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Draft report of the Working Group on the Universal Periodic Review*

Liechtenstein

* The annex is being issued without formal editing in English.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-ninth session from 15 January to 26th January 2018. The review of Liechtenstein was held at the 15th meeting on 24 January 2018. The delegation of Liechtenstein was headed by Minister of Foreign Affairs, Justice and Culture, Ms. Aurelia Frick. At its 18th meeting held on 26 January 2018, the Working Group adopted the report on Liechtenstein.
2. On 10 January 2018, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Liechtenstein: Australia, Ecuador. And Ethiopia.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Liechtenstein:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/29/LIE/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/29/LIE /2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/29/LIE /3).
4. A list of questions prepared in advance by Brazil, Germany, Portugal, and Spain were transmitted to Liechtenstein through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

[To be completed by 2 February 2018]

- A. Presentation by the State under review
- B. Interactive dialogue and responses by the State under review

5. During the interactive dialogue, 60 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

II. Conclusions and/or recommendations

6. The following recommendations will be examined by Liechtenstein, which will provide responses in due time, but no later than the thirty-eighth session of the Human Rights Council:
 - 6.1. **Accede to International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone) / Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain) (Iraq) (Honduras.2) (Ukraine) Ratify the International Convention for the Protection of All Persons from Enforced Disappearance signed in 2007 (Germany);**
 - 6.2. **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Senegal);**
 - 6.3. **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal) (Honduras.1);**

- 6.4. Consider ratifying the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Afghanistan) (Venezuela (Bolivarian Republic of)) (Philippines)**;
654. **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain) (Montenegro)**;
- 6.6. Consider ratifying the **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Namibia)**;
- 6.7. **Sign and ratify the Convention on the Rights of Persons with Disabilities (Italy)**; **Sign and ratify the Convention on the Rights of Persons with disabilities by Liechtenstein's next UPR review (United Kingdom of Great Britain and Northern Ireland)**;
- 6.8. Consider ratifying the **Convention on the Rights of Persons with Disabilities (Philippines) (Namibia) (Qatar) (Republic of Moldova)**;
- 6.9. Consider ratifying the **Convention on the Rights of Persons with Disabilities (Albania)**;
- 6.10. **Become a party to the Convention on the Rights of Persons with Disabilities (Canada) / Ratify the United Nations Convention on the Rights of Persons with Disabilities (Netherlands) (Montenegro) (Iceland) (France) (Chile) (Côte d'Ivoire) (Spain) (Sierra Leone) (Honduras)**;
- 6.11. **Ratify and fully implement its obligations under the Convention on the Rights of Persons with Disabilities (New Zealand)**;
- 6.12. Consider ratifying the **Convention on the Rights of Persons with Disabilities and its Optional Protocol (Ghana)**;
- 6.13. **Step up efforts to ratify the International Convention on the Rights of Persons with Disabilities and its Optional Protocol (Brazil)**;
- 6.14. Consider signing the **Convention on the Rights of Persons with Disabilities and its optional protocol (Andorra)**;
- 6.15. **Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol (Estonia) (Mongolia) (Ukraine)**;
- 6.16. **Continue the efforts made in the area of ratification of international instruments, such as ratifying the Convention on the Rights of Persons with Disabilities (Morocco)**;
- 6.17. **Speed up ratification process of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (Georgia)**;
- 6.18. **Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) (Andorra) (Bosnia and Herzegovina) (Slovenia) (Estonia)**;
- 6.19. **Ratify the amendments to the Roma Statute to the International Criminal Court (Kampala Amendments) (Venezuela (Bolivarian Republic of))**;
- 6.20. **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia)**;
- 6.21. **Contribute to the efforts deployed by other States to combat systems to evade taxes and taxation abuses taking into account its impact on human rights, in particular, by ensuring that private foundations are bound by such measures (Ecuador)**;
- 6.22. **Adopt an open, merit-based process when selecting national candidates for UN Treaty Body elections (United Kingdom of Great Britain and Northern Ireland)**;

- 6.23. Envisage the possibility to be a Member State of the International Labor Organisation, and ratify its fundamental conventions, as previously recommended (Uruguay);
- 6.24. Strengthen its existing constructive cooperation with the United Nations human rights mechanisms, including treaty bodies (Myanmar);
- 6.25. Proceed with obtaining accreditation before the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) (Qatar);
- 6.26. Enact policies to ensure adequate and independent resourcing of its National Human Rights Institution in accordance with its obligations under the Paris Principles (Australia);
- 6.27. Continue efforts to provide adequate resources for the work of the National Human Rights Institution of Liechtenstein (Qatar);
- 6.28. Encourage the Liechtenstein's National Human Rights Institution to have an active engagement with similar mechanisms from other regions (Indonesia);
- 6.29. Consider the establishment or strengthening of the existing national mechanism for coordination, implementation, reporting and follow-up, in line with the elements arising from good practices identified in the OHCHR Study/Guide of 2016 concerning national mechanisms for reporting and follow-up (NMRF's) (Portugal);
- 6.30. Adopt a new National Action Plan on Violence against Women in follow-up to the Plan that had been adopted in 2006 (Kyrgyzstan);
- 6.31. Continue taking measures towards creating a comprehensive anti-discrimination legislation that would include all prohibited grounds for discrimination (Ukraine);
- 6.32. Consider putting in place an overarching antidiscrimination legislation covering all aspects of discrimination (Senegal);
- 6.33. Put in place the necessary means to enable the effective implementation of the provisions related to the fight against discrimination based on colour, ethnic origin, citizenship, religion or language (Algeria);
- 6.34. Take appropriate steps to fully implement the National Action Plan against Racism (Namibia);
- 6.35. Consider further measures to monitor and report on the human rights of older persons (Australia);
- 6.36. Ensure that the Equal Opportunities Office is adequately resourced for the implementation of the National Action Plan against Racism (Sierra Leone);
- 6.37. Ensure a good public information of the new provisions of the Penal Code on the fight against discrimination, train lawyers on its implementation, and continue efforts aimed at combatting discrimination (France);
- 6.38. Adopt legislatives and political measures in order to establish a legal and institutional framework against all forms of discrimination (Honduras);
- 6.39. Continue to address the problem of racial discrimination and xenophobia, particularly those directed at Muslims (Malaysia);
- 6.40. Do more in the prevention and combatting racial discrimination (Mozambique);
- 6.41. Adopt educational measures to foster equality and non-discrimination as well as to implement diversity programmes that promote ethnic and religious tolerance (Portugal);

- 6.42. **Include in its domestic legislation a comprehensive prohibition of all forms of discrimination as well as effective mechanisms to sanction any violation to this prohibition (Spain);**
- 6.43. **Continue its efforts to combat instances of discrimination against LGBTI persons and improve social inclusion (Australia);**
- 6.44. **Repeal the law on foreigners, in particular Article 49 and amend the legislative framework so as to provide comprehensive protection from all forms of discrimination and hatred based on colour, origin, nationality, religion, language, and in particular in the area of education (Syrian Arab Republic);**
- 6.45. **Exercise due diligence before registering business entities that are involved in illegal economic activities and human rights violations in the uncontrolled conflict-affected territories (Azerbaijan);**
- 6.46. **Increase Official Development Assistance (ODA), with a view to reaching the international commitment of 0.7% of its gross national income (GNI) (Sierra Leone);**
- 6.47. **Move forward in establishing a public policy framework that binds companies to comply with international human rights standards and environmental regulations at international level (Mexico);**
- 6.48. **Ensure that private foundations based in Liechtenstein are subjected to the necessary regulations, in order to contribute to the efforts in combatting corruption, tax evasion and tax abuse schemes (Portugal);**
- 6.49. **Ensure its policies, legislation, regulations and enforcement measures, effectively serve to prevent and address the heightened risk of business involvement in abuses with regards to conflict situations, this includes situations of foreign occupation (State of Palestine);**
- 6.50. **Halt the policy of practicing coercive unilateral measures in respect of other countries to its, and lift these measures immediately, considered that they are punishment measures, taken by internal government decision exceeded the Liechtenstein borders and violated people's rights in those countries, which is a flagrant contravention to the provisions of Article 1, Paragraph 2 of both international covenants (Syrian Arab Republic);**
- 6.51. **Continue working to harmonize domestic legislation with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);**
- 6.52. **Adopt effective measures to improve conditions in prisons (China);**
- 6.53. **Incorporate into domestic criminal law a distinct crime of torture in conformity with Article 1 of the Convention against Torture and All Forms of Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);**
- 6.54. **Incorporate in the Criminal Code the prohibition of torture in line with article 7 of the International Covenant on Civil and Political Rights (Spain);**
- 6.55. **Abolish the articles allowing for the detention of children in solitary confinement in the law of executing the judgments (Syrian Arab Republic);**
- 6.56. **Continue to build capacity and resilience among law enforcement personnel and the criminal justice system in support of Sustainable Development Goal 8.7 (United Kingdom of Great Britain and Northern Ireland);**
- 6.57. **Change investigative procedures to ensure prompt access to legal or other appropriate assistance to juvenile detainees, in order to preclude questioning without a lawyer or trusted person present (United States of America);**

- 6.58. Guarantee the legal protection measures to all persons who are the subject of a judicial placement decision (Algeria);
- 6.59. Initiate the application of innovative approaches and technological innovations for the efficient, accountable and transparent delivery of public services (Azerbaijan);
- 6.60. Amend the legislation to improve the respect of the rights of defendants, by creating a custody registry at the Vaduz police station, by making systematic the access to a lawyer, and by guaranteeing the confidentiality of discussions between the lawyer and his detained client (France);
- 6.61. Harmonize the domestic legislation on communication surveillance with international human rights standards and, in particular, ensure that every case of communication surveillance is justified as necessary and proportionate (Bolivarian Republic of Venezuela);
- 6.62. Take the necessary measures to guarantee that operations of intelligence bodies are subjected to an independent monitoring mechanism (Bolivarian Republic of Venezuela);
- 6.63. Decriminalize defamation and include it as part of the Civil Code, in accordance with international standards (Estonia);
- 6.64. Introduce adequate accounting rules and forms applying to the financing of all political parties and election campaigns (Germany);
- 6.65. Adopt special measures, such as a gender parity system for nominations for government bodies, to increase the representation of women in decision-making positions in elected and appointed political bodies (Portugal);
- 6.66. Encourage political participation of women, by adopting, if needed, special temporary measures, such as setting quotas, in order to increase participation of women in political decisions-making positions (Chile);
- 6.67. Ensure a balanced representation of both genders in political bodies (Ukraine);
- 6.68. Continue the efforts to achieve balanced representation of gender in leadership and decision-making positions in elected and appointed political bodies (Republic of Korea);
- 6.69. Continue to take measures against human trafficking by adopting a gender sensitive asylum procedure that responds to the specific needs of women and girls victims of trafficking (Maldives);
- 6.70. Strengthen measures to develop an effective and comprehensive policy to overcome the gap regarding functions and responsibilities of women and men in the labor sphere (Argentina);
- 6.71. Further step up efforts to achieve gender equality by encouraging enterprises to take positive measures to narrow the gender pay gap, including regarding women's access to managerial positions (Ireland);
- 6.72. Continue with the efforts to effectively address gender pay gap, including by strengthening the availability of childcare services and by providing paternity leave and paid parental leave (Slovenia);
- 6.73. Continue efforts to improve the compatibility of work and family life by increasing the availability and access to services such as childcare and by exploring the establishment of paid parental leave (Canada);
- 6.74. Take measures to further promote the compatibility of work and family life, inter alia by increasing the number of day-care facilities for children and introducing paid parental leave (Germany);

- 6.75. Continue to improve the availability and quality of day care services to better support women in the labour market and to encourage greater women's participation in the workforce (Singapore);
- 6.76. Promote training for women in non-traditional fields and in areas that would provide them with equal career opportunities (Kyrgyzstan);
- 6.77. Take active measures to ensure that older persons are aware of the new services and benefits they are entitled to from the on-going reforms of old-age policies (Singapore);
- 6.78. Ease the very strict legislation on abortion (France);
- 6.79. Develop strategies to encourage greater school attendance of migrant children at the higher levels of learning (Sierra Leone);
- 6.80. Adopt measures aimed at promoting gender equality, diversity and non-discrimination in the area of education (Madagascar);
- 6.81. Enshrine the right to education in the national legal framework, namely the Constitution and the School Act (Republic of Korea);
- 6.82. Enshrine the right to education in its national legal framework, in the Constitution and School Act (Kyrgyzstan);
- 6.83. Implement measures to achieve in practice the equality defined in the country's legislation (Uruguay);
- 6.84. Increase efforts in combating discrimination against women in all areas of the national life (Bolivarian Republic of Venezuela);
- 6.85. Continue implementing policies aimed at eliminating discrimination against women and promoting gender equality, including in political and economic life, and address the wage gap between men and women (Namibia);
- 6.86. Continue to take effective measures to guarantee equality between men and women in terms of political representation and in the workplace (Indonesia);
- 6.87. Continue concerted efforts to ensure equality among men and women (Libya);
- 6.88. Continue implementing policies in the area of gender equality with a focus on increasing women's participation in public and political life (Republic of Moldova);
- 6.89. Ensure the provision of adequate funding for important institutions working to prevent violence against women and providing services to victims of violence, such as the Women's Home (Canada);
- 6.90. Take the necessary measures to prevent violence against women and ensure efficient protection of victims of domestic violence (Bolivarian Republic of Venezuela);
- 6.91. Take further measures to promote the representation of women in leadership and decision-making positions (Iceland);
- 6.92. Intensify its efforts to increase participation of women in the public and private sectors, especially in decision-making positions (Uruguay);
- 6.93. Take further steps to promote gender equality and increase women's representation in political and public life (China);
- 6.94. Continue its efforts to increase representation of women in leadership and decision making positions, as well as promote their political participation (Ecuador);
- 6.95. Continue its efforts to improve the representation of women in politics and to ensure equality in the labour market (Maldives);

- 6.96. Encourage the representation of women in the leadership positions in the economic and public sector (Mexico);
- 6.97. Continue its efforts to promote women's rights and gender equality, especially in the labour market, and to increase the representation of women in decision-making positions in elected and appointed political bodies (Germany);
- 6.98. Promote the training for women in non-traditional fields and in areas that would provide them with equal career opportunities (Ghana);
- 6.99. Continue its work to even out the inequality in wages between men and women (Iceland);
- 6.100. Combat gender-based violence through awareness raising and education-based programmes (Malaysia);
- 6.101. Take concrete steps to ensure equal job opportunities, to combat negative gender role and stereotypes of women and men and to increase representation of women in political and decision-making positions (Myanmar);
- 6.102. Take appropriate steps aimed at fully funding and strengthening the Equal Opportunities Office (Namibia);
- 6.103. Develop a strategy to even out inequalities in wages between men and women and continue its efforts to increase the representation of women in decision-making positions (New Zealand);
- 6.104. Continue the efforts made against violence and discrimination against women, and promote their inclusion in decision-making bodies and positions in political and economic areas (Morocco);
- 6.105. Continue its efforts and adopt a national strategy on gender equality and women's rights, whose implementation would allow, inter alia, an increased participation of women in political and public life, an adequate balance between work and private life, a less restrictive access to abortion and a continuous reduction of domestic violence (Switzerland);
- 6.106. Take further steps to ensure the equal treatment of minorities and integration of all into society, including through targeted legislative measures (New Zealand);
- 6.107. Adopt the necessary measures to combat discrimination towards persons with disabilities in the exercise of their rights (Madagascar);
- 6.108. Ensure that the rights of persons with disabilities to access justice, education and employment are guaranteed and respected (Madagascar);
- 6.109. Take the necessary steps to ensure that all children with disabilities are given equal opportunities in education (State of Palestine);
- 6.110. Take meaningful steps to ensure all public buildings and schools are made accessible to persons with disabilities (United States of America);
- 6.111. Continue pursuing appropriate policies, including awareness-raising campaigns, in order to prevent marginalization of persons with disabilities and ensure protection of their rights (Bulgaria);
- 6.112. Provide legislative protection for migrant women and girls and asylum-seekers and victims of trafficking (Syrian Arab Republic);
- 6.113. Enhance the knowledge and awareness of the State apparatus on the importance of the International Convention on protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);
- 6.114. Remove legal obstacles to the permanence of migrants, refugees and asylum seekers in the territory of Liechtenstein, especially those related to the

knowledge of the German language and to the non-reliance on social benefits as preconditions to the issuance of permanent residence permits (Brazil);

6.115. Ensure full implementation of the 1951 convention on the status of refugees (Afghanistan);

6.116. Ensure that the exclusion from refugee status is limited in law and in practice to the reasons exhaustively laid down in the 1951 Convention relating to the Status of Refugees, and ensure that asylum seekers have full access to an effective remedy against the first instance decision on their asylum claim (Côte d'Ivoire);

6.117. Facilitate legal representation for asylum seekers (United States of America);

6.118. Further reinforce measures for the inclusion of a gender-sensitive approach in asylum procedures (Georgia);

6.119. Guarantee that all persons in need of international protection effectively access to family reunification, by eliminating administrative obstacles (Argentina);

6.120. Revise its asylum procedure taking into account gender issues, in order to adopt specific measures that ensure an effective response to the specific protection needs of women and girls who could become victims of trafficking (Honduras);

6.121. Improve the special procedures concerning the asylum seekers (Iraq);

6.122. Establish comprehensive protection mechanisms in order to strengthen protection and promotion of the rights of migrants and asylum seekers in the country (Mexico);

6.123. Ensure a gender-sensitive approach during the refugee status determination procedure that enables victims of sexual or gender-based violence to be identified (Netherlands);

6.124. Introduce a subsidiary protection status to those in need of international protection who fall outside the scope of the 1951 Convention relating to the Status of Refugees (Portugal);

6.125. Provide training to authorities involved in asylum procedures on identifying and dealing with victims of trafficking and gender-specific violence to protect asylum-seeking female migrants who may be overlooked and risk becoming victims of trafficking (Republic of Korea);

6.126. Grant nationality to children born in Liechtenstein who would otherwise be stateless (Sierra Leone).

7. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Liechtenstein was headed by Ms. Aurelia Frick, Minister of Foreign Affairs, Justice and Culture and composed of the following members:

- Mr. Martin Frick, Ambassador, Director of the Office for Foreign Affairs;
 - Mr. Peter Matt, Ambassador, Permanent Representative, Permanent Mission of the Principality of Liechtenstein to the United Nations Office in Geneva;
 - Ms. Karin Lingg Giorgetta, Head of the Unit for Human Rights and International Humanitarian Law, Office for Foreign Affairs;
 - Ms. Kathrin Nescher-Stützel, Senior Advisor to the Minister of Foreign Affairs;
 - Mr. Hugo Risch, Director of the Office of Social Services;
 - Mr. Andreas Schädler, Head of the Crime Investigation Division, National Police;
 - Mr. Christian Blank, Head of the Asylum Division, Migration and Passport Office;
 - Ms. Eva-Maria Schädler, Office of Education.
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