



General Assembly

Distr.
GENERAL

A/HRC/WG.6/3/LIE/1
5 September 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Third session
Geneva, 1-15 December 2008

**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 ***

Liechtenstein

* The present document was not edited before being sent to the United Nations translation services.

I. INTRODUCTION AND METHODOLOGY

1. Liechtenstein attaches great importance to the values underlying fundamental rights. These values include the recognition of equal rights irrespective of power and influence, which also plays a central role in the conduct between States. The promotion and protection of human rights are therefore priorities of Liechtenstein's domestic and foreign policy. Liechtenstein's efforts in support of strengthening the human rights treaty bodies system of the United Nations and ensuring the high quality of their work is an expression of this definition of priorities. For the same reason, Liechtenstein has also recognized all individual rights of complaint under the human rights conventions to which it is party. Liechtenstein has also issued a general invitation to the special mechanisms of the Human Rights Council to visit the country.
2. Within the framework of country visits and reports, international and European experts have repeatedly attested to a generally high level of protection of human rights in Liechtenstein, which represents a recognition and confirmation of the efforts the country has undertaken so far. At the same time, the Liechtenstein Government is aware that further improvements are necessary and possible. Liechtenstein's human rights policy is reviewed and advanced by regular dialogue and cooperation with the human rights treaty bodies at the European and international level as well as through the relevant reporting mechanisms. Liechtenstein's will to implement international human rights standards is manifested in the various ongoing or planned legislative revisions as well as the various initiatives launched generally in cooperation with representatives of civil society.
3. Openness and transparency are essential preconditions for the efforts in support of the promotion and protection of human rights to be successful in the long term. All international human rights conventions in effect for Liechtenstein, the national reports submitted, and the recommendations of the United Nations human rights treaty bodies and other monitoring bodies are made available to the public and accessible on the Liechtenstein web portal www.liechtenstein.li. When preparing the first UPR review of Liechtenstein by the Human Rights Committee, more than 30 organizations, including NGOs, interest group representatives, and business associations, were informed of the possibility to submit an independent report to the OHCHR. At the same time, they were invited to comment on the present report, after conclusion of consultations within the Liechtenstein National Administration, and to present their views at a discussion event. The summary of the reactions and suggestions voiced at this event is contained in the Annex to the report. Based on the broad discussions and contributions for this report, the Government is convinced that the report to the Human Rights Council represents a balanced portrayal of the human rights situation in Liechtenstein.

II. GENERAL FRAMEWORK

A. Political and social structure

4. The territory of the Principality of Liechtenstein is located between Switzerland and Austria, covering an area of 160 km². Liechtenstein consists of eleven rural municipalities, the two largest of which have populations of slightly more than 5,000. The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. In Liechtenstein's dualist system of State, the power of the State is vested in both the Reigning Prince and the people. The relatively strong position of the Reigning Prince is balanced by far-

reaching direct-democratic rights of the people. 1,000 citizens or three municipalities can submit a legislative initiative. 1,500 signatures or resolutions by four municipalities are necessary to call an initiative on a constitutional amendment. The same minimum numbers as for initiatives apply to referenda against legislative or constitutional resolutions of the Liechtenstein Parliament. Referenda may be called within 30 days of publication of the parliamentary resolution.

5. The Reigning Prince serves as Head of State and, without prejudice to the necessary participation of the responsible Government, represents the State in all its foreign relations. On the proposal of Parliament, the Reigning Prince appoints the members of the Government. He is also responsible for the appointment of judges, pursuant to their election by Parliament on the recommendation of a special selection body. When justified on substantial grounds, the Reigning Prince may dissolve Parliament. He may also withdraw his confidence from the Government and initiate its dismissal. The Reigning Prince also may exercise emergency powers. Moreover, he has the right to pardon, mitigate, or commute criminal sentences. Every law requires the sanction of the Reigning Prince and countersignature by the Prime Minister to attain legal force. The Liechtenstein Parliament consists of 25 members, who are elected in general, direct, and secret elections every four years in accordance with the system of proportional representation. The most important responsibilities of Parliament are its participation in the legislative process, assent to international treaties, approval of financial resources of the State, election of judges on recommendation of the selection body, and supervision of the National Administration. Parliament elects the Government and proposes its members for appointment by the Reigning Prince. It may also initiate dismissal of the Government if the Government loses the confidence of Parliament. The Government consists of five members as the highest executive authority, supervising more than 40 government offices and numerous diplomatic representations abroad. About 50 commissions and advisory councils support the work of the Administration. The Government has the power to issue ordinances and is therefore also a rule-making authority. Ordinances may only be enacted on the basis of laws and international treaties, however.

6. Municipal autonomy plays an important role in Liechtenstein. The eligible voters in each municipality elect a municipal council chaired by a mayor. The municipal authorities autonomously administer their business and manage the municipal resources. Citizens may call referenda against resolutions of the municipal council. According to article 4 of the Constitution, individual municipalities have the right to secede from the union pursuant to a popular vote and rules set out by law or treaty.

7. At the end of 2006, Liechtenstein had a resident population of about 35,200 and is thus approximately the same size as a small city. Roughly 34 per cent of the population are foreigners, of which 49 per cent come from the countries of the European Economic Area (EEA)¹ (especially Austria and Germany) as well as Switzerland. About 21 per cent of the foreign population are from other countries. In total, more than 90 nationalities are represented in Liechtenstein. At the end of 2006, 17 per cent of the population were younger than 15 and 12 per cent were older than 65. Life expectancy has risen steadily over the last 30 years. The average life expectancy in 2006 was nearly 80 for women and more than 70 for men. According to the latest census conducted in 2000, religious affiliation is as follows: 78.4 per cent of the total population are Roman Catholic, 8.3 per cent Protestant, and 4.8 per cent Muslim. 4 per cent of

¹ The European Economic Area (EEA) includes the 27 Member States of the European Union as well as the three EFTA States Iceland, Liechtenstein, and Norway.

the population declared no religious affiliation. According to the Liechtenstein Constitution, German is the official language. An Alemannic dialect of German is generally used as the colloquial language.

B. Legal and institutional framework

8. A wide range of fundamental rights is enshrined in the Constitution of the Principality of Liechtenstein. These include the right to life and the prohibition of the death penalty, respect for and protection of human dignity, prohibition of inhuman or degrading treatment or punishment, personal liberty, equality of women and men, immunity of the home, inviolability of letters and documents, right to education, right to proceedings before an ordinary judge, inviolability of private property, freedom of commerce and trade, freedom of religion and conscience, freedom of expression, freedom of the press, freedom of association and assembly, right to petition, and right of complaint. The Constitution also declares that all citizens are equal before the law, and that the rights of foreign nationals are governed by treaties or, in absence of such treaties, by the principle of reciprocity.

9. The Liechtenstein legal order contains no explicit provisions concerning the rank of international treaties within domestic law. International agreements may have the substantive rank of the Constitution, legislation, or ordinances. Since the constitutional revision of 2003, the Constitution provides for the review of the constitutionality of international treaties by the Constitutional Court, so that treaties formally have a rank lower than the Constitution. At the same time, however, the Constitutional Court Act provides that numerous individual rights under international treaties can be asserted in the same way as constitutional rights by way of a constitutional complaint, so that they enjoy substantive constitutional rank. This is true explicitly of the European Convention on Human Rights, the ICCPR, the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of All Forms of Racial Discrimination, and implicitly also of the EEA Fundamental Freedoms. The rank of an international legal norm is generally determined by the content of the rule in question. According to the jurisprudence of the Constitutional Court, international treaties ratified by Parliament enjoy at least the rank of legislation in domestic law. A ratified agreement becomes part of national law from the date of its entry into force. It is also self-executing where its provisions are sufficiently specific.

10. The administration of justice is divided into civil, criminal, administrative, and constitutional jurisdiction. Civil jurisdiction and part of criminal jurisdiction is exercised by individual judges in the first instance; in all other cases, jurisdiction is exercised by collegial courts. Before a lawsuit can be filed in contentious civil cases, a mediation procedure must be carried out in the place of residence of the respondent. Only if mediation fails can a lawsuit be initiated. Administrative jurisdiction is exercised by the Administrative Court. Within the Administration, decisions are appealed to the Government or the Administrative Complaints Commission. Its decisions as well as the decisions of commissions acting on behalf of the Government may be appealed to the Administrative Court. The Constitutional Court has the power to review the constitutionality of laws and international treaties as well as the constitutionality and legality of Government ordinances. Unconstitutional laws and ordinances can be voided by the Constitutional Court; in the case of unconstitutional treaties, the Constitutional Court can order the non-application thereof within domestic law. However, the constitutionality of all international treaties is thoroughly reviewed as part of the ratification

procedure by the involved authorities. The responsibilities of the Constitutional Court also include the protection of constitutionally guaranteed individual rights and those guaranteed under the abovementioned international treaties, which may be asserted by means of a constitutional complaint against all final civil, criminal, and administrative decisions.²

11. Institutions for the promotion and protection of human rights: In order to fulfill the responsibility of the State in regard to the promotion and protection of human rights, not only are the adequate institutional structures needed, but also a comprehensive understanding of the nature of human rights. The establishment of the inter-office Equal Opportunity Commission with its operational Office of Equal Opportunity in 2005 was an important step in this regard. The focus of the Office of Equal Opportunity's activities is on combating discrimination and advancing *de jure* and *de facto* equal opportunity in the areas central to the protection of human rights, such as gender equality, disability, migration and integration of foreigners, social disadvantages and sexual orientation. The Equal Opportunity Commission defines strategies on questions of equal opportunity with social relevance, develops recommendations for action, observes developments, monitors implementation measures, and advises the Government. The Office of Equal Opportunity maintains documentation and makes it available to the public, advises private individuals, organizations, and companies free of charge, and serves as a contact office for victims. It is also active on behalf of awareness-raising measures, drafts opinions on legislative proposals, consultations, and ordinances, and coordinates measures within the Administration to bring about equal opportunity. By centralizing all questions relating to equal opportunity within the Commission and the Office of Equal Opportunity, the interdependencies of discrimination in different areas can be covered more effectively and multiple discrimination can be combated. Initial preparations are underway for an evaluation of the Office of Equal Opportunity with the goal of reviewing the mandate and powers of the Office and the Commission as well as their staffing needs and effectiveness. Where needed, structural or organization-specific improvements will be initiated.

12. The new Children and Youth Act is a good example of how human rights are integrated into national laws and measures. The rights of children pursuant to the Convention on the Rights of the Child and the principle of non-discrimination were explicitly incorporated into the Act and constitute the framework for Liechtenstein's entire children and youth policy. The draft law was developed in a participatory process, including children and young people as well as adults. Different forms of participation will now be institutionalized. The appointment of an ombudsperson for children and young people originated in a recommendation by the Committee on the Rights of the Child.

III. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Right to life, liberty and security of the person

13. The right to life has been affirmatively and explicitly enshrined in the Liechtenstein legal order since entry into force of the ECHR in 1982 and has also been incorporated in the Liechtenstein Constitution since 2005. The protection of this right against attacks by private

² ECHR, International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Elimination of All Forms of Racial Discrimination.

persons is ensured by way of criminal prohibitions in the Liechtenstein Criminal Code. Personal freedom and protection from slavery are guaranteed by article 32, paragraph 1 of the Liechtenstein Constitution and article 4, paragraph 1 ECHR. The strict criminal prosecution of such practices rests on several legal provisions.

14. Abortion is criminalized in Liechtenstein, with exceptions including grave endangerment of the pregnant woman or women under the age of 14. Given that abortions are likely carried out abroad, it is widely believed that criminal sanctions do not constitute an effective protection of nascent life. A working group is currently dealing with the topic of pregnancy dilemmas and is looking for sustainable solutions. The focus is on the protection of unborn life, the protection of the pregnant woman, and decriminalization. In a popular vote in November 2005, the people decided to amend article 27 of the Constitution, enshrining the State's responsibility to respect and protect human dignity and setting out the right of every person to life (Liechtenstein Law Gazette LGBI. 2005 No.267). Numerous institutions offer psychosocial counseling on pregnancy dilemmas.

15. The use of firearms by the police is governed by the Police Act. The Police Act stipulates that the National Police may only use weapons as a last resort. Situations in which firearms may lawfully be used are enumerated exhaustively. In cases of self-defense, the police are subject to the principle of proportionality, and they must unambiguously threaten the use of force. The acquisition of weapons by private persons is governed by the Weapons Act and the Commerce Act and requires a weapons permit, which is registered in a police database. There are no legal provisions concerning the use of weapons by military personnel, since Liechtenstein does not have armed forces. Liechtenstein also neither produces nor exports weapons. Since 1970, ten cases of murder or manslaughter have been recorded in Liechtenstein.

16. The death penalty was abolished in Liechtenstein in 1989 with the entry into force of the revised Criminal Code (LGBI. 1988 No. 37). Liechtenstein has also ratified Protocol No. 6 to the ECHR concerning the abolition of the death penalty, Protocol No. 13 concerning the abolition of the death penalty in all circumstances, and the Second Optional Protocol to the International Covenant on Civil and Political Rights.

17. Already in 1990, just after its admission to the United Nations, Liechtenstein ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and has since been examined twice by the Committee against Torture. In autumn 2008, the third, fourth and fifth periodic reports will be submitted simultaneously. The European Committee for the Prevention of Torture (CPT) has also visited Liechtenstein twice already. While the overall assessment has always been very satisfactory, some recommendations were taken up in the revision of the Criminal Code in 2007 (LGBI. 2007 No. 295). A new Corrections Commission has been established with the mandate to visit the inmates of the pre-trial detention facility at least four times a year. It will also assume the responsibilities of the national preventive mechanism pursuant to the Optional Protocol to CAT.

18. Pursuant to the Law on International Mutual Legal Assistance in Criminal Matters (LGBI. 2000 No. 215), a request for extradition shall not be granted if the criminal proceedings or the execution of sentences in the requesting State do not fulfill the principles set out in articles 3 and 6 ECHR or if the person to be extradited would be subject to persecution or would have to fear other disadvantages due to his or her origin, race, religion, association with a particular

ethnic or social group, citizenship, or political opinions. Liechtenstein is a State party to the 1951 Convention relating to the Status of Refugees and thus committed to the principle of non-refoulement. This principle is also explicitly set out in the Liechtenstein Law on the Acceptance of Asylum-Seekers and Persons in Need of Protection (Refugee Act) of 1998. In 2007, 30 persons illegally present in the country were deported. The large majority of deportations are carried out pursuant to the readmission agreement with Austria and Switzerland.

19. Since March 2008, Liechtenstein has been a State party to the Convention against Transnational Organized Crime (Palermo Convention) and its protocols against the smuggling of migrants and to prevent, suppress and punish trafficking in persons, especially women and children. The new definition of trafficking in persons in the Liechtenstein Criminal Code (§104a StGB) is in conformity with the definition in the protocol. So far, no cases of trafficking have surfaced in Liechtenstein. The most vulnerable group likely consists in the temporarily employed dancers in bars and clubs. The National Police and the Immigration and Passport Office regularly carry out inspections in this scene and verify the residence status, employment conditions, salary payments, and lodging of the women. To improve cooperation among law enforcement authorities, the Victims Assistance Unit, and other involved offices in uncovering cases of trafficking, the Round Table on Trafficking was established in 2006.

20. In connection with child trafficking, Liechtenstein is currently undertaking the legislative amendments necessary for ratification of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. To ensure the protection of children against abusive and illegal adoptions in all cases, additional provisions have to be incorporated into Liechtenstein law. This is scheduled for the second half of 2008, as is subsequent ratification of the Hague Convention. Amendment of the adoption provisions is also a precondition for ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The necessary legal amendments will entail that ratification can be completed in 2009 at the latest. The measures to protect children against sexual abuse were also intensified in recent years. An interdisciplinary expert group was appointed, which is responsible for raising the awareness of the population and advising professionals. In cases of suspicion, the expert group can be called upon to initiate necessary measures. In parallel, sexual criminal law was amended accordingly in 2001. The Code of Criminal Procedure has also been revised, specifying that children affected by sexual crimes be questioned in a sensitive procedure separate from the suspect. Additionally, a Victims Assistance Act was drafted and put into force in April 2008. The fight against sex tourism has also been strengthened, by punishing sexual abuse of children even if the act is committed abroad (§64 StGB). So far, no such cases have been recorded in Liechtenstein.

21. In connection with the revision of sexual criminal law, it should also be noted that rape in marriage and partnerships has been punishable since 2001. The Violence Protection Act provides protection against domestic violence, including preventive expulsion of the potential perpetrator and prohibition of reentry into the common home (imposed by the police). Victims of violence may find accommodation at the Women's Home of the Association for the Protection of Abused Women and Their Children.

B. Right to privacy, marriage and family life

22. Article 32 of the Constitution guarantees personal liberty, the immunity of the home and the inviolability of letters and documents. The legal rules governing searches of homes, searches of persons, letters, or documents, and the seizure thereof are set out in the Code of Criminal Procedure, the Police Act, and the Mutual Legal Assistance Act; they are subject to the principle of proportionality. The Criminal Code penalizes violations of the confidentiality of letters and telecommunications as well as the abuse of audio recording or listening devices. The Code of Criminal Procedure provides that searches of homes may, as a rule, only be carried out pursuant to a substantiated judicial order. The Liechtenstein Data Protection Act (LGBl. 2002 No. 55) also serves to protect privacy. This law specifies the principle that personal data entrusted or made accessible to someone pursuant to his or her professional occupation must be kept confidential unless legally permissible grounds obtain for transmission of the data. According to the Data Protection Act, particularly sensitive data includes data on religious, ideological or political views and activities, health, private life, ethnic affiliation, measures relating to social assistance, as well as administrative and criminal prosecutions and punishments.

23. The right to marriage is governed by articles 9 to 11 of the Liechtenstein Marriage Act. To enter into marriage, the spouses must have reached the age of 18 and be of sound mind. Underage and legally incapacitated persons may only marry with the consent of their legal representative. The voluntary nature of marriage is protected by the rules on objection. Liechtenstein law is characterized by the partnership principle and contains no gender-specific differentiations concerning the rights and duties of the spouses. In this connection, the principle of splitting of pension claims between the two spouses should be mentioned, according to which the income of the spouses during the years of marriage is split 50-50 between the two spouses. Thanks to this splitting, the non-working and the working spouse benefit equally from the contributions to old age insurance. Education and child-raising credits are also split in half, in the same way as employment income, during the years of marriage.

24. The right to family life primarily implies the freedom of all members of the family to live together. This right as well as the various rights and duties of family members are set out in the General Civil Code (ABGB). The protection and assistance granted by the State to families in Liechtenstein is guaranteed by legislation in various areas. The ABGB provisions set out the framework for State interventions in the rights of parents. Accordingly, third parties may only intervene in parental rights if permitted to do so by the parents themselves, immediately on the basis of legislation, or pursuant to an official decree. Such a decree, for instance concerning the withdrawal or limitation of parental supervision, may only be issued if the welfare of the child is in danger and may only extend as far as necessary to secure the child's welfare. Other measures to protect the family include the Family Allowances Act (LGBl. 1986 No. 28), which provides for birth and child allowances for all persons with civil residence or non-self-employment in Liechtenstein, and the Child Support Advance Act (LGBl. 1989 No. 47), pursuant to which the State, under certain conditions, grants advances for the legally stipulated support of children.

C. Freedom of expression

25. Freedom of expression is guaranteed by article 40 of the Constitution. Restrictions by the State are only permissible in public areas. The legal limits are set out in the Criminal Code, which includes definitions of criminal acts against honor, violations of privacy and certain

professional secrets, and criminal acts against morality as well as the public and religious peace. As a precondition for accession to the International Convention on the Elimination of All Forms of Discrimination (ICERD), a new criminal provision against the dissemination of racist ideology and against incitement to hate and discrimination on the basis of race, ethnicity, or religion was introduced.

26. To govern public information provided by State authorities, an Information Act was passed in 1999, which sets out the right of the population to information concerning the activities of authorities as well as access to records. State action has to be transparent and disclosed to the public, unless outweighed by countervailing public or private interests. The principle of equal treatment applies in relations with the media. With the revision of the Media Promotion Act, the promotion of opinion-forming reporting on political topics and events in Liechtenstein has been structured more efficiently.

D. Freedom of conscience and religion

27. The Liechtenstein Constitution guarantees freedom of religion and conscience and protects civil and political rights irrespective of religious affiliation. The Criminal Code prohibits all forms of discrimination based on religious affiliation. With reference to freedom of religion, opting out of denominational religious instruction at public secondary schools was permitted until 2003. Since the 2003/2004 school year, a choice is now available between a course on “Religion and Culture” and denominational religious instruction (Catholic or Protestant). A pilot project was launched in primary schools in 2007, introducing religious instruction for Muslim children. This pilot project will be continued and, after an evaluation, is planned to be integrated into the regular curriculum.

28. According to the Constitution, the Roman Catholic Church is the “National Church” of Liechtenstein, which is however not equivalent to an “established church”. In addition to the Roman Catholic Church, the Evangelic (Protestant) Church, the Evangelic-Lutheran Church, the Orthodox Church Association, and the Muslim Community are supported financially by the State. As a consequence of the establishment of the Archdiocese of Liechtenstein, an institutional disentanglement and reorganization of the relations between State and Church are under consideration. In addition to a constitutional amendment, this reform project encompasses a special Religion Act and a law on the financing of religious communities by contributions from the State and from the income and inheritance tax of natural persons. In the future, the Evangelic (Protestant) Church and the Evangelic-Lutheran Church as well as, later and upon application, other Christian and non-Christian religious groups will be recognized under public law.

E. Right to work

29. Liechtenstein is a modern industrial and services economy with connections worldwide. The basis of its economic success in the past decades has been favorable framework conditions, ensured in part by liberal business laws. Liechtenstein is home to a highly productive, globally oriented industrial sector, which contributed about 40 per cent to Liechtenstein’s gross domestic product in 2005 and provided 44 per cent of jobs. At the same time, Liechtenstein has well-developed service enterprises, especially in the financial sector – including legal advisory services, fiduciary services, and banking. Financial services and general services generated 54 per cent of Liechtenstein’s GDP in 2005. The broad diversification of Liechtenstein’s economy

was and is the key to the steady and crisis-resistant growth of the country. Liechtenstein's small size and economic strength entail that a large number of workers are recruited from abroad and commute across the country's borders. At the end of 2006, 17,223 residents of Liechtenstein were employed, i.e. nearly 50 per cent of the resident population. In addition, 15,138 workers commuted from neighboring countries, so that a total of 31,074 people worked in Liechtenstein. In comparison with the total population of 35,168, this is a very high number. Unemployment was accordingly low in an international comparison (May 2008: 2.1 per cent).

30. The individual right to work and the protection of workers are set out in article 19, paragraph 1 of the Liechtenstein Constitution. In addition, the State is required to take suitable measures to support the economy and to increase employment. This mandate is specified in detail in the Law on the Financing of Economic Promotion Measures. Pursuant to this law, the State makes contributions to measures for the alleviation of economic difficulties, cases of hardship and emergencies, for the long-term preservation of jobs, including professional training and continuing education, for retraining programs to improve job mobility, image promotion, promotion of the business location, and contributions to institutions for economic promotion.

31. I n March 2007, Parliament adopted a package of measures for the preservation and strengthening of the social partnership. With the new Law on the Universal Validity of Collective Labor Agreements, the legal basis has been created for collective labor agreements concluded by the social partners to be extended to the entire sector concerned. The universally binding collective labor agreements concluded so far set out minimum wages, working hours, and other employment conditions to prevent social and wage dumping. Additional collective labor agreements, which are planned to be declared universally binding before the end of the year, have been announced by the social partners.

32. With the Law on Employment Services and Temporary Job Placement, a basis has been created for active measures relating to labor market policy. Unemployment insurance covers the costs for labor market measures. The Liechtenstein Labor Market Service, as a public job placement office, endeavors to help job-seekers finding work and income. Within 24 hours of registration as a job-seeker, an initial counseling interview is conducted (early intervention strategy).

33. The problem of youth unemployment was recognized early on by the Government, and a package of measures was already adopted in 2003 to improve opportunities for recent apprenticeship graduates ("Opportunity Liechtenstein" project). These measures with a focus on youth unemployment are supplemented by the "Returner" and "45plus" focus groups.

34. The right to work also applies to people with disabilities. According to the Disability Insurance Act (IVG), people with disabilities have a right to various integration measures. The principle that integration measures take precedence over pension benefits is set out explicitly in article 33 IVG. The spectrum of integration measures includes professional measures, wage subsidies, suspension of pension payments, aids, and daily allowances. Vocational training of people with disabilities is governed by article 34 of the Vocational Training Act and is supported by State contributions.

35. Wage subsidies (article 45 IVG) are used to improve the professional integration of persons who are still partially able to work. Companies that hire such persons or – if the disability occurs

during an existing employment relationship – continue to employ such persons receive a wage subsidy. This measure is intended to prevent persons who are only partially disabled from dropping out of the work process and being forced to draw on disability pensions.

F. Right to education

36. Liechtenstein has nine mandatory years of schooling. The Liechtenstein curriculum and the design and further development of school as a whole are based on specified guiding principles applicable to all schools and school levels. According to these principles, school is open to all children and young people free of charge, without regard to origin, religion, or gender, and adopts an open attitude with respect to political, religious, and ideological issues. A legislative amendment in 2007 extended this principle of free schooling to textbooks, school materials, and special schooling events.

37. School pays particular attention to the equality of girls and boys. Its task is to strengthen the young people in their individual qualities and to help them become competent members of society. School shares this responsibility with the family and other institutions. It is recognized that parents have the primary responsibility for the education of children, which is why close cooperation between school and home is a priority.

38. The School Act and the Ordinance of 18 December 2001 on Special Scholastic Measures, Pedagogical-Therapeutic Measures, Special Schooling, and the School Psychological Service (LGBI. 2001 No. 197) constitute the legal basis for the scholastic promotion of disabled and academically weak children. In Liechtenstein, all disabled children and young people, irrespective of age or type and cause of disability, are taught free of charge. Children and young people who, despite integration measures, are unable to follow regular school instruction may attend a special school in Liechtenstein, which is also open to children and young people from neighboring regions.

39. Vocational training is offered through training in apprenticeship businesses and vocational schools as well as courses provided by associations of businesses, where fundamental and practical skills are conveyed. Liechtenstein has three institutions of higher education or university-like institutions, which however only offer limited courses of study. Most Liechtenstein university students thus study abroad. Liechtenstein maintains close relations for this purpose especially with Switzerland and Austria, ensuring by way of international treaties and agreements that students from Liechtenstein are accepted in both countries under the same conditions as their own citizens. This not only applies to students with an academic baccalaureate, but also for persons with a vocational degree. So that this access to domestic and foreign institutions of higher education functions smoothly, Liechtenstein offers study programs leading to a general baccalaureate or professional baccalaureate degree. As a member of the European Economic Area, Liechtenstein also participates in numerous EU vocational training and exchange programs.

40. State support for adult education was introduced by law in 1979 and has been under the patronage of the Liechtenstein Adult Education foundation under public law since 1999 (LGBI. 1999 No. 125).

G. Right to physical and mental health

41. The facilitated licensing of foreign physicians pursuant to the Agreement on the European Economic Area has increased the physician density in recent years (approx. 1 physician per 500 inhabitants). The Vaduz National Hospital is run as an attending physician hospital. Additionally, numerous health institutions in Switzerland and Austria can be used (hospitals under contract, psychiatric clinics, and rehabilitation hospitals). Medical care of the population can thus be considered comprehensive. Persons with civil residence or employment in Liechtenstein are subject to compulsory health and accident insurance and thus have unimpeded access to all available health services.

42. According to the Public Health Act, the State takes measures to promote the health and sickness prevention of the population. Various governmental offices, bureaus, and private service providers are responsible for carrying out these measures. Every person living in Liechtenstein receives regular invitations from the Office of Public Health for medical check-ups, which are free of charge. Addiction prevention is also taken seriously in Liechtenstein. An addiction prevention campaign is currently underway, with the goal of contributing to a reduction of tobacco consumption and unhealthy alcohol consumption habits in the population and of promoting a responsible approach to medication carrying addiction risks. The Tobacco Prevention Act (LGBl. 2008 No. 27) has been in force since 1 July 2008, which provides comprehensive protection of non-smokers and prohibits advertising of tobacco products.

H. Right to social security

43. The Liechtenstein system of social security encompasses health insurance, old age insurance, disability insurance, survivors' insurance, accident insurance, unemployment insurance, supplemental benefits, incapacity benefits, maternity allowances, and blindness assistance.

44. Liechtenstein health insurance offers coverage in cases of sickness and maternity. All persons living or working in Liechtenstein are subject to compulsory health insurance. All employees above the age of 15 working for an employer in Liechtenstein at least 8 hours a week must be insured for sickness allowances. Sickness allowances are paid if the insured person is unable to work due to sickness.

45. Old age provision consists of three pillars: 1st pillar: Liechtenstein Old Age and Survivors' Insurance; 2nd pillar: occupational pension systems for employees; and 3rd pillar: voluntary retirement savings. This system covers all population groups. As the general people's insurance, the 1st pillar secures the margin of subsistence for the entire population, covering all persons working in Liechtenstein as well as non-working persons living in Liechtenstein. The supplemental 2nd pillar strives to preserve a suitable living standard and was made compulsory by law in 1989. The 3rd pillar allows individuals to further supplement their retirement savings. Disability provision is based on the Disability Insurance Act, which generally insures all persons also insured by Old Age and Survivors' Insurance. The principle obtains that initially all efforts are made to reintegrate the person into the workforce. Only if these measures are unsuccessful does the insured person receive a pension.

46. Accident insurance is governed by the Law on Compulsory Accident Insurance, which guarantees coverage of risks in connection with occupational activities. Benefits are paid to insured persons in the event of occupational accidents, non-occupational accidents, and occupational diseases. Employers are obligated to insure their employees in Liechtenstein against accidents at work and occupational diseases.

47. Unemployment insurance is compulsory for all employees and is governed by the Unemployment Insurance Act. The Office of Economic Affairs is responsible for the administration thereof and pays out unemployment and insolvency benefits, provides information on entitlements, helps with job placement, and promotes the training and continuing education of unemployed persons.

I. Right to an adequate standard of living

48. The standard of living in Liechtenstein is high in an international comparison. The good economic framework conditions allow most inhabitants to earn a secure income and to enjoy comfortable housing. Absolute poverty as such does not exist in Liechtenstein, even though some persons are disadvantaged compared to others and require support from the State. This support is governed by the Social Assistance Act. It applies on a supplemental and subsidiary basis, supporting persons who are not or no longer covered by the social insurances or other institutions. This support may be claimed by persons experiencing unusual difficulties in their personal, family, and social circumstances that they cannot overcome themselves or with the help of other persons or institutions, as well as persons who are unable to secure their living for themselves and their dependent family members. Social assistance encompasses monetary and in-kind benefits, nursing benefits, as well as intangible assistance in the form of care, counseling, and placement of services. The largest risk group consists of unemployed persons, followed by single parents and persons with physical or mental impairments. The introduction of the single-parent allowance specifically addresses the financial threat posed to single-parent families.

49. Several arrangements exist in Liechtenstein to ensure that everyone has housing. The purchase of private housing is subsidized under the provisions of the Housing Construction Promotion Act. Families with children and single parent whose household income is below a certain threshold are supported in accordance with the Rental Subsidy Act (LGBI. 2000 No. 202). Everyone, irrespective of citizenship, has a right to rental subsidies if they have been living in Liechtenstein for at least a year. In hardship cases, social assistance provides support and finances housing costs. Disability insurance benefits allow people with disabilities and seniors to undertake necessary modifications to their homes. Assisted living allows individuals to live in an adequate environment. In general, the supply of housing in Liechtenstein is good, so that there are no persons or groups of persons who are unable to find housing. However, the housing market is almost exclusively in private hands, so that landlords can determine their renters. It has been noted that poorly integrated or socially weak persons may under certain circumstances encounter considerable problems finding housing. With respect to the housing of asylum-seekers, it should be noted that Liechtenstein maintains a refugee center pursuant to the Asylum and Refugee Act, in which asylum-seekers may live until their cases have been clarified and decided. Additionally, asylum-seekers and their families are housed in apartments rented by the State. Homelessness does not exist in Liechtenstein. A facility for the homeless was closed due to lack of use.

J. Right to participation in cultural life

50. Participation in cultural life and the achievements of scientific progress in Liechtenstein is guaranteed without any restrictions by the State. Although the Liechtenstein Constitution contains no “cultural article” as such, the cultural mandate of the State can be derived from several constitutional provisions. Cultural policy and promotion is governed by the Cultural Promotion Act of 2007, which secures the free exercise of artistic and cultural expression as well as general access to cultural achievements and facilities, emphasizing the promotion of new and innovative forms of cultural activities and organizations in addition to cultivating and conveying the value of the past. Cultural promotion is based on the principle of subsidiarity, i.e., the State only intervenes where cultural activities can only take place with enhanced financial and staffing resources. As a rule, cultural promotion is approached pragmatically, in that the State, municipalities, and private sponsors jointly support major projects. In recent years, the premises of various cultural institutions (National Library, Music School, Museum of Fine Arts, School of Fine Arts, National Museum) have been expanded or newly built. Additionally, several valuable buildings and objects have been placed under protection and restored.

51. To improve intercultural and interreligious understanding, the Government grants financial support to NGOs endeavoring to expand intercultural understanding and trust by way of language promotion and events. The Liechtenstein Development Service (LED), which is supported financially by the Government, is also engaged on behalf of intercultural communication by organizing numerous events. The inclusion of “Cultural Reflection” as a learning area in the school curriculum has contributed to the mutual cultural understanding of Liechtenstein and foreign children. By getting to know different forms of linguistic expression, the pupils are confronted with their own culture as well. This in turn strengthens perception of their own culture and cultural understanding, thus awakening the willingness to deal with other cultures and to development a better understanding of them.

IV. CHALLENGES AND PRIORITIES

A. Human rights education

52. To strengthen understanding of human rights and the practical application thereof, various measures have been taken over the past few years. Awareness-raising campaigns for the broader public as well as for specific target groups address the protection of human rights in general, but also topics such as respect, equal treatment, prevention of racism and violence, intercultural and respectful communication, and so on. In addition, a particular focus has been put on combating anti-Semitism.

53. The Office of Equal Opportunity coordinates measures to bring about equal opportunity and to protect human rights and serves as the central institution for the further development and implementation of human rights as well as for human rights education. It is advised and supported by the Equal Opportunity Commission. The Working Group on the Promotion of the Integration of Muslims and the Violence Protection Commission also are concerned with the promotion of coexistence in Liechtenstein.

54. Liechtenstein schools treat human rights within the context of several subjects. The main goal is to educate young people to be open and tolerant with respect to political, religious, and

ideological differences and to get to know and understand human rights. They should learn how to stand up for their rights and to understand that the rights of others must be respected. Through exposure to other cultures, traditions, religions, and value systems, they learn to better understand their own patterns of behavior. Special courses on these subjects are also offered to teachers, such as how to deal more effectively with violence and racism at school. The Liechtenstein Government is also aware of the importance of appropriate training measures for State personnel and accordingly offers courses in different administrative units.

55. The sixtieth anniversary of the adoption of the Universal Declaration of Human Rights is being celebrated in Liechtenstein in 2008 with various activities primarily directed at the broader public, but also targeting specific groups (such as pupils, young people, teachers, State employees). At the conclusion of the anniversary year, a major Human Rights Festival will take place on 9 December 2008.

B. Basic research and statistical data

56. The data situation in the field of human rights protection and non-discrimination was deemed insufficient by various treaty bodies in the context of the United Nations human rights reporting mechanisms. In 2004, a research mandate was granted to the Liechtenstein Institute to identify the data deficits with respect to discrimination on the basis of nationality, race, religion, culture, and language. In 2007, additional mandates were awarded for basic research in the areas of “Integration of the foreign population”, “The social situation of people with disabilities”, and “Homosexuals and discrimination in Liechtenstein”. With the help of these studies, weaknesses in the data situation were identified, and recommendations were made on the expansion of systematic and regular data gathering, the consolidation of existing datasets and registers, the disaggregation of data, and additional basic research. Various improvements have already been initiated. For instance, the new wage statistics published in 2008 for the first time grant in-depth insights into the wage structure of employees in Liechtenstein, providing data that can be compared internationally. However, action is still needed in several areas. For this reason, the Government has mandated a project group to initiate concrete measures for improving the data situation. Based on the European Handbook on Equality Data, this project group is currently elaborating a strategy for the systematic compilation of data in all equality areas.

C. Equal opportunity and non-discrimination

57. Continuous progress was made with respect to the equality of women and men in recent years. *De jure* equality has been largely achieved. A challenge remains in the realization of complete *de facto* equality. As the recommendations of the CEDAW committee in August 2007 also show, Liechtenstein’s challenges pertaining to the equality of women and men primarily lie in the areas of employment and the representation of women in politics and leadership positions.

58. While the total number of workers in Liechtenstein has roughly quadrupled in the last 70 years, the number of working women has even increased by a factor of seven. In the 1930s, the share of women among the working population was only 25 per cent, while in 2006, 42 per cent of workers residing in Liechtenstein were women. Far less self-evident than access to employment for women has been equal access to positions in upper echelons, even though women have been able to catch up somewhat in recent years with respect to representation in leadership positions. With the increase of the share of young women in higher education, it can

be expected that women will continue to increase their share in such positions. This can also be expected in the political field, where women continue to be underrepresented. With a female share of 20 per cent in the Government and 24 per cent in Parliament, Liechtenstein is in the middle of the international field. At the level of municipalities in the current term (2007-2011), women are represented with a share of 27 per cent. With a view to the parliamentary elections in 2009, various actions are planned to increase the representation of women in politics. General awareness-raising efforts continue to be important to soften traditional attitudes and role stereotypes.

59. In March 2008, the first Liechtenstein wage statistics were published, showing that women in 2005 earned on average 20 per cent less than men. These differences are in part due to objective factors such as age, education, sector, or demands of the jobs concerned. Since entry into force of the Gender Equality Act in 1999, which contains an explicit non-discrimination principle between women and men with respect to wage demands, various efforts have been undertaken to acquaint the broader public, the private sector, and human resource officers in businesses with the law and in particular with the principle of “equal pay for equal and equivalent work”. The non-discrimination principle also applies to working conditions, opportunities for training and continuing education, promotions and dismissals, and (sexual) harassment in the workplace. The Gender Equality Act also governs legal claims and complaint possibilities. For instance, employers who fail to eliminate existing discrimination in the workplace can be sued for appropriate compensation.

60. To strengthen the promotion of the compatibility of family and work, the Government has launched further projects in recent months: A Family Council has been appointed to accompany family policy developments in Liechtenstein over the long term, and a draft law introducing family allowances has been circulated for consultations. In addition, changes to the tax law will introduce tax deductions for child care and increase the maximum deduction for education costs. Additional measures to improve compatibility of family and work concern the expansion of day structures outside school and outside the home, daycare centers, and crèches, as well as the introduction of public day schools. Overall, the number of spots in daycare centers has more than tripled since 2000.

61. Equality and non-discrimination for people with disabilities: With the entry into force of the Disability Equality Act at the beginning of 2007, a balanced instrument has been created in Liechtenstein to protect the rights of people with disabilities, at the same time respecting the principle of proportionality. The equality of people with and without disabilities is one of the key concerns of Liechtenstein social policy. The goal is to ensure equal participation in life and society and to enable an autonomous lifestyle. Currently, Liechtenstein is considering any adjustments needed to sign and ratify the United Nations Convention on the Rights of Persons with Disabilities as soon as possible.

62. Equality and non-discrimination with respect to sexual orientation: Liechtenstein’s experience as a small State with a rural character confirms the findings of several foreign studies that gay men and lesbian women often leave their home region to settle in large cities. In 2007, a survey on the topic of homosexuality was conducted among the resident population for the first time, along with interviews of homosexuals. Overall, homosexuals continue to be confronted with many of the well-known problems, even though the general situation has improved. As a further step in the equality of homosexuals in Liechtenstein, Parliament mandated the

Government in autumn 2007 to draft a law on the registered partnership of same-sex couples, eliminating legal discriminations and creating possibilities to secure relationships legally.

D. Integration of foreigners

63. The legal status of the foreign population in Liechtenstein is governed by the Vaduz Convention for Swiss citizens and by the EEA Agreement for EEA citizens. These two international treaties do not apply to persons from third countries. Until recently, the legal status of these persons has been governed by the Swiss Federal Law on the Residence and Settlement of Foreigners (ANAG). This is explained by the fact that Liechtenstein and Switzerland have been linked with each other via a Customs Treaty since 1923. The repeal of ANAG by Switzerland at the beginning of 2008 provided an occasion for Liechtenstein to create its own Foreigners Act applicable to foreigners without EEA or Swiss citizenship. The draft law governs entry and departure, residence, family reunification, and termination of residence. An important component of the draft law is a clear commitment to an integration policy based both on the willingness of foreigners to integrate and on the openness of the domestic population. The heart of the proposal is the introduction of an integration agreement between the State and the foreigners, entailing financial support for language courses and evidence of knowledge of the German language. The draft law was considered in a first reading by Parliament in June 2008.

64. The Law on the Acquisition and Loss of Liechtenstein Citizenship builds on the Foreigners Act and is currently also under revision. The draft law governs the legal preconditions for acquisition of Liechtenstein citizenship. Three different residence periods apply to the facilitated procedure, namely five years for stateless persons, ten years for persons married to Liechtenstein citizens (where the years of marriage count double), and thirty years for long-term residents (where the years before the age of 20 count double). Under the ordinary procedure by way of a municipal vote, a minimum residence period of ten years applies. The most important change in the planned law is the introduction of evidence of knowledge of the German language and of the country of Liechtenstein on the part of persons applying for naturalization. The draft of the new law was considered in a first reading by Parliament in June 2008.

65. In 2007, the Government adopted a position paper on integration policy containing the principle of “promoting and demanding”. The goal of this principle is to promote the peaceful coexistence of all persons in Liechtenstein on the basis of common values. This position paper also includes the results of two discussion rounds on the topic of “Integration in Liechtenstein: Status Quo, Measures, and Perspectives”, which the Prime Minister conducted with representatives of the foreigners’ associations in 2004. Topics discussed included the following: introduction of dual citizenship, offering of German-language courses, facilitated naturalization, rules governing family reunification, establishment of an information center, and voting rights at the municipal level. The same year, the Government appointed a Working Group on the Promotion of the Integration of Muslims to institutionalize the dialogue between members of the Muslim communities and the Christian population, thereby creating a climate of mutual tolerance and respect. The working group is currently discussing questions such as financial support for Muslim communities by the States, places of worship and cemeteries for Muslims, the formation of an umbrella organization for Muslim communities in Liechtenstein, and other topics of special concern to the Muslim population. One imam may serve full-time in Liechtenstein, while another imam may receive a short-term permit during Ramadan. The Muslim community received a contribution by the State for the first time in 2006. Also on the

initiative of the working group, religious instruction in the German language was offered for Muslim children in primary schools in the 2007/2008 school year.

66. Since 2007, Standard German is used as a language of instruction in Liechtenstein kindergartens to make it easier for foreign-language children to learn the written language and to integrate. The Government has decided to introduce Standard German as the official language of instruction at all levels of schooling beginning in 2009. So far, dialect has (often) been used for instruction. Within the framework of mandatory schooling, foreign-language children may benefit from various language promotion programs. The expansion of care structures outside the home and the introduction of day schools, which in particular also offer accompanied learning and homework tutoring as well as lunch tables and afternoon activities, are of special importance for children of foreign-language and/or working parents. The Vocational Guidance Center also offers a mentoring program to support young people seeking apprenticeships, a service used in particular also by young foreigners.

67. Given the very high proportion of foreigners in the total population (34 per cent) and the small size of the country, the question of family reunification plays an important role in Liechtenstein immigration policy. Family reunification is primarily governed by the international obligations that Liechtenstein has entered into as part of its European integration and that are based on the principle of reciprocity. Swiss citizens and citizens from EEA countries with a residence permit are entitled to immediate family reunification, as long as they have sufficient income and housing. Students from these countries may also have their dependent children move to Liechtenstein. Citizens of other countries may only have their families move to Liechtenstein after a residence period of four years, and they must have stable employment not limited in time that allows them to secure their own livelihood and that of their family in Liechtenstein. Short-term residents and students from these countries are not entitled to family reunification. To promote the integration of all family members, the new Foreigners Act provides that family members of third-country citizens moving to Liechtenstein must already acquire minimal German-language skills in their country of origin.

68. The benefits of the Liechtenstein health care system are equally available to all persons living in Liechtenstein. With respect to the specific needs of foreigners, the public health sector has not yet been illuminated sufficiently, however. In 2005, the Working Group against Racism, Anti-Semitism, and Xenophobia conducted a needs assessment concerning integration measures for foreign patients. Improvement measures concerning information and linguistic and cultural support for foreign patients were initiated.

69. The number of asylum-seekers has declined steadily in recent years, as has also been observed in other countries. In 2007, 32 persons applied for asylum in Liechtenstein. Liechtenstein has neither an airport nor a seaport and can only be reached by land, i.e. via Switzerland or Austria. This circumstance as well as the fact that most applications are submitted on economic or personal reasons and not on the basis of the Geneva Refugee Convention explain the relatively low number of recognized refugees in Liechtenstein. Nevertheless, since entry into force of the Refugee Act in 1998, more than 150 persons were given the opportunity subsequent to asylum proceedings to become Liechtenstein residents on humanitarian grounds. Through its association with the Schengen/Dublin *acquis*, Liechtenstein will apply the criteria and procedures of the Dublin II Regulation to determine the Member State responsible for reviewing an asylum application.

E. Racism, anti-Semitism and xenophobia

70. Anti-racism legislation: In 2000, Liechtenstein ratified the International Convention on the Elimination of All Forms of Racial Discrimination without reservations. With the amendments to the provisions in §33(5) and §283 of the Criminal Code (StGB), the basis under criminal law was created to prosecute racially discriminatory conduct as defined by article 1 of the Convention. Since entry into force of the anti-racism criminal provision, two convictions have been recorded. Pursuant to a petition submitted by young people to Parliament calling for stricter prosecution of persons affiliated with the right-wing extremist scene, a stricter interpretation of the anti-racism criminal provision with respect to the wearing and display of racist emblems is under consideration. Membership in racist groups is forbidden. Victims of racist assaults can sue for compensation as part of criminal proceedings. The protection of victims and especially psychological and material support were further strengthened with the entry into force of the Victims Assistance Act in April 2008. Additionally, damages are awarded for intangible injuries. Both criminal and civil law provide for legal aid to cover litigation costs, which is also granted to foreigners.

71. National Action Plan against Racism: In June 2002, the Government established an inter-office working group to implement the five-year Action Plan against Racism. The Action Plan was based on the Durban Programme of Action, but especially also on the recommendations of the CERD committee concerning Liechtenstein's first national report and the recommendations of the European Commission against Racism and Intolerance (ECRI) contained in the second report on Liechtenstein. The National Action Plan focused on four areas: raising public awareness, promotion of integration of the foreign population, improvement of the data situation, and documentation. In 2005, the working group was also mandated to coordinate the measures adopted by the Government against anti-Semitism. Beginning in 2007, its mandate was transferred to the Office of Equal Opportunity, thus ensuring continuation of specific activities in connection with the fight against racism, anti-Semitism, and xenophobia.

72. Fight against right-wing extremism: In July 2003, the Government established a Violence Protection Commission under the chairmanship of the National Police, one of the responsibilities of which is to monitor and document the situation of right-wing extremist violence in Liechtenstein and to draw attention to dangerous developments in this area. In 2007, the Commission was mandated to conduct a sociological study on the background of right-wing extremism in Liechtenstein and, based on this study, to develop a strategy and specific concept for action to prevent an expansion of the right-wing extremist scene among young people in Liechtenstein. Such a study had been suggested by CERD in its recommendations on Liechtenstein's second and third national reports. The result of the study is expected in 2009.

73. Anti-Semitism: In May 2001, the Government appointed an Independent Commission of Historians to research Liechtenstein's role in the Second World War. After four years of work, the Commission presented its final report in 2005, containing recommendations and a comprehensive catalogue of measures (including an annual Holocaust Memorial Day, preparation of a textbook, and project financing), which has meanwhile been implemented.

V. VOLUNTARY COMMITMENTS

74. Together with all other States, Liechtenstein is responsible for building up a more peaceful and secure world worth living in for everyone. Liechtenstein's engagement in International Humanitarian Cooperation and Development (IHCD) is based on the principle of solidarity with people who are disadvantaged with respect to their living conditions and quality of life, and it aims to protect and respect the interests of these people. IHCD encompasses all forms of Liechtenstein's humanitarian and development policy engagement and is set out in the Law on International Humanitarian Cooperation and Development. This law, which entered into force on 29 June 2007, replaced the previous Law on the Promotion of Development and Disaster Assistance from 1984.

75. In 2008, Parliament allocated a total of CHF 25.5 million for International Humanitarian Cooperation and Development. With this, Liechtenstein should be able to reach an ODA share of 0.6 per cent of its gross national product (GNP). Both the Government and Parliament have repeatedly expressed their will to reach the goal of 0.7 per cent quickly. Given the expected development of GNP, this goal should be achieved in 2009. About two thirds of the resources are employed in bilateral development projects in selected focus countries, most of which are among the least development countries in the world. The remaining resources are contributed to multilateral development projects, measures relating to refugee assistance and migration, as well as disaster and reconstruction aid. In all areas, cooperation is based on the principles of sustainability, partnership, and promotion of self-responsibility.

VI. COMMENTS BY NON-GOVERNMENTAL ORGANIZATIONS ON THE LIECHTENSTEIN NATIONAL REPORT FOR THE UNIVERSAL PERIODIC REVIEW OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

76. On 18 August 2008 the Office for Foreign Affairs hosted an information and consultation meeting with the public, which about 10 NGOs attended. The opportunity to exchange views was warmly welcomed, and a constructive dialogue took place. Several suggestions were incorporated into the present governmental report. Overall, the *de jure* implementation of international human rights treaties in Liechtenstein was deemed to be rapid and thorough. The appeals process in the case of complaints against official decisions was considered to function smoothly, and procedures to be complied with. At the same time, cooperation with some authorities was praised while cooperation with other authorities was criticized. It was held that some of the individuals concerned know too little about how to assert their rights. The following feedback was provided on the topics discussed in the report:

(a) Right to privacy, marriage and family life: NGOs commented that women may be disadvantaged by the existing inheritance law. Unlike other countries, there was no equalization of jointly acquired assets (50-50 split) upon termination of a marriage by death. Instead, the entire assets of the decedent were credited to the estate, so that if there were children, the surviving spouse only received one third of the assets or even one sixth (mandatory share). Due to the persistence of traditional role distributions in marriage, according to which the wife takes primary responsibility for domestic work and child-raising, and the resulting disadvantages in the accumulation of assets, women were more strongly affected by this rule. A petition in this

connection had already been submitted to Parliament unsuccessfully in 1991. In 2007 another application in this regard had been submitted to the Government;

(b) Non-discrimination and integration of foreigners: NGOs pointed out that bilateral and multilateral treaties gave rise to unequal treatment of different groups of foreigners. The preconditions for granting temporary and permanent residence permits for persons from Switzerland and the EEA were less strict than for citizens of third countries. The same was true for family reunification. The acquisition of German-language skills in the country of origin as a precondition for family reunification, as proposed in the new draft Foreigners Act, would make immigration to Liechtenstein more difficult. This would violate the right to privacy, marital and family life. According to the draft Foreigners Act, responsibilities in connection with the integration of foreigners currently within the scope of the Office of Equal Opportunity will be transferred to the Immigration and Passport Office. NGOs held that this would result in a shift in perspective to the disadvantage of the foreigners. A general criticism was that the Office of Equal Opportunity had too little political backing, too few powers and insufficient staffing to fulfill its mandate. With respect to refugees, NGOs expressed a desire for a more generous interpretation of the Refugee Act and a greater willingness of Liechtenstein to assert its own competence on refugee decisions and to accept quota refugees;

(c) Freedom of expression: The media landscape in Liechtenstein was described as strongly dominated by the political parties. This would limit the media's ability to serve as a counterweight to politics;

(d) Freedom of conscience and religion: NGOs pointed out that some religious groups, especially Muslim religious communities, had difficulties in obtaining adequate places of worship;

(e) Right to social security: NGOs commented that employees with low incomes were disadvantaged with respect to their social security, since contributions to occupational retirement provision (pension schemes) were only mandatory above a certain minimum income level.

Annex

LIST OF REPRESENTATIVES OF LIECHTENSTEIN NON-GOVERNMENTAL ORGANIZATIONS INVITED TO THE CONSULTATION MEETING

Amnesty International (Liechtenstein)
Association for an Open Church
Association for Intercultural Education ViB
Association for Stronger Direct Democratic Rights
Association of Women with a Good Constitution
Bureau for Sexual Matters and HIV Prevention
Business and Professional Women Club Rhine Valley BPW
Caritas
Colorida
Conference of Foreigners' Associations
Daycare Center Association
Disability Self-Help Group
Evangelic Church of Liechtenstein
FLay Liechtenstein
INFRA, Information and Contact Office for Women
Justicia et Pax
Liechtenstein Association of People with Disabilities LBV
Liechtenstein Chamber of Commerce and Industry LIHK
Liechtenstein Chamber of Trade and Commerce
Liechtenstein Development Service LED
Liechtenstein Employees Association LANV
Liechtenstein Institute
Liechtenstein Red Cross LRK
Liechtenstein Refugee Assistance
Liechtenstein Women's Home
Parent-Child Forum
Rapunzel Mothers' Center
Senior Citizens' Association
Soroptimist International Club Liechtenstein
Soroptimist International Club Vaduz
Therapeutic-Pedagogical Center HPZ
Turkish Women's Association
ZONTA Club
