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## **ANDORRA: AMNESTY INTERNATIONAL, THE CENTER FOR REPRODUCTIVE RIGHTS, WOMEN'S LINK AND FRONT LINE DEFENDERS WELCOME ACQUITTAL OF HUMAN RIGHTS DEFENDER VANESSA MENDOZA CORTES**

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Amnesty International, the Center for Reproductive Rights, Women's Link Worldwide and Front Line Defenders welcome today's court decision acquitting human rights defender Vanessa Mendoza Cortés, President of the women's rights organisation Stop Violence (Stop Violències), of a 'crime against the prestige of the institutions'. Vanessa Mendoza Cortes should not be subjected to any further intimidation or reprisals in carrying out her important and legitimate human rights work.

The Andorran authorities wrongfully pursued criminal charges against Vanessa Mendoza Cortés for her work in 2019 voicing concern to the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) and in the media about women's human rights and Andorra's total abortion ban.

Today's acquittal upholds the human rights of Vanessa Mendoza Cortés to freedom of expression and to cooperate with the United Nations. It also affirms the legitimacy of the efforts of all those defending women's rights, sexual and reproductive rights and exercising the right to freedom of expression in Andorra and elsewhere. However, Vanessa Mendoza Cortes has paid a high price for defending human rights. She has endured an unjust protracted judicial process of more than three years which has impinged on her crucial work and that of the organization she represents.

Amnesty International, the Center for Reproductive Rights, Women's Link Worldwide and Front Line Defenders call on the Andorran authorities to publicly recognise the legitimacy of the human rights' work carried out by Vanessa Mendoza Cortés. The authorities must take concrete measures to ensure she and other human rights defenders can conduct their defence of the right to safe and legal abortion and other human rights of women and girls in Andorra without intimidation and fear of reprisals.

The organisations remind the Andorran authorities that according to international human rights law and standards, using defamation laws with the purpose or effect of inhibiting criticism of government or public officials violates the right to freedom of expression guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 10 of the European Convention on Human Rights (ECHR). Consequently, the organisations urge the authorities to urgently repeal article 325 which was used against Vanessa Mendoza Cortés, and other defamation provisions in the penal code. Attacks that may impinge on a person's reputation should not be criminalised and legislation intended to safeguard against such attacks should not seek to protect abstract values or state institutions.

The organizations reiterate that bans on abortion violate people's human rights including their rights to health, privacy, bodily autonomy, freedom from torture and ill-treatment and even their right to life. Andorra should comply with its obligations to decriminalize abortion and make access to abortion safe and legal in the country.

### **BACKGROUND INFORMATION**

On 4 December 2023, Vanessa Mendoza Cortés, President of Stop Violence (Stop Violències), a civil society organisation, faced trial accused of a 'crime against the prestige of the institutions' (article 325 of the penal code). The prosecutor requested the court impose a fine of 6,000 euros, an additional 6,000 euros in civil damages and a six month ban from holding public office.

In October 2019, the Andorran government complained to the prosecutor's office following Vanessa Mendoza Cortés' participation in a United Nations Committee on the Elimination of Discrimination against Women (CEDAW) process examining the country's record on women's human rights where she voiced concern about the total ban on abortion and other women's rights issues in Andorra.

In 2020 the public prosecutor brought three criminal defamation charges against her for 'slander with publicity' (article 172 of the Penal Code), 'slander against the co-princes' (article 320 of the Penal Code) and a 'crime against the prestige of the institutions' (article 325 of the Penal Code). Evidence presented by the prosecutor included the content of the report submitted by Stop Violence to CEDAW and media statements. Following an international outcry, the two charges involving prison sentences were dropped.

On 28 November 2023 the Council of Europe Commissioner for Human Rights [called](#) on the Andorran authorities to guarantee the right to freedom of expression of Vanessa Mendoza Cortés and ensure an enabling environment for women's human rights defenders in the country.

The United Nations Secretary General's latest [annual report on reprisals](#) included Andorra in a list of 40 countries across the world where individuals faced reprisals for cooperating with the UN.

Given the profound international concern about the criminalisation of Vanessa Mendoza Cortés the hearing was observed by an independent human rights expert on behalf of the Center for Reproductive Rights, Amnesty International and Women's Link Worldwide.

Andorra is [the only country in Europe](#) with a total ban on abortion. As a result, people who need an abortion are compelled to travel abroad to seek the healthcare they need, violating their rights and inflicting additional stress. In September 2023 the [UN Committee on the Rights of the Child](#) expressed concern at the lack of measures taken to decriminalize abortion and called on the authorities to decriminalize abortion and ensure access of adolescent girls to safe abortion and post-abortion care services within Andorra.