

REFORM OF THE PENAL CODE

Lawyers propose limiting ordinary provisional imprisonment to eight months

The Bar Association defends structural reforms and warns of democratic setbacks in Europe



The dean and vice-dean of CADA, Sònia Baixench and Miquel Bellera, before the press conference.

POL FORCADA QUEVEDO
ANDORRA LA VELLA

Last Tuesday, within the framework of the 134th session of the Committee of Ministers of the Council of Europe, the Minister of Foreign Affairs, Imma Tor, signed the Council of Europe Convention for the Protection of the Profession of Lawyer. All in all, a milestone that the Bar Association of Andorra (CADA) has celebrated, although it acknowledges that for practical purposes «it is not so much for us because within our legal and statutory framework, many of the provisions contemplated by the convention are already contemplated», as commented by

vice-dean Miquel Bellera.

However, he pointed out that in many countries that “are examples of democracies for us” have made a profound change, referring to the irruption of the far right, “and the freedom of lawyers is at stake”. In this sense, he asserted that the convention, which will now have to be ratified by at least eight of the 46 countries that make up the Council of Europe, has the merit of putting a stop to “possible authoritarian tendencies that some governments may have”.

Bellera was accompanied by the dean of CADA, Sònia Baixench, and the lawyer who is no longer practicing, Manuel Pujadas. “The profession is key in

the defense of justice, human rights and the rule of law”, the latter said precisely, emphasizing that lawyers “are a means for these to be respected”. “The fear we have is not that anything will happen to us, Andorra is doing very well. But the involvement of the extreme right is a problem because lawyers are few”, he completed.

TWO BILLS// In the following term, the dean of the Andorran Bar Association explained that they have presented two bills. The first of them concerns the modification of the criminal procedure code, with which they request to reduce the terms of provisional imprisonment so



Miquel Bellera

VICE-DEAN OF THE BAR ASSOCIATION

“The country’s standards at a democratic level are high enough to guarantee the existence of lawyers’ rights”

that “so many extensions” cannot be made: that the ordinary one be of a maximum of eight months and the extraordinary one up to 12. In the second case, it is towards the Qualified Law of Justice, with the intention of regulating the right of lawyers to resign, the right to digital disconnection and the working hours for submitting documents, “which are no longer appropriate with the new digital reality”.

In addition, she noted that the investigation of criminal cases should not last longer than a year. Currently, provisional imprisonment periods can reach a year in ordinary form and, in some cases, extend to 16 months, a third extension that they consider should be eliminated. As they have detailed, these proposals have already been presented to Molné and will now begin to be transferred to the parliamentary groups with the aim of incorporating them before the end of the legislature. ●

AFFORDABLE RENT

"Compensatory measures" in the lifting of the mandatory extension

Espot avoids specifying which measures will be applied and when they will be implemented in rental contracts

EL PERIÒDIC
ESCALDES-ENGORDANY

The Executive has not yet detailed how the rental market will be managed once the mandatory extensions are lifted, scheduled for 2027 or even earlier. The Head of Government, Xavier Espot, has stated that "sufficient compensatory measures" will be needed to guarantee an appropriate transition, although, for now, neither the contents nor the way of implementation have been specified. Among the possibilities mentioned are the regulation of rent prices or the expansion of the public housing stock, which, according to him, is not yet "consistent". In this regard, Espot has indicated that a total disengagement from the market is not considered a viable option, since, literally, "it would be suicide".

During an interview broadcast by Ràdio i Televisió d'Andorra from the Rosaleda Hotel, current headquarters of the Ministry of Culture, the Head of



The Head of Government, Xavier Espot, during the interview this Wednesday.

Government has reiterated that housing continues to be "the main priority" of his executive. He has recalled the central role of the Omnibus Law as a regulatory tool, while opening the door to complementing it with other actions, such as a reformulation of the guarantee pro-

gram for the purchase of homes. This program had already been launched previously, but is now working on a more attractive version with banking institutions.

Regarding the public park, Espot explained that demand in buildings such as the one on Pe-

llicer street in Canillo has been lower than expected because the project has been developed gradually. He also indicated that access requirements have been made more flexible, and that, over time, the conditions for taking advantage of them could be further expanded. He also called for co-responsibility, both on the part of the owners—asking them to avoid a speculative market—as well as tenants, who reminded of the importance of respecting property rights.

In relation to foreign investment, the head of government defended the modifications included in the Omnibus Law, such as the limitation of investments to affordable rental projects and the application of a new tax. The latter has generated, according to the data provided, a collection of around five million euros so far this year. ●

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