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U.S. Department of State

Liechtenstein Country Report on Human Rights Practices for 1996

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1997.

LIECHTENSTEIN

The Principality of Liechtenstein is a constitutional monarchy and parliamentary democracy. The reigning Prince is the Head of State; all legislation enacted by the popularly elected Parliament (Landtag) must have his concurrence. The Landtag elects and the Prince appoints the members of the Government and of the functionally independent judiciary.

The Interior Ministry effectively oversees the regular and auxiliary police forces. There is no standing military force.

Despite its small size and limited natural resources, Liechtenstein has developed during recent decades from an agrarian society into a prosperous, highly industrialized, free-enterprise economy with a vital service sector. It participates in a customs union with Switzerland and uses the Swiss franc as its national currency. As a result of complex negotiations held with member states of the European economic area and Switzerland and a national referendum held in 1995, Liechtenstein is also a member of the European Economic Area. Citizens enjoy a very high standard of living. Unemployment was only 1.1 percent in 1996.

The Government fully respects the human rights of its citizens provided for in the Constitution, and the law and judiciary provide effective means of dealing with instances of individual abuse. Existing societal discrimination against women is being eliminated in accordance with government policy.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and cruel punishment, and there were no reports of the use of such methods.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The law provides for freedom from arbitrary arrest and detention, and the authorities honor these provisions. Within 24 hours of arrest, the police must bring suspects before an examining magistrate, who must either press formal charges or order release. The law grants suspects the right to legal counsel of their own choosing, at no cost if they are indigent. Release on personal recognizance or bail is granted unless the examining magistrate has reason to believe the suspects are a danger to society or will not appear for trial.

There is no provision for exile, and it does not occur.

e. Denial of Fair Public Trial

The judiciary is independent of the executive and legislative branches. It has three tiers: lower court, high court, and Supreme Court. In addition, an Administrative Court hears appeals against government decisions. Also, the State Court protects the rights accorded by the Constitution, decides on conflicts of jurisdiction between the law courts and the administrative authorities, and acts as a disciplinary court for members of the Government.

The Constitution provides for public trials and judicial appeal, and the authorities respect these provisions.

The Constitution authorizes the Prince to alter criminal sentences or pardon offenders. However, if the offender is a member of the Government and is sentenced for a crime in connection with official duties, the Prince can take such action only if the Landtag requests it.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for personal liberty and for inviolability of the home, of postal correspondence, and of telephone conversations. No violations were reported. Police need a judicial warrant to search private property.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

An independent press, an effective judiciary, and a democratic political system combine to ensure freedom of speech and the press. Two daily newspapers are published, each representing the interests of one of the two major political parties, as is one weekly news magazine. There is a state-owned television station and a private radio station, but residents freely receive radio and television broadcasts from abroad.

An information bulletin is also issued by the third party ("Freie Liste") represented in Parliament.

The Government respects academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the authorities do not interfere with these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government does not hamper the teaching or practice of any faith. The finances of the Roman Catholic Church are integrated directly into the budgets of the national and local governments. Roman Catholic or Protestant religious education is compulsory in all schools, but the authorities routinely grant exemptions for children whose parents so request.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens have unrestricted freedom to travel in or outside the country, to emigrate, and to return.

The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government provides first asylum, but the country's lack of an airport or international train station means it receives few requests. Those entering to cross the Austrian border without permission are sent to Austrian authorities in accordance with a bilateral agreement. Those entering from a third country through Switzerland are dealt with on a case-by-case basis. A solution is sought which would avoid forcing people to return to a country where they would be subject to persecution on political, religious, or racial grounds.

There were 10 new asylum cases in 1996. The 18 Tibetans who entered in 1993 have not been granted asylum, but the Government has decided for the time being not to force them to return. Of the 295 refugees from the former Yugoslavia who were given permission to stay until April, 234 are still in country. Of this total, 39 will be allowed to stay until March 31, 1997, 148 will be allowed to stay until July 31, 1997, and 47 cases were still pending at year's end. Of the additional 40 refugees from the former Yugoslavia admitted in 1995, only 12 remain.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The monarchy is hereditary in the male line. The 25-member unicameral legislature is elected every 4 years. Suffrage is universal for adults over age 20, and balloting is secret. A two-party coalition has formed the Government since 1938. Other parties operate freely; one nongovernmental party is currently

in Parliament: the Freie Liste. The Government regularly puts initiatives and referendums to popular vote.

Since women gained the right to vote in 1984, a growing number are active in politics. Two women are Members of Parliament, and two--one the Foreign Minister--are among the five members of the Cabinet. Women serve on the executive committees in the major parties.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The sole local human rights organization, Justitia Et Pax, is an informal group of about 10 persons who monitor prison conditions and assist foreign workers with immigration matters.

No requests were received from any source for investigation of human rights violations.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination on the basis of race, language, or social status, and the authorities respect these provisions.

Women

The law prohibits all forms of domestic violence, and the Government vigorously prosecutes those who violate the law. The local shelter provided refuge for 27 abused women in 1996, only 3 of whom were Liechtenstein citizens.

Societal discrimination still limits opportunities for women in fields traditionally dominated by men. In accordance with a 1992 constitutional amendment mandating equality for women, Parliament has amended a significant number of statutes to ensure equality of treatment, including the citizenship law, the employment law, the law on labor conditions, and the tax law.

Children

The Government supports programs to protect the rights of children and matches contributions made to the four nongovernmental organizations monitoring children's rights. There is no societal pattern of abuse against children. The U.N. Convention on the Rights of the Child came into force in January. On October 30, the Parliament ratified the European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children. At the same time, it also ratified the European Convention on the Legal Status of Children Born out of Wedlock.

People with Disabilities

Although the law does not expressly prohibit discrimination against people with disabilities, complaints of such discrimination may be pursued in the courts.

The Government has required that buildings and government services be made accessible for people with disabilities.

Section 6 Worker Rights

a. The Right of Association

All workers, including foreigners, are free to associate, join unions of their choice, and select their own union representatives. The sole trade union represents 13 percent of the work force, but it looks after the interests of nonmembers as well. It is a member of the World Confederation of Labor but is represented on an ad hoc basis by a Swiss union.

Workers have the right to strike except in certain essential services. No strikes are known to have taken place in the last 26 years. The law does not provide specific protection for strikers. Employers may dismiss employees for refusal to work; such dismissals may be contested.

b. The Right to Organize and Bargain Collectively

The law provides for the right of workers to organize and bargain collectively. However, collective bargaining agreements are generally adapted from ones negotiated by Swiss employers and unions.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and there were no reports of violations.

d. Minimum Age for Employment of Children

The law generally prohibits employment of children under 16 years of age; however, exceptions may be made, under certain circumstances, for some employment of youths older than age 13 and for those leaving school after age 14.

e. Acceptable Conditions of Work

There is no national minimum wage, but even the lowest actual wages afford a decent living for workers and their families. The law sets the maximum workweek at 45 hours for white-collar workers and employees of industrial firms and sales personnel, and 50 hours for all other workers. The actual workweek is usually 40 to 43 hours. With few exceptions, Sunday work is not allowed. Workers over age 20 receive at least 4 weeks of vacation; younger ones, at least 5 weeks.

The law sets occupational health and safety standards, and the Department for Worker Safety of the Office of the National Economy effectively enforces these provisions.

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