

OSCE/ODIHR Submission of Information about an OSCE participating State or Partner for Co-operation under consideration in the Universal Periodic Review Process

Participating/Partner State: Liechtenstein

UPR Session and Date of Review: 29th Session (Jan-Feb 2018)

Background

Liechtenstein has been a participating State in the former Conference for Security and Co-operation in Europe (CSCE) and the present Organization for Security and Co-operation in Europe (OSCE) since 1973 and has thus undertaken and has recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE documents.¹ The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has been mandated by OSCE participating States, including Liechtenstein, to assist them in implementing their human dimension commitments.

ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE area.

The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Liechtenstein and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms in Liechtenstein.

Overview of this Submission

This submission contains information on ODIHR election related activities in Liechtenstein.

The authorities in Liechtenstein have provided information to ODIHR for its most recent (2015) annual report on *Hate Crimes: Incidents and Responses*. Extracts from this information are included below.

Election-related activities

Following an invitation from the authorities of the Principality of Liechtenstein to observe the 5 February 2017 parliamentary elections and in accordance with its mandate, ODIHR undertook a Needs Assessment Mission (NAM) from 29 November to 1 December 2016.

The OSCE/ODIHR NAM noted the confidence of all its interlocutors in the integrity of the electoral process and the professionalism and impartiality of the election administration. No significant concerns were expressed with regard to the respect for fundamental freedoms, transparency of the electoral process, candidate registration, and elections day proceedings. In addition, the authorities of Liechtenstein have given consideration to the findings of the previous ODIHR NAM report and introduced measures aimed at addressing some of the

¹ Compendium of OSCE Human Dimension Commitments, vol 1 and 2; Astana Commemorative Declaration, 2010.

concerns raised before, such as voting rights. However, some aspects of the electoral process, in particular political party and campaign finance, could still benefit from review. The full NAM report is available here: <http://www.osce.org/odihr/elections/liechtenstein/292261>

Based on this assessment, the ODIHR NAM did not recommend deploying any election-related activity for the 5 February 2017 parliamentary elections. ODIHR stands ready to assist Liechtenstein in any future electoral reform and encourages the authorities to consider issues of concern raised in this and previous reports, including campaign finance regulations.

Legislation reviewed by ODIHR

Upon request by authorities of a participating State, an OSCE field operation or an OSCE institution, ODIHR reviews draft or enacted legislation of OSCE participating States on topics relating to the human dimension of security for its conformity with OSCE commitments and other international standards. The legal reviews and opinions, often produced in co-operation with the Venice Commission of the Council of Europe, are available at www.legislationline.org.

Basic information about the constitutional system and legislation of Liechtenstein is available on www.legislationline.org.

No requests for legislative reviews have been received from Liechtenstein since 2013.

Tolerance and non-discrimination issues, including incidents of and responses to hate crime

OSCE participating States have made a number of commitments to promote tolerance and non-discrimination and specifically to combat hate crime, and ODIHR supports states in their implementation of those commitments. In this context, ODIHR reports at <http://hatecrime.osce.org/> to highlight the prevalence of hate crimes and good practices that participating States and civil society have adopted to tackle them. ODIHR's data on hate crime is launched online each year on 16 November, covering information from the past calendar year. ODIHR also helps participating States design and draft legislation that effectively addresses hate crimes; provides training that builds the capacity of participating States' criminal justice systems and the law-enforcement officials, prosecutors and judges that staff them; raises awareness of hate crimes among governmental officials, civil society and international organizations; and supports the efforts of civil society to monitor and report hate crimes.

Information concerning Liechtenstein in the most recent (2015) edition of the annual hate crimes reporting² includes the following:

- **Overview of officially reported data**

Liechtenstein has completed ODIHR's annual online questionnaire. Liechtenstein's Criminal Code contains a general penalty enhancement provision. Data are collected by the Crime

² Available at <http://hatecrime.osce.org/liechtenstein>.

Investigation Department of the Liechtenstein National Police and by the Liechtenstein Institute. Data are regularly published.³

The annual 2015 figures included 4 incidents recorded by police; data of prosecuted and sentenced cases are not available.

Liechtenstein's civil society has not provided any information on hate crimes.

The Holy See reported information on incidents to ODIHR

Bias against Christians and members of other religions

The Holy See reported the desecration of a church. The Liechtenstein authorities reported that the case was prosecuted as a hate crime.

Roma and Sinti issues

N/A

Country-specific ODIHR monitoring, assessment, co-operation and assistance activities (other than elections)

N/A

Other assessments and recommendations contained in ODIHR reports on thematic human issues

N/A

³ Available at <http://www.gewaltschutz.li/Downloads/RechteGewalt/tabid/74/Default.aspx>.