

94. The juvenile criminal justice system still lacks a mediation system. Mediation would involve juvenile offenders and their victims and is considered a service that could usefully be implemented in Andorra.
