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## **Report of the Working Group on the Universal Periodic Review\***

**Liechtenstein**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of Liechtenstein was held at the 15th meeting on 30 January 2013. The delegation of Liechtenstein was headed by Aurelia Frick, Minister of Foreign Affairs. At its 17th meeting, held on 1 February 2013, the Working Group adopted the report on Liechtenstein.
2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Liechtenstein: Argentina, Côte d'Ivoire, and Malaysia.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to 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.6/15/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.6/15/LIE/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/LIE/3).
4. A list of questions prepared in advance by Iceland, Mexico, the Netherlands, Norway, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to Liechtenstein through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The Minister of Foreign Affairs of Liechtenstein stated that the commitment to the protection and promotion of human rights had for many years been a priority of Liechtenstein foreign policy and its involvement at the United Nations. The last five years had shown that UPR can provide real added value to the United Nations human rights system and was a valuable complement to the treaty body system. UPR had established itself as a key instrument for monitoring the global human rights situation. At the same time, it was an expression of universal commitment to the protection of human rights. Liechtenstein would like to call upon all Member States to engage constructively with the UPR process.
6. In some four years since the first UPR of Liechtenstein, improvements had been made in all areas of its governmental and administrative activities. The accepted UPR recommendations had either already been integrated into ongoing reform processes and existing measures, or separate processes had been launched for that purpose.
7. After its first UPR, Liechtenstein intensified exchanges with civil society. Liechtenstein had received the recommendation to include all stakeholders in the follow-up to UPR, and consequently, the Office for Foreign Affairs had organized discussion events

for Liechtenstein human rights NGOs in each of the last four years. The NGOs also had the opportunity to comment on the draft national report for the second UPR of Liechtenstein.

8. Liechtenstein had also improved its data situation relating to the protection of human rights and non-discrimination and, since 2010, the Government had issued an annual report on the situation of human rights in Liechtenstein.

9. The Minister emphasized that many of the developments of the past years could be understood only with reference to the integration of Liechtenstein into Europe: Liechtenstein was a small State that simultaneously belonged to two economic areas: the Customs and Currency Area of Switzerland and the European Economic Area (EEA). With the accession of Liechtenstein to the Schengen/Dublin area on 19 December 2011, a further integration step in Europe had been taken. That meant that for over a year Liechtenstein had belonged to the European area of freedom, security and justice.

10. Consequently, Liechtenstein had reviewed various national laws and aligned them to the European level. The Schengen/Dublin agreements offered individuals an extensive and unmatched degree of self-realization. That was true both for Liechtenstein citizens and for foreign citizens residing in Liechtenstein and entailed a more objective and improved human rights situation, be it in regard to asylum or migration in general. The new Asylum Act had entered into force on 1 June 2012. One major improvement was the inclusion of the explicit possibility of settling refugees recognized by the United Nations High Commissioner for Refugees in Liechtenstein.

11. About one third of the Liechtenstein resident population was composed of foreign citizens. Because of the many commuters from abroad, two thirds of the workforce were foreign nationals. The best possible promotion of the integration of the foreign population, the promotion of mutual understanding, and the fight against racism and xenophobia therefore had a very high priority for the Government. With regard to the fight against racism and xenophobia, Liechtenstein had in recent years reinforced efforts against right-wing extremism. Over the period 2010–2015, the Government had adopted a plan of measures for that purpose.

12. As for strengthening of the rights of accused persons and suspects in the Code of Criminal Procedure, the Minister reported that the revision of the Code of Criminal Procedure in 2011 provided new rules, particularly governing the right of access to documents, the right to translation assistance, the right to request measures of enquiry and the right to free choice of counsel with the possibility of contacting a lawyer during police investigations, among others. These improvements complemented the strengthening of victims' rights in recent years.

13. Regarding gender equality, women enjoyed equal rights under the law, but were still underrepresented in many areas. The challenge was to make de facto equality possible. An important area in that regard was equal opportunity in the labour market and a balanced representation of women and men in political bodies. Measures had also been taken against domestic violence, and the category of criminal offences that must be prosecuted ex officio had been expanded. The prevention of human trafficking had also been strengthened with a new prevention programme.

14. In the area of children and young people, the entry into force of the completely revised Children and Youth Act at the beginning of 2009 was a milestone. The new law creates two new independent institutions: the Children and Youth Advisory Council and the Ombuds Office for Children and Young People. Important improvements over the last four years were also achieved by expanding the protection of children from sexual abuse and other forms of sexual violence through a revision of the sexual criminal law in 2010, which was an important step for the domestic implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child

pornography. The Parliament of Liechtenstein approved ratification of the instrument in December 2012, and the instrument of ratification would be deposited in New York that very afternoon.

15. The Government was also planning a reform of family law. The focus of the reform was on the new rules governing custody of children of separated and divorced parents. Other elements of the planned reform included the elimination of the discriminatory term “illegitimate”, as well as a reform of the law of descent in order to strengthen the rights of the child and the rights of the biological father.

16. Because of demographic developments in Liechtenstein, policy in recent years had increasingly also focused on older persons, and the Government had defined the goals of its future old-age policy in 2007. According to the guidelines established, the structures to support caretaking relatives and people in need of care at home had been strengthened.

17. The 2007 Law on the Equality of Persons with Disabilities from the year 2007 constituted the most important legal foundation in the area of disabilities. The purpose of this law was to eliminate or prevent discrimination of people with disabilities. The Government had also drawn up a plan to improve the integration of people with disabilities into the labour process, which was due to be implemented as part of the administrative reform currently under way. The Parliament was expected to consider the Government’s proposal in the first half of 2013.

18. The new law on registered partnerships of same-sex couples had entered into force on 1 September 2011. Registered couples were now treated virtually equally to married couples. That had made an important contribution to overcoming the discrimination and social taboos regarding homosexuality.

19. The Minister emphasized that the country’s commitment was not limited to domestic issues. Despite its small size and the limited resources of its diplomatic service, it also makes a contribution internationally. It is especially active in the fields of women’s and children’s rights. Liechtenstein had also achieved special visibility through its many years of extremely active and successful work on behalf of the International Criminal Court. Liechtenstein promoted universal ratification of the Rome Statute and of the amendments agreed in Kampala. Solidarity with countries that were less wealthy was another important component of its foreign policy. With 0.6 per cent of gross national income (GNI) going to official development assistance (ODA) in 2010, Liechtenstein had nearly achieved the international target of 0.7 per cent.

## **B. Interactive dialogue and responses by the State under review**

20. During the interactive dialogue, 41 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

21. Chile noted the high level of protection of human rights, as well as the commitment of Liechtenstein to continue improving the promotion and protection of human rights through an active dialogue with the civil society. Chile valued legal and administrative changes being made by Liechtenstein for the strengthening of its institutional structures, in particular it referred to the creation of the Ombuds Office for Children and Young People, and the decision to establish the Office of Equal Opportunity in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Chile made recommendations.

22. China welcomed the adoption of measures to protect the rights of children and persons with disabilities, and to guarantee the right to employment and health. China further welcomed the efforts of Liechtenstein to combat racism. It noted that some women

did not enjoy equal participation in political and economic life, and that elderly women, women with disabilities and migrant women suffered discrimination in education, employment and health. China made a recommendation.

23. Costa Rica noted that Liechtenstein had been the first State to ratify the amendments to the Rome Statute on the crime of aggression. It congratulated Liechtenstein for its joint activities on human rights education and training with civil society in schools and with the police, as well as for the appointment of an Ombudsperson for Children and the Young People. Costa Rica made recommendations.

24. Cuba highlighted progress made in the area of equality and non-discrimination, administration of justice, participation in political life, right to education, work and health, as well as on the legal and structural framework for the protection of human rights. It also highlighted, *inter alia*, measures adopted to combat domestic violence, promote the participation of women in public life and promote equality of opportunities in the labour market. Cuba made a recommendation.

25. Ecuador noted progress in the area of equality of women, some economic, social and cultural rights, political rights, education, the rights of children and persons with disabilities. It was concerned about some practices of discrimination, racism, xenophobia and intolerance against persons of different ethnic and religious origins. Ecuador was also concerned about the persistent violence against women, in particular towards migrant women. Ecuador made recommendations.

26. France welcomed measures to improve the situation and rights of refugees, particularly the withdrawal of reservations to the Convention relating to the Status of Refugees. It asked about practical measures to combat violence against women, particularly domestic violence, and efforts to establish a national human rights institution in accordance with the Paris Principles. France drew attention to the lack of legislation prohibiting racial discrimination. France made recommendations.

27. Germany commended the efforts undertaken to achieve *de facto* equality between the genders and encouraged Liechtenstein to pursue these efforts, including by raising awareness to overturn the stereotypical roles. It noted the decision to create an independent body in accordance with the Paris Principles and asked when this body would commence work and how the provision of adequate resources and the effectiveness of its mandate would be ensured. It noted the planned reform to the Office of Equal Opportunity and asked how its independence, as well as its accessibility, would be safeguarded in the course of the reform. Germany also asked how far the process of ratification had advanced with regard to the Convention on the Rights of Persons with Disabilities and its optional protocol.

28. Guatemala recognized progress made in recent years, in particular the ratification of the 1954 Convention relating to the Status of Stateless Persons and the creation of the Ombuds Office for Children and Young People. It noted the concerns of the Committee on the Elimination of Discrimination against Women (CEDAW) about the *de facto* discrimination against some disadvantaged groups of women and the concerns of the Committee on the Elimination of Racial Discrimination (CERD) about the lack of protection of citizens of “third countries” who are not sufficiently protected against racial discrimination. Guatemala made a recommendation.

29. Hungary noted the ratification of the amendments to the Rome Statute and the creation of the Ombuds Office for Children and Young People. It also noted with satisfaction the several measures taken to combat racism, including the creation of the Office against Right-Wing Extremism. Hungary asked for more information about the work of the above-mentioned new institutions. It expressed concern that the constitutional principle of equality before the law applied only to citizens, whereas foreigners received protection through international treaties. Hungary made recommendations.

30. Indonesia welcomed the establishment of several institutions to promote human rights and encouraged Liechtenstein to step up its efforts in establishing a national human rights institution in accordance with the Paris Principles. It took note from the views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under its first review (A/HRC/10/77/Add.1) that Liechtenstein was in the process of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). It expressed concern about the de facto discrimination faced by certain disadvantaged groups of women, as well as the lack of legislation prohibiting racial discrimination. Indonesia made recommendations.

31. Kyrgyzstan noted that the promotion and protection of human rights were priorities in the domestic and foreign policy of Liechtenstein, as well as the progress achieved in the implementation of recommendations from the first UPR cycle. It commended the measures to strengthen the legal and institutional framework for protection against discrimination and racism. Kyrgyzstan made recommendations.

32. Libya noted significant progress in the promotion and protection of human rights. It welcomed the fact that Liechtenstein had lifted its reservations to the Convention on the Rights of the Child. It also welcomed the efforts taken to address violence against women and to promote gender equality. Libya made recommendations.

33. Malaysia welcomed the measures taken by Liechtenstein to implement the recommendations of the first UPR. It noted progress in the areas of gender equality, children's rights, the elderly and persons with disabilities, and measures to combat and prevent racism. Nonetheless, challenges remained with respect to racism, intolerance and xenophobia. Although measures had been taken to integrate persons from different ethnic and religious groups, Malaysia noted that Muslims continued to face a number of obstacles to practising their religion. Malaysia made recommendations.

34. Mexico highlighted progress made by Liechtenstein since its first review and recognized in particular, the attention paid to the fight against racism and intolerance, as well as the promotion of efforts for the protection and strengthening of the rights of women and children. It also commended the interest of Liechtenstein in favour of the protection of refugees and displaced persons. Mexico made recommendations.

35. Morocco noted preparations for the ratification of a range of human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) and the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD). The emphasis placed on the integration of foreigners and immigrants and strategies to integrate foreigners into a supportive environment of diversity and multilingualism were welcomed. It noted the various measures to combat racism through the establishment of a specialized unit to combat right-wing extremism and awareness-raising campaigns, among others. Morocco made a recommendation.

36. The Netherlands stated that, although the human rights situation in Liechtenstein was excellent, there were challenges, including gender discrimination. It took note of the integration of the Office of Equal Opportunity with the new Office for Social Affairs and Society and expressed the expectation that the institution would prioritize non-discrimination and gender equality. It stated that, in the employment sector, women held positions of lower responsibility than men. The Netherlands requested information on the impartiality of the judiciary. The Netherlands made recommendations.

37. Nicaragua applauded consultations with the civil society to address the human rights agenda. It further welcomed the ratification of new international human rights instruments and their incorporation in the normative framework, and the implementation of public policies to address recommendations made during its first review. Nicaragua highlighted

efforts to increase the equality index of women, to protect children and for the integration of foreigners. Nicaragua made a recommendation.

38. Norway noted the preparations by Liechtenstein for the ratification of important human rights conventions and its commitment to strengthen the rights of minorities, since the first cycle. It noted with encouragement the country's goal of attributing 0.7 per cent of its GNI to ODA. Norway requested to know how Liechtenstein addressed the underrepresentation of women in elected and appointed bodies and particular how it would secure the increase of parliamentary seats for women in the elections of February 2012. It noted that CERD and the Council of Europe had indicated that there was room for improvement in combating racism and ensuring the rights of minorities. Norway made recommendations.

39. The State of Palestine welcomed the efforts to implement the recommendations made during the 1st UPR. It commended Liechtenstein for numerous measures taken to promote gender equality. It observed the positive progress made in respect of discrimination against persons who were not citizens of Switzerland or the countries of the European Economic Area and encouraged Liechtenstein to ensure that foreigners were protected from racial discrimination, particularly with regard to residency status, freedom of movement, employment, education, health care and housing. The State of Palestine made recommendations.

40. Peru highlighted progress made by Liechtenstein since its first review, such as the ratification of the 1961 Convention on the Reduction of Statelessness, the 1954 Convention relating to the Status of Stateless Persons and the Hague Convention on the Protection of Children and Cooperation in respect of Intercountry Adoption, as well as the creation of the Ombuds Office for Children and Young People. Peru made recommendations.

41. The Philippines commended the achievements of Liechtenstein in the field of social and economic rights. It noted with satisfaction the recent reforms that had been introduced in the areas of gender equality, children's rights and vulnerable groups, including the elderly, persons with disabilities and foreign residents. It also noted efforts to combat racial discrimination and trafficking in persons. The Philippines made recommendations.

42. The Republic of Moldova noted that, despite progress, the realization of de facto equality between men and women remained a challenge, and stated that strengthening the Office of Equal Opportunity should ensure that priority be given to women's rights, non-discrimination and gender equality. It stated that a properly resourced Ombudsperson for children and young people would contribute to the protection of children's rights and the achievement of gender equality. It recognised the commitment of Liechtenstein to combating human trafficking. It made recommendations.

43. Slovakia commended the commitment of Liechtenstein to follow up the recommendations received in the first UPR cycle. It took positive note of the signing of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the appointment of the first Ombudsperson for children and young people. The regular financial and practical contributions of Liechtenstein to the work of the Office of the High Commissioner for Human Rights were noted. Slovakia made recommendations.

44. Slovenia commended Liechtenstein for its regulation on the applicability of international agreements in the country; for the ratification of 1961 and 1954 conventions on statelessness; for the ratification of both amendments to the Rome Statute; and for its contribution to development aid and OHCHR. It asked whether Liechtenstein intended to ratify the European Social Charter. Slovenia made recommendations.



45. Spain commended Liechtenstein for its efforts, in particular for its recent decision to establish an independent national human rights institution in accordance with the Paris Principles. Spain asked Liechtenstein to provide additional information on the process for creation of such institution. Spain made recommendations.

46. Sri Lanka noted the considerable attention paid to issues including the rights of the child, gender equality and the integration of foreigners. Particularly noteworthy were the establishment of the Ombuds Office for Children and Young People in 2009 and the establishment of the Children and Youth Advisory Council. Efforts to prevent trafficking in persons, even though Liechtenstein had not experienced the problem on its territory, were commended. Sri Lanka made recommendations.

47. Switzerland welcomed efforts by Liechtenstein to uphold the rule of law and its contribution to the International Criminal Court. It expressed appreciation that the two recommendations it had made during the first UPR cycle on adopting legislation to establish a civil partnership for same-sex couples and introducing the automatic prosecution of domestic violence had been implemented. Switzerland commended Liechtenstein for its plans to consider the legal framework for the voluntary termination of pregnancy. Switzerland made a recommendation.

48. Liechtenstein thanked all the delegations who spoke for their valuable contributions. On the establishment of a national human rights institution as well as the administrative reform, which was also addressed by the United Kingdom of Great Britain and Northern Ireland in an advance question, the Minister gave a brief overview of the existing institutions with a mandate to promote human rights.

49. The Corrections Commission was tasked with monitoring the treatment of convicts and prisoners on remand and at the same time serves as the national preventive mechanism (NPM) as set out in the Optional Protocol to the Convention against Torture. Likewise of note was the Office for the Equality of Persons with Disabilities, which had a broad mandate, including to prevent discrimination and marginalization for persons with disabilities in everyday life and facilitate integration to the greatest possible extent. The Government's Office of Equal Opportunity also played a special role and was active in the fields of gender equality, disability, social disadvantage and sexual orientation. The Office was part of the administration, but operated free of directives in certain fields of its activities. As to the question from Germany, the administrative reform did not affect the independence and the activities of the Office.

50. The most important innovation at the institutional level in the last four years had been the creation of an Ombuds Office for Children and Young People in 2009/2010. A similar body, namely the Senior Advisory Council, was created for the representation of the interests of older people in 2007.

51. In the framework of an overarching administrative reform, the Government had reconsidered the institutional architecture in the area of human rights protection and promotion and adopted a draft bill proposing to create an independent human rights body in accordance with the Paris Principles. However, questions were raised both concerning the added value of such an institution and the proposed design of the new body. The Government had then decided to postpone that part of the reform in order to be able to make a comprehensive examination of all the questions that had been raised.

52. On gender equality and women's rights and the respective subthemes like political participation of women, violence against women, the gender pay gap, stereotypes, etc., within the national administration, the Office of Equal Opportunity dealt with gender equality and other human rights and non-discrimination issues.

53. Equality of women and men in the workplace was an issue to which the Government attached very high importance. Over the past decades, the general trend had clearly been towards increasing employment of women and accordingly more similarities with the employment patterns of men. The Government was focusing its work on the promotion of the compatibility of family and work. For the future, day-care facilities for children would be further increased.

54. To the question from Iceland on extending the paid parental leave to fathers, the Minister responded that mothers had 20 weeks paid maternal leave after birth (during that time, they received 80 per cent of their normal income). Additionally, both mothers and fathers of children under 3 years were entitled to four months unpaid leave. This unpaid parental leave had been increased from three to four months only recently.

55. On the use of temporary special measures in all areas where women were underrepresented, in particular for appointed political bodies and decision-making processes, the Government had decided in 1997 that all appointed political bodies such as Government commissions, working groups, etc., should have equal representation of women and men and that at least one third of the members of each of these bodies would be women.

56. Regarding the question on the women's rights from the Netherlands and other States, the Senior Advisor to the Office of Equal Opportunity explained that, over the last few years, a set of measures had targeted the career guidance and vocational orientation of girls and young women and of boys and young men in order to inform girls and young women of the importance of a sound foundation of training and professional development, broaden the scope of their career choices, encourage both girls and boys to question traditional gender roles and raise the awareness of parents and teachers regarding equal opportunity in career choices.

57. On the wage gap between men and women, the Senior Advisor continued that it had declined from 19.5 per cent to 17.8 per cent since 2009. The gross monthly wage of women was 17.8 per cent lower than that of men in 2010. Since 2008, women's wages had risen while those of men had fallen. Wages were a particularly sensitive area in which various measures had been taken in 2012, including the wage inequality survey in the National Public Administration. The most important findings of the survey were: (a) the analysis of the wage data in the National Public Administration did not provide a direct indication of gender discrimination; and (b) it appears that equality in the National Public Administration had nearly been achieved for younger employees.

58. On the situation of the foreign population, the competent Liechtenstein authorities were in the process of examining all the recommendations of the Committee on the Elimination of Racial Discrimination, which examined the report of Liechtenstein in August 2012. The coexistence of the domestic and foreign population had been largely peaceful. In principle, citizens of third countries had access to the same quality education, health services and housing, labour rights and processes to naturalization. The special laws did not differentiate in that regard. Many individuals with non-Liechtenstein nationality have taken on high- and mid-level positions in the private sector and also within the national administration.

59. The Director of the Immigration and Passport Office furthermore explained the integration of foreigners and asylum procedures. Migration secured the prosperity of Liechtenstein through targeted immigration of qualified workers, promoted integration of those immigrants and granted protection to persecuted persons, according to the Geneva Convention relating to the Status of Refugees. In 2012, 623 residence permits were granted to foreign citizens for the purpose of employment, residence without employment, and family reunification. 74 people had requested asylum and 18 people had been granted

asylum. There were currently around 20 asylum seekers, and 17 temporary admitted persons. Residence permits could also be granted to victims and witnesses of crimes for the purpose of criminal proceedings or due to a serious case of personal hardships.

60. All foreigners belonging to a State with which Liechtenstein did not have a bilateral treaty on entry and stay were referred to as “citizens of third countries”. They include citizens of more than 60–70 different countries. Among foreigners in the total population of Liechtenstein, those citizens of third countries made up only about 20 per cent of them, i.e. a total of 2,527 persons, – 7 per cent of the total population of Liechtenstein.

61. As to Muslims as religious group, they made up 4 per cent of the population of Liechtenstein. These were mainly Turkish people, organized into two groups. In order to alleviate their situation, a Working Group had been established. Their needs were mainly religious education, cemetery, and places to worship. Religious education for Muslims at primary level was already in place and was given in German. Discussions were under way with regard to a central cemetery where Muslims could be buried according to their right. As to the places of worship, those two groups had such places, though they were not mosques.

62. On racism, the Minister indicated that, within the framework of follow-up work to the 2012 concluding observations of CERD (CERD/C/LIE/CO/4-6), the explicit prohibition of organizations promoting racial discrimination would also be examined.

63. The equality of all Liechtenstein citizens before the law was guaranteed by article 31, paragraph 1, of the Constitution. According to article 31, paragraph 3, the rights of foreigners were determined by international treaties, including their non-discrimination clauses, and by reciprocity. There was no explicit provision in the national system of laws, which prohibited discrimination of foreigners. However, Liechtenstein was a member of various international human rights treaties such as the European Convention on Human Rights (ECHR). According to case law of the Constitutional Court, ECHR had the same rank as the constitution in substantive terms. There was specific case law, where the constitutional court had confirmed that view and explicitly extended the equality before the law to foreigners.

64. On right-wing extremism, the Head of the Criminal Investigation Department of the National Police, who was also the Head of the Government’s Violence Protection Commission and Head of the Round Table on the Prevention of Human Trafficking, reported that the preventive efforts of the Government throughout the last few years had contributed to breaking social taboos on right-wing extremism fuelling racism and xenophobia. As a result, right-wing extremism and xenophobia attitudes were more frequently discussed in the national media and a critical debate on those issues was taking place. That progress had also been facilitated by the “no-tolerance” strategy of the criminal investigation and prosecution authorities.

65. Nevertheless, there was a group of about 35 individuals affiliated to right-wing ideology. According to the findings of the sociological study and its recommendations, the Government had adopted an action plan against right-wing extremism, which included a series of measures, ranging from an awareness-raising campaign in civil society to preventive measures like public events for various target groups, e.g. police officers, judges and youth workers, etc. Victims of right-wing violence had a right to be supported by the Victims Protection Office.

66. Thailand commended Liechtenstein on the inclusion of human rights promotion and protection as a key priority in its domestic and foreign policy. It welcomed its proactive legal and institutional framework to promote children’s rights and steps taken towards ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Convention on the Rights

of Persons with Disabilities and its Optional Protocol. It noted efforts to combat racism and racial discrimination and to support and assist victims of human trafficking. Thailand made recommendations.

67. Togo welcomed the ratification of international conventions and the creation of various commissions to address gender equality and violence and the issue of integration. It encouraged Liechtenstein to establish a national human rights institution in accordance with the Paris Principles. Togo noted efforts to improve the integration of immigrants and prevent racism and discrimination. It encouraged the enactment of a comprehensive law on discrimination. It welcomed measures to protect children, women, the elderly and persons with disabilities. Togo made a recommendation.

68. Tunisia noted the creation of the Ombuds Office for Children and Young People and plans to establish a national human rights institution in accordance with the Paris Principles. It also noted steps taken to combat racism in line with the recommendations of the first UPR cycle and CERD. It welcomed the commitment of Liechtenstein to achieve the 0.7 per cent ODA target as soon as possible. Tunisia made recommendations.

69. Turkey encouraged efforts to combat intolerance and xenophobia and welcomed the adoption of the plan of measures against right-wing extremism. However, it referred to reported instances of xenophobia and intolerance against ethnic and religious groups and concerns about an inadequate legal framework for the prevention of racial discrimination. Foreigners from “third countries” should receive information on the integration agreement in advance and protection against discrimination. Turkey made a recommendation.

70. The United Kingdom noted steps to strengthen the legal and institutional framework to combat racism and discrimination and encouraged the enactment of anti-discrimination legislation. It also encouraged the continued promotion of gender equality. It asked about further measures to prohibit torture and inhuman treatment. It suggested that independent bodies be tasked with investigating allegations of excessive use of force and violent treatment during apprehension of persons. It made recommendations.

71. The United States of America commended the commitment to the rule of law, democracy, freedom of expression and religious freedom, Holocaust education programmes and public commemoration ceremonies, the humane treatment of asylum seekers from Africa and the extension of the time limit given to asylum seekers to request a hearing. It recognized the high representation of women in politics, but noted the persistent gender pay gap. It also noted the low representation of minority groups in the Government and Parliament. It made recommendations.

72. Uruguay highlighted progress, including in areas relating to recommendations initially not accepted by Liechtenstein. It noted the ratification of various international human rights conventions and commended Liechtenstein for being the first State to have ratified the amendments to the Rome Statute on the crime of aggression. It further noted the creation of the Ombuds Office for Children and Young People, the entry into force of new legislation for the official registration of same-sex partnerships and Liechtenstein cooperation for development. Uruguay made recommendations.

73. Viet Nam appreciated the efforts of Liechtenstein in implementing the recommendations from the first UPR cycle and noted improvement in legislation, national institutions and infrastructure on human rights. It also noted the strong policy to combat racial discrimination, racism and right-wing extremism. It requested further details on how Liechtenstein had successfully maintained a comprehensive social security system despite current economic difficulties. It made recommendations.

74. Algeria was encouraged by the large number of measures taken to improve interreligious and intercultural understanding, as well as ongoing efforts to combat racism

and xenophobia. It hoped that current relations between the State and religious communities would lead to greater protection of the rights of all communities, but especially minorities. The law should expressly prohibit racial discrimination and organizations from inciting racial hatred. It also encouraged Liechtenstein to ratify the ICRMW. Algeria made recommendations.

75. Azerbaijan welcomed ratification of the two conventions relating to statelessness and legislative measures adopted to combat violence against children and women, promote gender equality and combat racism. It emphasized the importance of public awareness-raising initiatives in combating racism and asked whether the Government was considering enacting legislation to prohibit racial discrimination and organizations inciting racial hatred. Azerbaijan commended Liechtenstein on its excellent education system and educational opportunities. It made recommendations.

76. Belarus noted with satisfaction the establishment of the Ombudsperson for children and young people. It noted that, despite the standing invitation to special procedure mandate holders, no country visits had yet taken place. Belarus was concerned at reports of a lack of legislation prohibiting racial discrimination, excessive police force during detention and a lack of transparency during interrogations, and insufficient efforts to address discrimination against women, trafficking in women and gender equality. Belarus made recommendations.

77. Brazil noted steps to strengthen the legal and institutional framework to counter discrimination and racism and ensure the free movement of persons. However, it expressed concerns about gender equality and the detention of asylum seekers solely on the grounds of illegal entry, as well as their lack of access to legal aid. It requested to know whether further actions would be taken to promote the rights of the lesbian, gay, bisexual and transgender (LGBT) people. Brazil made recommendations.

78. Bulgaria commended Liechtenstein for its efforts to implement the recommendations of the first UPR cycle and to provide a high level of human rights protection. It particularly welcomed the creation of the Ombuds Office for Children and Young People. Bulgaria made a recommendation.

79. Lesotho welcomed continuing efforts by Liechtenstein to protect the rights of special groups of people such as persons with disabilities, women and children. It commended Liechtenstein on the substantive progress made towards achieving gender equality, not least through the enactment of the Gender Equality Act. Lesotho made recommendations.

80. The delegation of Liechtenstein explained developments in the ratification of various treaties. For the Convention on the Rights of Persons with Disabilities, the Government had appointed an inter-office working group to assess the need for preparation of its ratification. Its ratification was highly connected to the issue of the administrative reform. Once the administrative reform was complete, the plan was to give high priority to continuing its ratification. As for CPED, which Liechtenstein had signed in 2007, the intention of the Government was to first adapt the criminal law and then to submit it to Parliament for approval.

81. For International Labour Organization (ILO) conventions, their ratification required membership of ILO; however, Liechtenstein did not intend to join ILO in the near future. Liechtenstein attached great importance to social and economic rights and was transposing all relevant European Union legislation, including the high European Union labour standards, into its domestic law, and many of those labour standards went beyond the stipulations of the ILO conventions.

82. Liechtenstein considered the Council of Europe Convention on preventing and combating violence against women and domestic violence an important landmark in

fighting gender-based violence. Owing to the wide scope of this Convention, it would take some time to analyse whether national legislation had to be amended or national processes had to be established.

83. As for the European Social Charter, its ratification would imply significant adjustments of the domestic laws. Against the background of pending ratifications of other important international treaties, there was, for the time being, no clearly fixed timetable for its ratification.

84. Finally, the examination of the ICRMW as well as its existing practice had raised major concerns with regard to its legal application. This was why Liechtenstein had not ratified that Convention. As to reservations, since the last UPR, Liechtenstein had withdrawn several reservations to international human rights treaties. For the near future, the withdrawal of two reservations on family reunification was planned.

85. On the alignment of national legislation with all obligations under the Rome Statute, Liechtenstein had ratified the amendments on the crime of aggression, together with the amendment on article 8 adopted at the review conference in Kampala. The Kampala amendments would be incorporated as separate provisions in the Liechtenstein Criminal Code, and the Liechtenstein law on the cooperation with the International Criminal Court and other international courts would be amended accordingly.

86. The impartiality of the judiciary and the appointment of judges was fully guaranteed under the current system and was a fundamental principle of the legal order in Liechtenstein.

87. With regard to persons with disabilities, it was emphasized that when the Law on the Equality of Persons with Disabilities had been drafted and adopted in 2006, specific provisions concerning the protection against discrimination at the workplace had been included.

88. As to the question from Cuba about ODA, Liechtenstein had repeatedly underscored its commitment to achieving the international ODA target of 0.7 per cent as soon as possible.

89. On the question from Switzerland on abortion, there had been an initiative of some Parliamentarians, which commissioned the Government of Liechtenstein to make a proposal as regarded the situation of pregnant women.

90. On the issue of education, the delegation indicated that the Office of Education was aware of its important role in promoting human rights and tolerance and combating any other form of racial discrimination. Major reforms and initiatives had been taking place over the previous years, and there had been intensive political debates on educational matters. The Education Strategy had been published in 2011, and together with the integration concept, had proved a positive influence at the administrative level. By implementing a steering group on language issues and addressing the opportunities for learning languages of origin, Liechtenstein had been able to enforce and address the issues of migration and gender more on a higher policy level.

91. On human trafficking, Liechtenstein was now facing relatively new phenomenon, which was organized beggar groups from Eastern European countries, often of Roma origin. In a few cases, minors had been involved. They could be victims of human trafficking for labour exploitation. Liechtenstein had decided to learn more about victim-related projects in Austria and Switzerland and evaluate potential cooperation. Contacts had also been established with Romanian authorities present in Switzerland in that regard.

92. With regard to concerns raised by Belarus, the delegation indicated that Liechtenstein met high standards for investigating and prosecuting alleged cases of police

violence, and procedures were implemented to minimize the risk of police force in interrogation of detainees.

93. The Minister thanked all the delegations that had participated in UPR of Liechtenstein, indicating that their comments and recommendations would undoubtedly serve as valuable tools for development of its future human rights policies at home. She assured them that, in the coming weeks, the competent authorities would examine their recommendations in detail in order to make proposals to the Government on how to follow up concretely its UPR. She also gave assurances that Liechtenstein would continue to attach great importance to the promotion of human rights in the country.

## **II. Conclusions and/or recommendations\*\***

**94. The recommendations will be examined by Liechtenstein which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:**

**94.1. Ratify the Convention on the Rights of Persons with Disabilities (Hungary) (Togo) / Ratify the United Nations Convention on the Rights of Persons with Disabilities (Slovenia);**

**94.2. Ratify the United Nations Convention on the Rights of Persons with Disabilities by the next UPR review (United Kingdom of Great Britain and Northern Ireland);**

**94.3. Ratify the International Convention on the Rights of Persons with Disabilities and its Optional Protocol (OP-CRPD) (Costa Rica);**

**94.4. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) (Ecuador);**

**94.5. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Belarus);**

**94.6. Continue implementing actions to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Chile);**

**94.7. Ratify the Optional Protocol to the Convention on the Rights of the Child in order to better counter trafficking in children, child prostitution and child pornography (Libya);**

**94.8. Speed up the process of acceding to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Convention on the Rights of Persons with Disabilities (Azerbaijan);**

**94.9. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography as well as sign and ratify the Convention on the Rights of Persons with Disabilities (France);**

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\*\* Conclusions and recommendations have not been edited.

- 94.10. Ratify the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance; and incorporate in national legislation a distinct crime of torture in strict compliance with Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Tunisia);
- 94.11. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala); Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Belarus);
- 94.12. Continue to expedite means and ways to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Their Families (Indonesia);
- 94.13. Reconsider being party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);
- 94.14. Consider acceding to human rights conventions that it has yet to ratify, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and ILO Convention 189 (Philippines);
- 94.15. Consider seriously the possibility of becoming a State Party to the International Labour Organization (ILO) and initiate a legislative process towards the ratification of the eight fundamental ILO Conventions (Uruguay);
- 94.16. Ratify the ILO Conventions nos. 169 and 189 (Belarus);
- 94.17. Accede to the Agreement on the Privileges and Immunities of the International Criminal Court and incorporate it into its national law (France);
- 94.18. Consider ratifying the outstanding international human rights instruments and further update domestic laws to be in line with the articles of those treaties (Lesotho);
- 94.19. Fully align its national legislation with all obligations under the Rome Statute, including by incorporating provisions to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Netherlands) (Slovenia);
- 94.20. Fully harmonize its domestic legislation in accordance with all its obligations under the Rome Statute, including the obligation to judge genocide, crimes against humanity and war crimes, and do so effectively through its domestic laws (Costa Rica);
- 94.21. Enhance efforts to set up an independent body to protect and promote human rights (Algeria);
- 94.22. Continue to strengthen its human rights institutions and develop further measures to ensure the effective implementation of their mandate (Lesotho);
- 94.23. Establish a national human rights institution in accordance with the Paris Principles (Malaysia);
- 94.24. Establish a national human rights institution in accordance with the Paris Principles to monitor and promote human rights, including its mandate to receive and take actions on individual complaints (Kyrgyzstan);



- 94.25. Provide national human rights institutions with sufficient financial and human resources to carry out their mandate (Bulgaria);
- 94.26. Promptly create the independent national human rights institution in accordance with the Paris Principles and provide it with the necessary budget and resources (Spain);
- 94.27. Continue its efforts to materialize its decision to create an independent institution for the protection and the promotion of human rights, in accordance with the Paris Principles, and with a clear mandate and sufficient resources (Peru);
- 94.28. Establish a genuinely independent national human rights institution in accordance with the Paris Principles, and ensure that it has a mandate to receive and handle individual complaints, monitor the human rights situation, coordinate with thematic mechanisms and cooperate with the Government and other entities in the drafting, dissemination and enforcement of human rights legislation (Ecuador);
- 94.29. Establish a national human rights institution in conformity with the Paris Principles, with a mandate to receive and handle individual complaints, monitor the human rights situation, coordinate with the thematic mechanisms and collaborate with the Government and other entities in the drafting, dissemination and implementation of human rights legislation (Uruguay);
- 94.30. Establish a single independent human rights institution with a broad mandate, in line with the Paris Principles or another specialised body, to consider, issue opinions, and make recommendations on complaints submitted by women alleging violations of human rights (Republic of Moldova);
- 94.31. Organise visits of the Special Rapporteur on contemporary forms of racism, the Special Rapporteur on torture, Special Rapporteur on human rights of migrants, Special Rapporteur on trafficking in human beings to the country (Belarus);
- 94.32. Exert efforts to fight discrimination in all its forms and types (Libya);
- 94.33. Ensure the constitutional guarantees of equality before the law (Hungary);
- 94.34. Develop a comprehensive anti-discrimination legislation and adopt a comprehensive policy to ensure effective implementation of the principles of equality and non-discrimination in respect of all (Kyrgyzstan);
- 94.35. Continue to strengthen its programs to enhance tolerance and multiculturalism, with an aim to eliminate negative perceptions that could lead to discrimination or violence, particularly for women and children (Philippines);
- 94.36. Take strong legislative and administrative measures to effectively protect women's rights (China);
- 94.37. Develop a comprehensive strategy to eliminate discriminatory gender stereotypes (Republic of Moldova);
- 94.38. Develop a comprehensive strategy to eliminate gender stereotypes and promote gender equality (Brazil);
- 94.39. Continue pursuing appropriate, efficient policies, including awareness-raising campaigns, to eliminate discriminatory gender stereotypes (Slovakia);

- 94.40. Continue their efforts to increase the representation of women in decision-making positions (State of Palestine);
- 94.41. Continue efforts of outreach to women and girls on opportunities in traditionally male occupations and trades (United States of America);
- 94.42. Continue its efforts to improve the representation of women in politics and also to ensure the best possible equality in the labour market (Libya);
- 94.43. Further strengthen its efforts to combat gender discrimination, especially in the labour market (Netherlands);
- 94.44. Continue promoting opportunities for women and men in the labour market (Kyrgyzstan);
- 94.45. Develop a strategy to even out the inequality in wages between men and women (Norway);
- 94.46. Further analyse the causes of the significantly lower wages women earn and continue to implement strategies to address the issue (United States of America);
- 94.47. Continue to address gender inequality in the work place, and in particular, occupational segregation and the gender wage gap (Sri Lanka);
- 94.48. Continue with its efforts to achieve a real equality between men and women, in particular in the area of labour conditions and remuneration (Peru);
- 94.49. Continue paying closer attention to the gender and diversity programmes at education institutions (Azerbaijan);
- 94.50. Continue its measures concerning the fight against the de-facto discrimination faced by certain disadvantaged groups of women, especially older women, women with disabilities and migrant women (Azerbaijan);
- 94.51. Enact specific legislation that prohibits and punishes racial discrimination (Mexico);
- 94.52. Consider enacting legislation prohibiting racial discrimination (Indonesia);
- 94.53. Consider enacting specific legislation to prohibit racial discrimination (State of Palestine);
- 94.54. Enact comprehensive anti-discrimination legislation with specific legislation prohibiting racial discrimination (United Kingdom of Great Britain and Northern Ireland);
- 94.55. Enact the relevant legislation to eradicate and ban xenophobia and racial discrimination in all spheres including education, employment and housing (Turkey);
- 94.56. Expressly prohibit in legislation racial discrimination and organisations inciting racial discrimination; ensure that foreigners from third countries are protected from racial discrimination; and encourage high-ranking State officials and politicians to take a clear position against racism and xenophobia (Tunisia);
- 94.57. Strengthen measures to combat racial discrimination, xenophobia and other forms of intolerance, in all aspects of society, including through targeted legislative measures (Sri Lanka);

- 94.58. Continue strengthening the legal and administrative measures to fight against various forms of discrimination and xenophobia (Chile);
- 94.59. In line with the recommendation of the Committee on the Elimination of Racial Discrimination, continue strengthening its efforts to limit manifestations of racism and xenophobia (Spain);
- 94.60. Adopt a national legislation in order to implement the recommendation of the CERD regarding the absence of penal norm explicitly prohibiting racial discrimination (France);
- 94.61. Consolidate her achievements in strengthening the legal framework, ensuring social welfare, and combating racial discrimination, racism and extremism (Viet Nam);
- 94.62. Ensure the effective implementation of the national action plan against racism and take more resolute measures to prevent, combat and monitor any manifestations of intolerance and xenophobia (Malaysia);
- 94.63. Take further steps to improve the integration of persons belonging to different minority groups and adopt a comprehensive policy to ensure effective implementation of the principles of equality and non-discrimination (Norway);
- 94.64. Further examine methods to promote greater representation of members of minority groups in the government and parliament (United States of America);
- 94.65. Enforce the principle of equality before the law with regard to immigrants living in Liechtenstein on the same footing as to its citizens (Slovakia);
- 94.66. Continue its commendable efforts to promote understanding between nationals and foreign residents, as well as its efforts in the area of education in ethnic and religious tolerance (Morocco);
- 94.67. Take further steps to improve the integration into society of persons belonging to different ethnic and religious groups, including Muslims (Malaysia);
- 94.68. Take further steps to prevent all forms of discrimination against persons belonging to other ethnic or religious origins including migrant workers and their children (Thailand);
- 94.69. Continue to study how it could further improve the integration of migrants in its society, with a view to providing them with equal access to all basic social services and just conditions of work (Philippines);
- 94.70. Take the necessary measures to raise awareness among the population against homophobia, and in general, in favour of the non-discrimination on the basis of sexual orientation, undertaking global public awareness campaigns (Spain);
- 94.71. Continue to work on reducing violence against women in all spheres, keeping in mind the recommendations made on this subject in the context of its second UPR (Nicaragua);
- 94.72. Scale up efforts in the fight against all types of gender-based violence and adopt continuous and permanent education and awareness-raising policies in this area (Spain);

- 94.73. **Enhance the efforts against trafficking in persons and strengthen programmes that provide assistance and aid to its victims (Libya);**
- 94.74. **Establish mechanisms for the identification of victims of trafficking and their protection (Slovakia);**
- 94.75. **Consider establishing more mechanisms for the identification of victims of trafficking (State of Palestine);**
- 94.76. **Adopt measures aimed at the identification of victims of human trafficking and provide them with the protection and rehabilitation (Belarus);**
- 94.77. **Establish mechanisms for the identification of victims of trafficking as well as referral mechanisms and provide temporary residence permits, protection and support to all victims of trafficking (Republic of Moldova);**
- 94.78. **Set up temporary shelters to ensure safety for victims of trafficking and provide medical care, rehabilitation, return and reintegration programme (Thailand);**
- 94.79. **Alleviate barriers pertaining to the process of applying for family reunifications (Slovakia);**
- 94.80. **Pursue discussions on the legal framework for the voluntary termination of pregnancy and consider, in this framework, amending its criminal code to provide for voluntary termination of pregnancy (Switzerland);**
- 94.81. **Adapt its asylum system to the evolving international protection needs (Mexico);**
- 94.82. **Reduce the permissible length of administrative detention of asylum seekers, especially children (Brazil);**
- 94.83. **Continue its action in the area of official development aid (Algeria) / Pursue its engagement to the official development aid (Viet Nam);**
- 94.84. **Continue to take the necessary measures in the area of Official Development Assistance (ODA) to meet its voluntary commitments undertaken in this field (Cuba);**
- 94.85. **Guarantee cooperation and responsiveness of financial institutions with regard to requests to recover illegally procured funds stemming from other states (Tunisia)**
95. **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

*[English only]*

### **Composition of the delegation**

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

- Mr. Martin Frick Ambassador, Director of the Office for Foreign Affairs;
  - Mr. Norbert Frick Ambassador, Permanent Representative of the Principality of Liechtenstein to the United Nations Office in Geneva;
  - Mr. Peter Matt Counsellor, Deputy Permanent Representative of the Principality of Liechtenstein to the United Nations Office in Geneva;
  - Mr. Hans Peter Walch, Director of the Immigration and Passport Office;
  - Mr. Jules Hoch, Head of the Criminal Investigation Department of the National Police;
  - Ms. Bernadette Kubik-Risch, Senior Advisor to the Office of Equal Opportunity;
  - Ms. Eva Maria Schädler, Office of Education;
  - Ms. Christine Lingg Counsellor, Office for Foreign Affairs.
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