



Erasmus+

Citizens' Participation

ANDORRA



UNIVERSITAT D'ANDORRA

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Voting Rights: who's eligible to vote?

Constitution of Andorra. Art. 24, 25, 26.

Law 28/2007, of 22 November, qualified as an amendment to the Qualified Law on the Electoral Regime and the Referendum. Art. 15

- Voting right at national level
 - Andorran nationals
 - 18+ years old (legal age)
 - Full use of their civil and political rights and not subject to any cause of incapacity provided by law
- Voting right at local level
 - Andorran nationals
 - 18+ years old
 - Residence in the municipality
 - Full use of their civil and political rights and not subject to any cause of incapacity provided by law

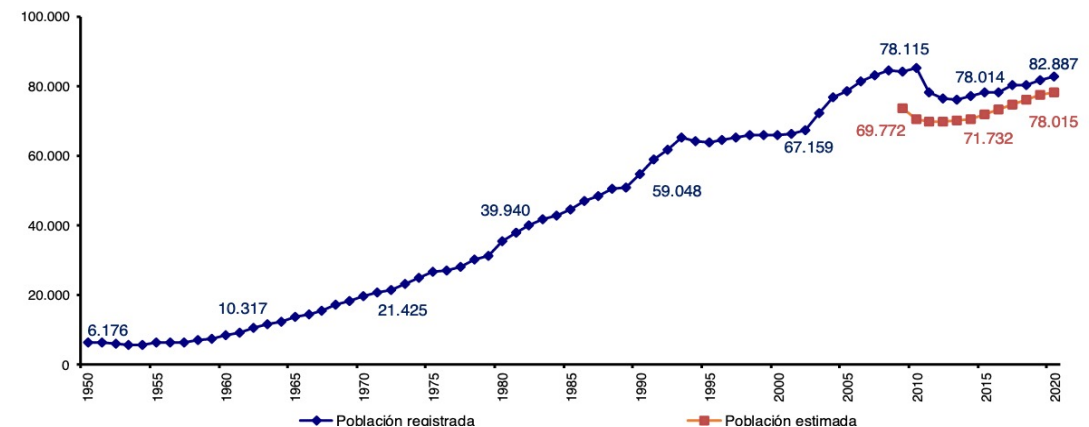
Voting Rights: who's eligible to vote?

- Population residing in Andorra in 2020: 78.015 inhabitants
 - Andorran nationality: 37.999 (48,7%)
 - Increase of + 0.6% compared to population in 2019, with 77.543 people.
- December 2019 electoral census:
 - Number of voters was 27.823, which means that **only 35,88% of the total population of Andorra has the right to vote.**

<https://www.eleccions.ad/electors>

Población por nacionalidades	2019	2020	% 2020	Variació 2020/2019
Andorrans	37.749	37.999	48,7%	0,7%
Epanyols	19.231	19.211	24,6%	-0,1%
Francesos	3.391	3.423	4,4%	0,9%
Portuguesos	9.212	9.083	11,6%	-1,4%
Altres nacionalitats	7.960	8.299	10,6%	4,3%
Total	77.543	78.015	100,0%	0,6%

Población en Andorra. Periodo 1950-2020



Population and nationalities (2019-2020). Population in Andorra. Historical evolution 1950-2020

Voting Rights: who's ineligible to vote?

Law 28/2007, of 22 November, qualified as an amendment to the Qualified Law on the Electoral Regime and the Referendum . Art. 16

Ineligible:

- a) Magistrates of the Constitutional Court.
- b) Members of the Superior Council of Justice.
- c) Judges and Magistrates and active members of the Public Prosecutor's Office.
- d) Deputies (*Consellers generals*) and the members of the Government are ineligible in the local elections, as well as the members of the Townhall in the national elections to the Parliament (*Consell General*) if previously, and in both cases, they have not resigned from their positions.
- e) Those sentenced by a final sentence to imprisonment for the duration of their term.

Election Right : National Level (I)

National level

- 28 Members of **Parliament** (*Consell General*).
- Unique chamber that brings together the national and local representation:
 - National constituency: 14 deputies (*consellers generals*)
 - Territorial or parish constituency: 14 deputies (*consellers generals*), 2 for each of the 7 parishes, by simple majority.
- **Sindicatura**: body that governs the Parliament (*Consell General*)
 - Headed by the **Síndic General** (Prime Minister) and the **Subsíndic**, who are elected by the the Parliament.
- The Parliament elects the head of the Government at the beginning of the legislature.



Election Right: Local Level (II)

Local level

- Administratively divided into 7 parishes, equivalent to municipality (*parròquia*).
- Each has its own local administration: **the Comú**, equivalent to town council.
- Local elections are held every 4 years.
- Between 10 and 16 members (councilors), always an even number.
- Town councilors in charge of choosing the Major and Minor Mayor of the municipality (*Cònsols majors & menors*)
- **Quart**: administrative subdivision in some Andorran parishes.
 - Institutions recognized by the Constitution. Over the years, they have been losing power in favor of the *Comuns*. They are owners of public lands, forests and other assets; however, they no longer have the economic resources to maintain them.

Election Right: others (III)

- **Ombudsman** (*Raonador del ciutadà* or Citizen's Reasoner)

- Any citizen of Andorran nationality citizens, legal age and in full use of his civil and political rights, can be chosen.
- Appointed by the Parliament with the favorable vote of two-thirds in his first round.
- In case of not obtaining the required majority, a second return would be made in which it could be chosen with an absolute majority.
- His term is 6 years, non-renewable.

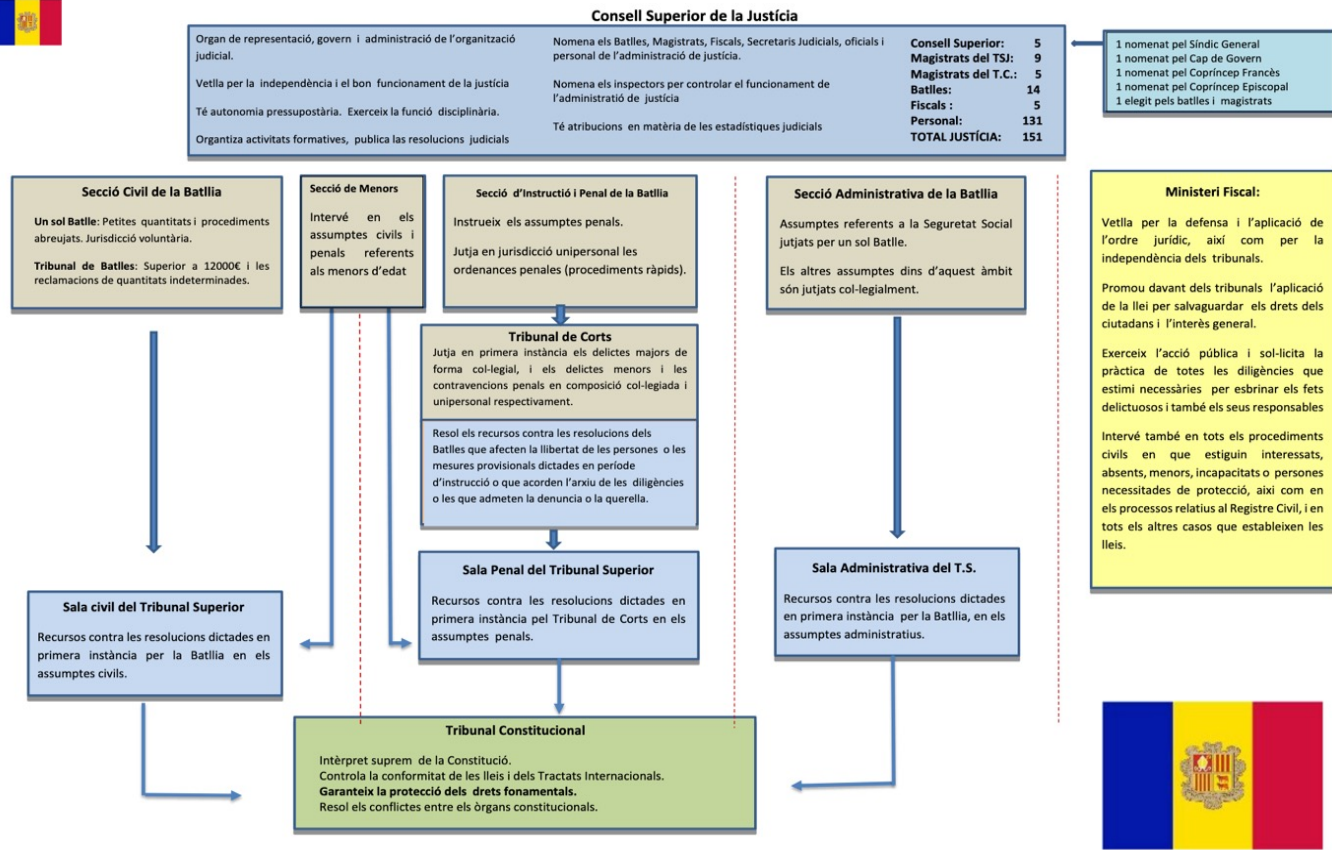
Llei de creació i funcionament del Raonador del ciutadà, del 4 de juny de 1998

- **Judges**

- 1993 Constitution (Title VII, art. 85) proclaims the organization of the Judiciary as well as the structuring of the courts according to jurisdictional degrees: judges of 1st instance, Court of Mayors, Court of Justice and Superior Court of Justice. No possibility of election of judges by the people
- **Superior Council of Justice:** Representative, governing and administrative body of the judicial organization. Ensures the independence.
- **The Constitutional Court (CC):** it is the supreme interpreter of the Constitution, the CC acts jurisdictionally, and its judgments are binding on public authorities and private individuals. Composed of 4 members, appointed as follows: one for each of the Co-Councils and two by the General Council The term of office of constitutional magistrate is twenty years, non-renewable for consecutive periods.

Election Right: others (IV)

SISTEMA JUDICIAL D'ANDORRA



Judicial system of Andorra

http://www.justicia.ad/documents/Quadre_catala.pdf



Voter turnout in national elections

Resultats Eleccions al Consell General d'Andorra, 2019

Dades

COMPOSICIÓ DEL CONSELL GENERAL



PARTICIPACIÓ 2019
ELECTORS 27.278
VOTANTS 18.638
ABSTENCIÓ 31.67%



PARTICIPACIÓ NACIONAL

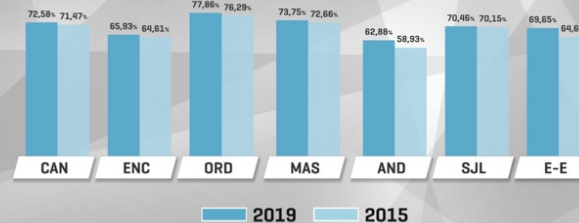
19.00h

68,33%
18.638

2019

PARTICIPACIÓ PER PARRÒQUIES

19.00h

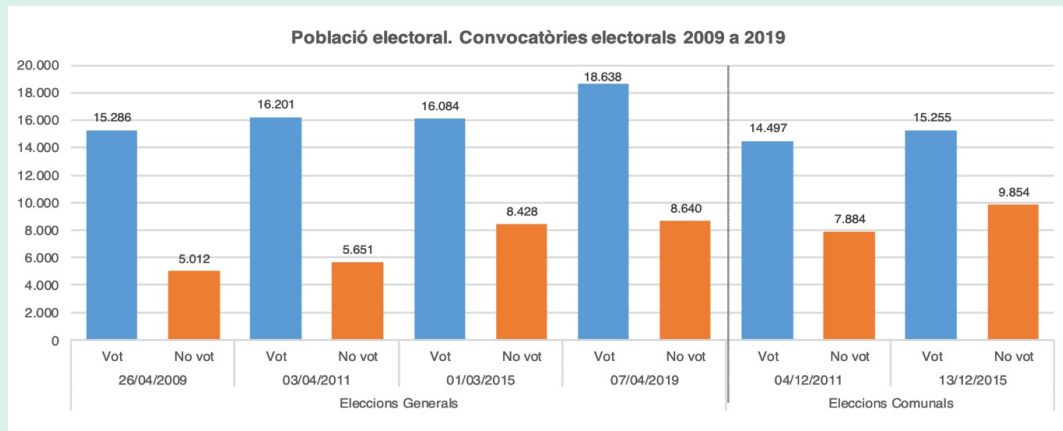


The participation in the general elections 2019 was closed with a vote turnout of 68.33%. There are 18,636 voters out of the 27,278 who had the right to vote. Therefore, the turnout is 2.7 percentage points higher than that of the 2015 election.

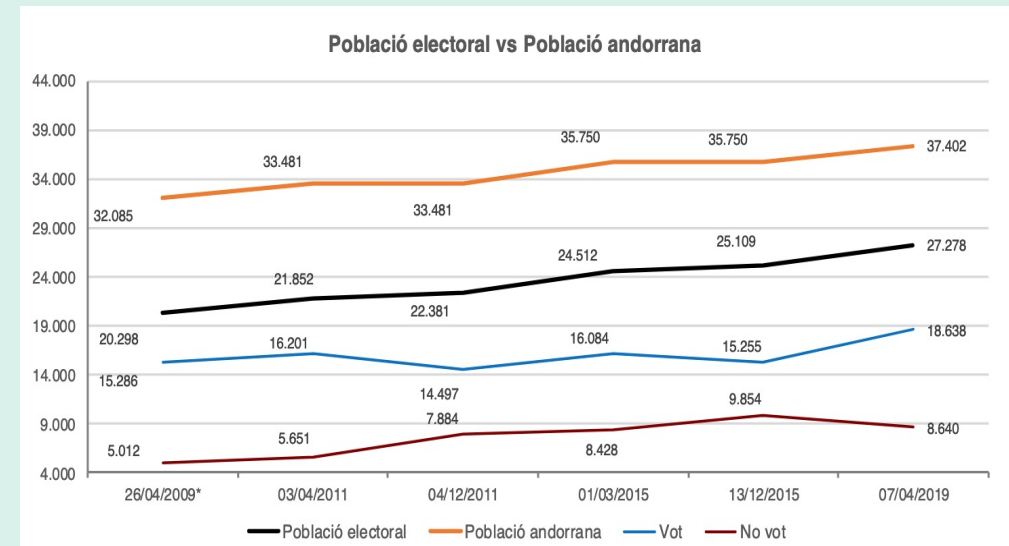
https://www.reddit.com/r/catalunya/comments/batv0w/resultats_eleccions_al_consell_general_dandorra/

Voter turnout in national elections

	Eleccions Generals									Eleccions Comuns								
	26/04/2009			03/04/2011			01/03/2015			07/04/2019			04/12/2011			13/12/2015		
	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total
Total d'electors	15.286	5.012	20.298	16.201	5.651	21.852	16.084	8.428	24.512	18.638	8.640	27.278	14.497	7.884	22.381	15.255	9.854	25.109
% d'electors	75,3%	24,7%	100%	74,1%	25,9%	100%	65,6%	34,4%	100%	68,3%	31,7%	100%	64,8%	35,2%	100%	60,8%	39,2%	100%



Historical detail 2009-2015. Number of electors and number of abstentions.



*Nota: Atès que fins a l'any 2010 no es va començar a calcular la població estimada, la dada de la població andorrana del 2009 fa referència a la població registrada.

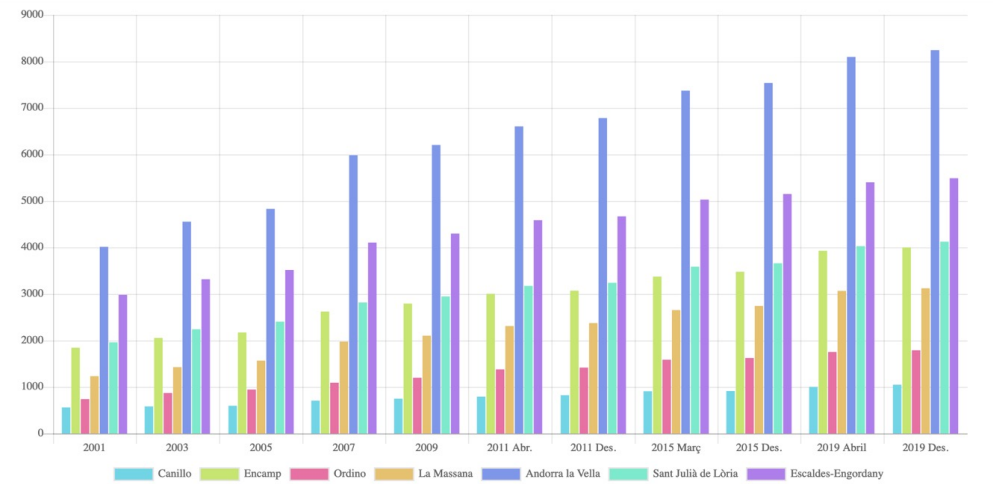
Historical detail (2009-2015). Number of national Andorran inhabitants and number of electors

Voter turnout in local elections

NOMBRE D'ELECTORS

Dades detallades											
	2001	2003	2005	2007	2009	2011 Abril	2011 Des.	2015 Març	2015 Des.	2019 Abril	2019 Des.
Canillo	562	583	595	708	750	794	824	908	915	1003	1051
Encamp	1845	2057	2172	2623	2793	3004	3073	3374	3477	3928	4000
Ordino	740	871	945	1092	1200	1379	1418	1586	1625	1753	1790
La Massana	1235	1427	1567	1976	2104	2311	2373	2656	2743	3067	3125
Andorra la Vella	4014	4555	4830	5983	6204	6604	6782	7372	7538	8097	8242
Sant Julià de Lòria	1963	2242	2406	2818	2949	3173	3241	3588	3661	4029	4126
Escaldes-Engordany	2983	3318	3517	4104	4298	4587	4670	5028	5150	5401	5489
TOTAL	13342	15053	16032	19304	20298	21852	22381	24512	25109	27278	27823

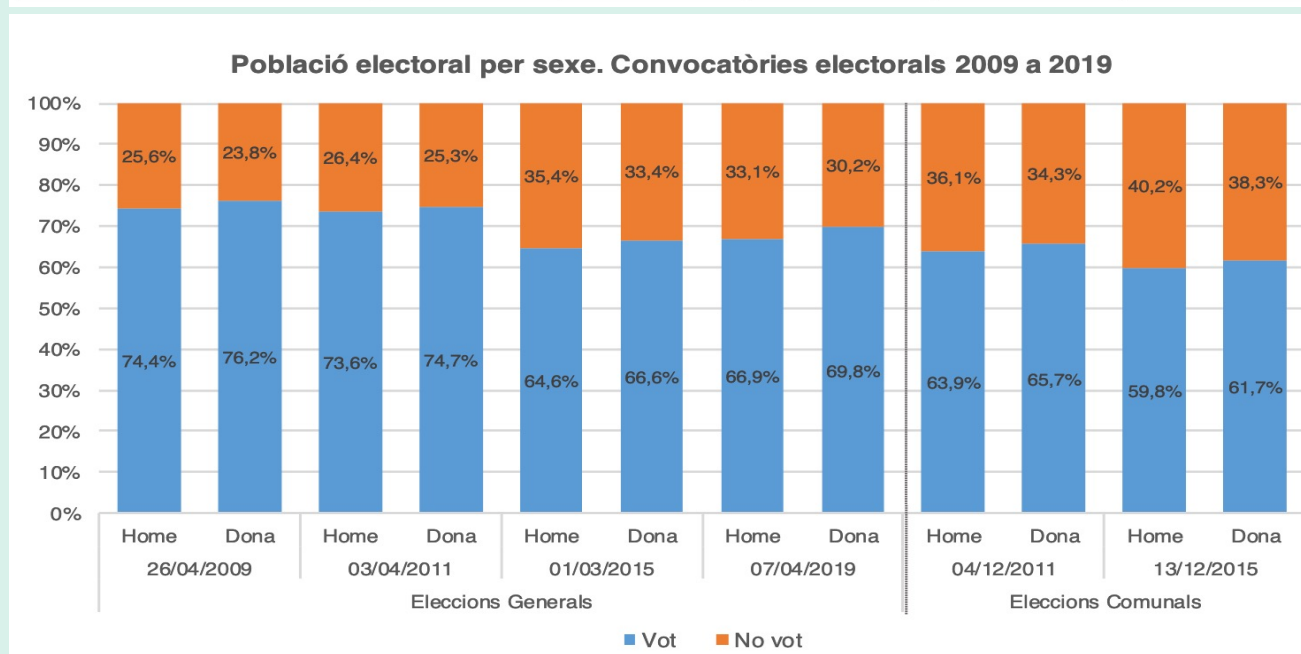
Gràfic d'evolució del nombre d'electors



Historical distribution of voters by parishes (2001-2019).

Participation by social demographics: nationals & local elections

	Eleccions Generals												Eleccions Comunals					
	26/04/2009			03/04/2011			01/03/2015			07/04/2019			04/12/2011			13/12/2015		
	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total	Vot	No vot	Total
Home	7.665	2.638	10.303	8.156	2.924	11.080	8.076	4.418	12.494	9.283	4.586	13.869	7.246	4.093	11.339	7.664	5.143	12.807
Dona	7.621	2.374	9.995	8.045	2.727	10.772	8.008	4.010	12.018	9.355	4.054	13.409	7.251	3.791	11.042	7.591	4.711	12.302
Total	15.286	5.012	20.298	16.201	5.651	21.852	16.084	8.428	24.512	18.638	8.640	27.278	14.497	7.884	22.381	15.255	9.854	25.109



Participation by social demographics

Direct Democracy: Instruments of DD

National level (I)

- **Referendum**

- It correspond to the Parliament and the Government
- Either 3 town councils together, or one tenth of the national electoral roll, may submit bills to the Parliament.
- 1 unique referendum up to the moment: March 14, 1993 is the date of the approval of the Constitution in which the Andorran people, through a referendum, voted for their own Constitution. It is the symbol of the people's sovereignty, a clear sign of the new Andorra.
- A new referendum is expected in the near future for the Andorra Association Agreement with the European Union.

Llei qualificada del règim electoral i del referèndum

- **Popular Legislative Initiative (PLI)**

- Law requires that a PLI must be signed by at least 10% of the electoral mass (Andorrans with right to vote).
- 1st and only PLI done so far (2012: Law banning smoking in enclosed public spaces).

- **Veto right**

- 1993 Constitution eliminated the veto right of the Co-Princes.

- **No confidence motion**

- Must be presented by at least one-fifth of the Members in a reasoned document addressed to the *Sindicatura* in which the reasons for the motion must be stated (art. 1251.) Government will respond politically before the Parliament in solidarity

- **Lack of political trust**

- The head of the Government can raise the question of confidence on his program before the Parliament, on a general policy statement or on a decision of special. importance.
- Confidence is considered granted when, in a public and oral vote, a simple majority is obtained. When this majority is not obtained, the head of government must resign.

<http://www.consellgeneral.ad/fitxers/documents/constitutio/constitutio-dandorra-catala.pdf>

Direct Democracy (II)

March 14, 1993 Referendum

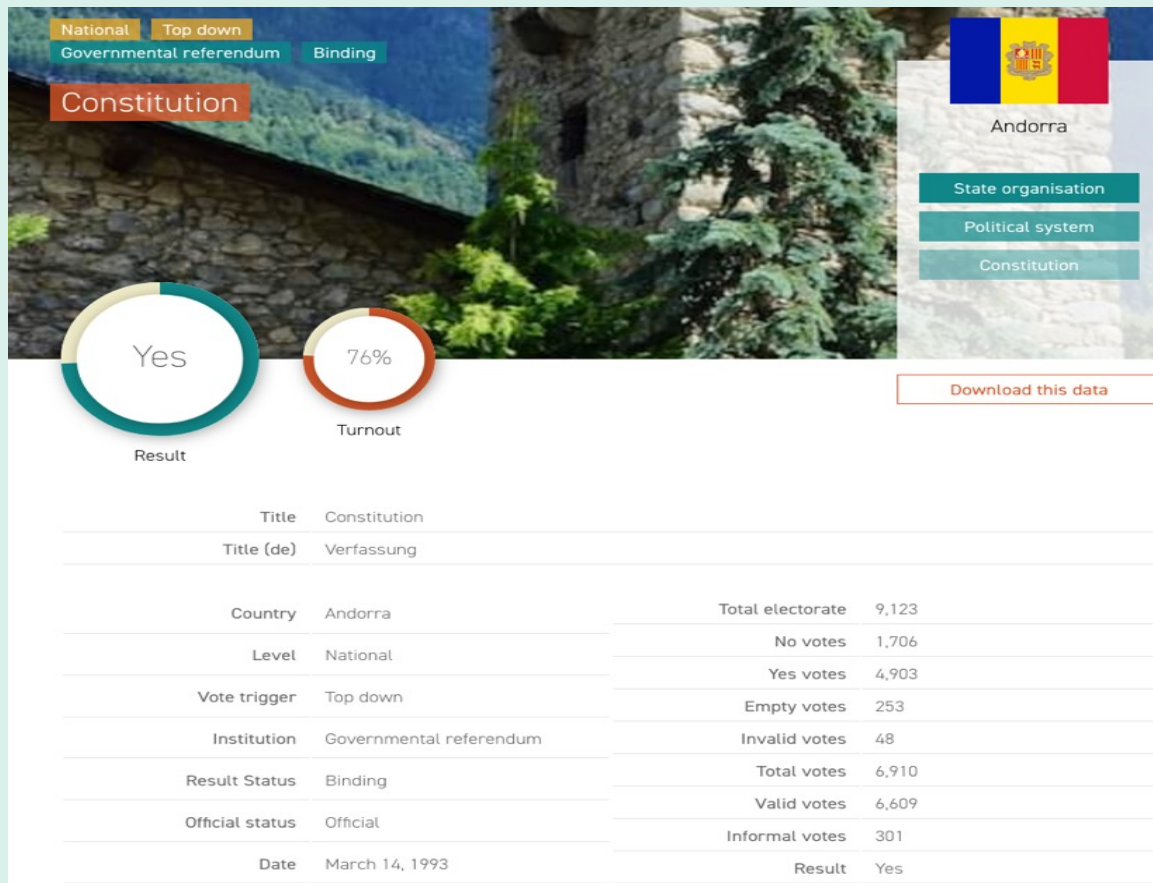
- Date of the approval of the Constitution in which the Andorran people, through a referendum, voted for their own Constitution.
- It is the symbol of the people's sovereignty, a clear sign of the new Andorra.
- Out of 9.123 electors, 6.910 voters exercised their right to vote.
- The result was: 4903 in favor, and 1706 against.
- Therefore, with a participation of 75,7%, the Constitution was approved by the people with 74,2% of votes in favor, and a majority of votes in all the parishes.

La participació i els resultats exactes a cada parròquia i al conjunt del país van ser els següents:

Parròquies	Cens	Vots emesos	Participació (%)	Vots vàlids	Vots blancs	Vots nuls	SÍ	NO	SÍ (%)	NO (%)
Canillo	418	283	67,7%	279	4	0	170	109	60,93%	39,07%
Encamp	1134	824	72,7%	797	24	3	611	186	76,66%	23,34%
Ordino	434	278	64,1%	248	14	16	158	90	63,71%	36,29%
La Massana	682	528	77,4%	512	16	0	349	163	68,16%	31,84%
Andorra la Vella	2894	2271	78,5%	2172	93	6	1610	562	74,13%	25,87%
Sant-Julia de Lòria	1415	1067	75,6%	1014	39	14	673	341	66,37%	33,63%
Escaldes-Engordany	2149	1659	77,2%	1587	63	9	1332	255	83,93%	16,07%
TOTAL	9123	6910	75,7%	6609	253	48	4903	1706	74,19%	25,81%

Detail of the 1993 Referendum vote by parishes

Practice of Direct Democracy



The only data existing on DD is related to the **1993 Referendum for the Constitution.**

[C2D | Centre for Research on Direct Democracy](#)

C2D | Centre for Research on Direct Democracy. Results of the 1993 Referendum.

Other forms of citizens' participation

- Consultations in the legal process.
 - Government in many cases allows to comment on drafts of legal amendments before finalizing them and forwarding them to parliament.
 - NGOs, stakeholders, institutions, parties, municipalities etc. may be involved.
- Ministries are in close contact to stakeholders.
- Demonstrations, sit-ins, manifestations, strikes are rather rare.
- Letters to the editors of newspapers are a common method of drawing attention to concerns.
- Historically some revolts are known (1866 New Reformation, or 1881 Reformation from below).
- In 1933 the first strike takes place with the arrival of 2.000 workers for FHASA.
- The right to strike was not regulated until 2018 with the Law 33/2018, of December 6, qualified as collective conflict measures, which aims to deploy this fundamental right, through the regulation of the various measures.

[Llei 33/2018, del 6 de desembre, qualificada de mesures de conflicte col·lect](#)

Other forms of citizens' participation

- Private Associations, NGOs etc.
 - Wide register of associations and in the fields of sport, literature, music, dance, nature, etc.
- With regard to NGOs working for democracy and human rights, it is worth highlighting the role of the Human Rights Institute of Andorra ([Institut de Drets Humans a Andorra \(IDHAND\)](#)).
- Some associations and unions work to guarantee the rights of people and workers. Most of them are related to public administrations, and there are only a couple union for the representation of workers in the private sector (USDA and SAT).

Associations:

- ✓ Associació Comitè Nacional d'Andorra per a l'UNICEF
- ✓ Associació Stop Violències
- ✓ Associació Obrim-los, Obrim-les
- ✓ Som com som Associació de Gais, Lesbianes, Bisexuals i Transgènères
- ✓ Associació de treballadors del Comú de Sant Julià de Lòria– ATCOSA
- ✓ Associació bombers Andorra - ABA

Unions:

- ✓ Unió Sindical d'Andorra – USDA
- ✓ Sindicat andorrà de treballadors - SAT
- ✓ Sindicat de Personal Adscrit a l'Administració General – SIPAAG
- ✓ Sindicat dels treballadors del Comú d'Andorra la Vella – SITCA
- ✓ Sindicat de l'ensenyament públic d'Andorra – SEP
- ✓ Col·lectiu de funcionaris de la policia d'Andorra - sindicat policial CFP
- ✓ Sindicat Penitenciari d'Andorra - SPA

Media (I)

Main media in the country

- All media operating in the country are national in scope and coverage, mostly private, although not always exclusively Andorran capital.
- There is a public company, which depends on the Government of Andorra and to which “ATV”, “RNA”, “AM” and the digital platform “Andorra difusió” belong.

Journals and magazines:

- Bon dia Diari (gratuït, imprès i digital)
- Diari d’Andorra (imprès i digital)
- El Periòdic d’Andorra (imprès i digital)
- Ara Andorra (digital)
- Fòrum Ad (digital)
- Altaveu (digital)
- ANA: Agència de notícies Andorrana
- Set dies
- Revista Portella
- Dóna Secret
- Crònica (diari econòmic andorrà)

Radio and Television:

- Andorra Difusió: Ràdio i televisió d’Andorra
- Andorra Televisió (ATV)
- Ràdio Nacional d’Andorra (RNA)
- Andorra Música (AM)
- Cadena pirenaica de ràdio i televisió
- Ràdio Valira
- Pròxima FM
- Ràdio teletaxi Andorra
- RM
- Cadena SER Principat d’Andorra
- 40 Principals Andorra
- Cadena Dial
- 40 Clàssic
- Màxima
- Ràdio Flaixbac And
- Flaix FM And

Media (II)

Reporters without borders 2021- World Press Freedom Index (<https://rsf.org/en/ranking>)

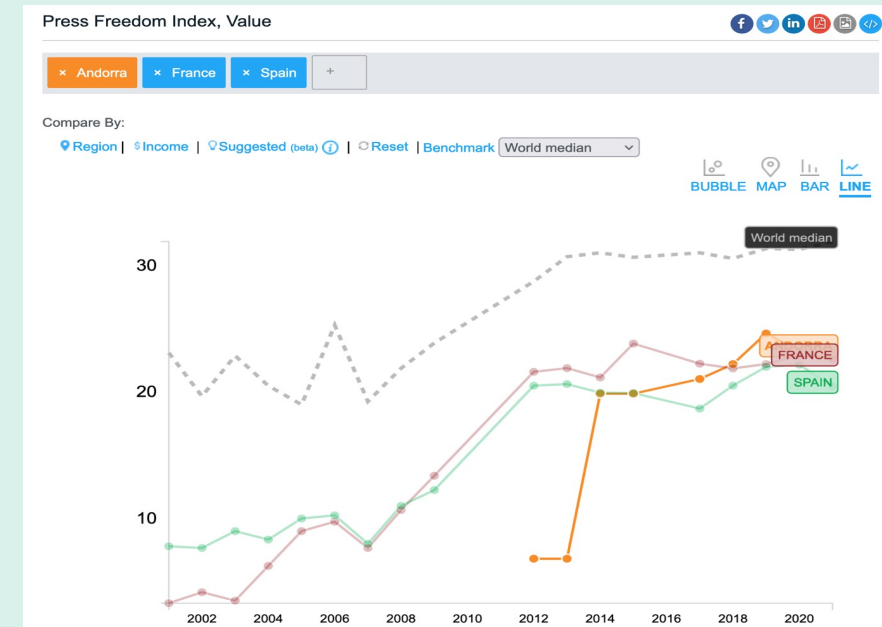
Ranking since 2013

Year	Ranking		Year	Ranking	
2020	37 / 180	=	2015	32 / 180	↓
2019	37 / 180	=	2014	5 / 180	=
2018	37 / 180	↓	2013	5 / 180	=
2017	35 / 180	↓			
2016	33 / 180	↓			

RSF ranks 39th Andorra losing two positions since 2020 when it was ranked on the 37th place.

Press Freedom Index from the World Bank

https://govdata360.worldbank.org/indicators/h3f86901f?country=AND&indicator=32416&countries=ESP,FRA&viz=line_chart&years=2001,2021



Press Freedom Index-World Bank for Andorra (2002-2020).

Media (III)

Press Freedom Index by Reporters without Borders

- Reporters Without Borders (RSF) ranks 39th in Andorra as it considers that intertwined powers condition its autonomy (lack of a clearer separation of powers).
- According to RSF, Andorra is far from relinquishing its reputation as a tax haven, although the European Union no longer considers it as such.
- The financial sector is still powerful and the ubiquitous influence of the three overlapping pillars of the principality: the state, the private sector and the Catholic Church, continues to condition the media environment.
- The size of the microstate is added, leaving little room for privacy, anonymity and independence, three indispensable conditions for freedom of the press.
- Due to its high Covid-19 figures and subject to the restrictions imposed by France and Spain, Andorra suffered an unprecedented economic and public health crisis in 2020.
- If your media have not been overly critical of government management because of the crisis, probably because the larger media receive a lot of state publicity.
- The relationship between government and the media is not very transparent and follows the model of close but opaque links that characterizes governance in general in Andorra.

<https://rsf.org/en/andorra>

Satisfaction with democracy in the country

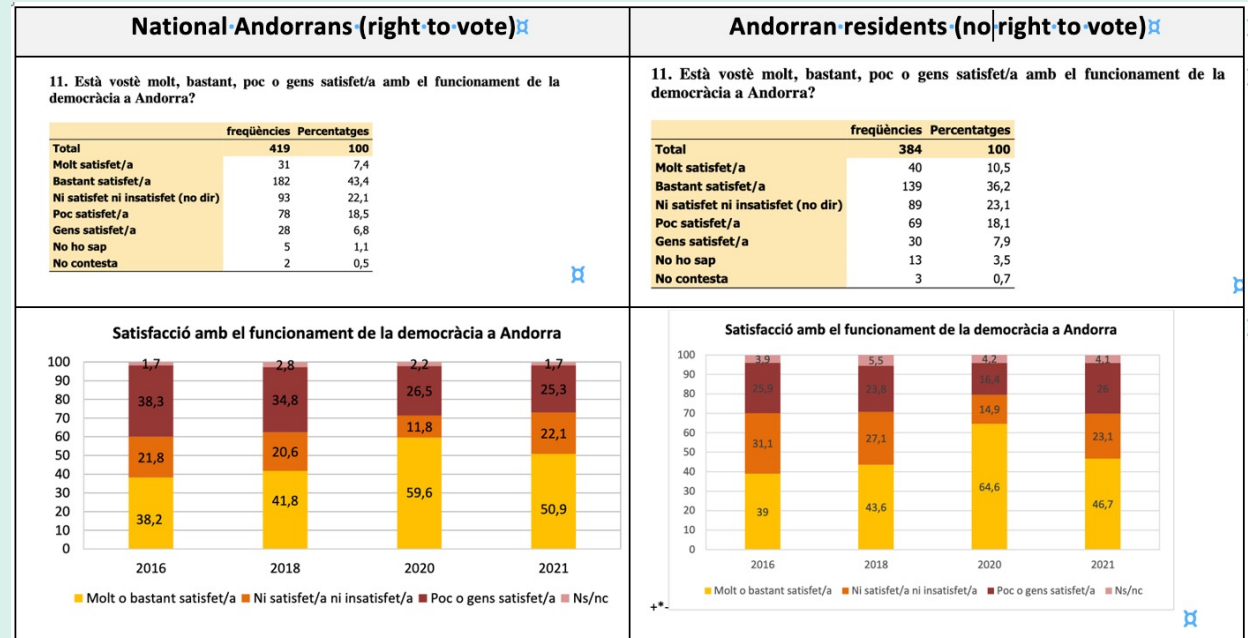
Data collection: a distinction is made between Andorran nationals (voting rights) and residents (non-voting rights).

Results on the degree of satisfaction with the functioning of democracy:

- Nationals and residents approve it with a satisfactory pass.
- The former rate the degree of satisfaction as good or very good with 50,8%, while the latter group values it with 46,7%.
- Decrease in the degree of satisfaction compared to 2020, with 59.6, and 65.6% respectively.
- The population of Andorra is multinational. The fact that dual nationality is not allowed by the laws of Andorra, and having to renounce the nationality of origin, means that a significant number of people decide not to choose to apply for Andorran nationality, despite complying with all the requirements.

https://www.iea.ad/images/cres/EnquestaPolitica/2021/Descriptius_Enquesta_politica_2021.pdf

"Survey of political opinion 2021"



Conclusion: Lessons and prospects (II)

- Despite the importance of the institutional figure of the Co-Princes, the 1993 Constitution itself has established mechanisms to guarantee legislative action. Ex. Prior to the Constitution, the signatures of both Co-Princes were required to ratify a law. Currently, the signature of one of them is enough.
- The existence of the Co-Principality can be questioned by the Co-Princes themselves regarding contentious issues such as its past as a fiscal paradise or abortion.
- Young democracy- Since the Constitution an intense path has been made towards democratic and legislative modernization, with its entry into international bodies or the ratification of international treaties to guarantee human rights. The current process of the Association Agreement with the EU is an evidence of this will.
- The right to vote, is still a matter of debate, as only senior Andorran nationals 18-year-olds have this right, which means that a significant part of the inhabitants of Andorra are excluded.
- Andorran laws do not allow today to hold dual nationality. The loss of the nationality of origin in favor of the Andorran, causes that part of the immigrated population does not want to apply for the Andorran nationality.

Conclusion: Lessons and prospects (I)

- No too many initiatives in DD. Only the 1993 Referendum for the Andorran Constitution.
- Popular initiative for the prohibition of smoking in closed public spaces.
- Next planned referendum: acceptance of the Association Agreement with the European Union.
- Most unions in Andorra are related to public administration affairs. Two unions to represent all workers. Lack of union culture, both at the political level and at the workers' level.
- Right to strike not regulated until 2018.
- Wide range of media and only a small part is under public control.
- RSF-2021 Ranking index of Freedom of Expression, gives Andorra a low score of 23.32, relegating it to 39th place in its world ranking (2021-World Press Freedom Index, due to:
- The ubiquitous influence of the three overlapping pillars of the principality: state, private financial sector and the Catholic Church. Adding the size of the microstate, which leaves little room for privacy, anonymity and independence, three indispensable conditions for press freedom.

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