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## U.S. Department of State

### Liechtenstein Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

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#### 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. Liechtenstein is a member of the European Economic Area (EEA). Citizens enjoy a very high standard of living. Unemployment was only 1.4 percent in 1997.

The Government respects the human rights of its citizens provided for in the Constitution, and the law and judiciary provide effective means of dealing with individual instances of abuse. The Government is working to eliminate societal discrimination against women.

#### 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 file 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 Constitution provides for an independent judiciary. The judicial system 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 Parliament 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, postal correspondence, and 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 neighboring countries. 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 United Nations 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 an international train station means that it receives few requests (only one was received in 1996-97, which was rejected). 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 new asylum law is in preparation.

The Government has not granted asylum to the 18 Tibetans who entered the country in 1993 but has decided for the time being not to force them to return. A total of 158 refugees from the former Yugoslavia are still in the country. Two stateless persons of unknown origin are still in the country as well, but their status has not yet been determined.

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

Citizens have this right; Liechtenstein is a constitutional monarchy and a parliamentary democracy. 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, but after the parliamentary elections in February, one of the coalition parties (Fortschrittliche Buergerpartei) decided to join the third party (the "Freie Liste") in opposition in

Parliament. The "Vaterlaendische union" is now the only party in power, and occupies all five cabinet positions. Other parties operate freely. Citizens regularly vote on initiatives and referenda.

Since women gained the right to vote, a growing number have been active in politics. One woman, the Foreign Minister, is among the five members of the Cabinet, and one is a member of Parliament. Women serve on the executive committees of 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. According to police statistics, bodily injuries were inflicted on four women by their partners in the first half of 1997. Liechtenstein operates one shelter, which provided refuge for 15 abused women in the first half of 1997, only 6 of whom were citizens.

In September the government Bureau for the Promotion of Equal Rights for Women and Men started an antiviolence campaign, focusing especially on public violence, such as sexual harassment in the workplace, as well as on violence in relationships. This campaign fostered widespread public awareness. In 1997 the Government supported the women's shelter with over \$350,000 (250,000 SwF).

Societal discrimination still limits opportunities for women in fields traditionally dominated by men. On the aggregate level, men earn more than women. It is, however, unclear if this fact represents overt discrimination. In accordance with a 1992 constitutional amendment mandating equality for women, Parliament has amended a significant number of laws to ensure equality of treatment. Among other things, Parliament has revised the citizenship law, the employment law, the law on labor conditions, the tax law, and is currently overhauling the matrimony law. The process of amending laws to ensure equality of treatment is almost complete. In addition, a law for equal rights for women and men in the labor market is in preparation.

There are three active women's rights groups. Their chief concerns are public affairs, information, legal counseling, lobbying, and other political activities for women's rights.

##### **Children**

The Government demonstrates its strong commitment to children's rights and welfare through its well-funded systems of public education and medical care. The Government provides compulsory, free, and universal primary school education for children of both sexes up to the age of 16. No sectors or groups are excluded.

The Government supports programs to protect the rights of children and matches contributions made to the four nongovernmental organizations monitoring children's rights. A children-and-youth service belonging to the Office for Social Services oversees the implementation of government-supported programs for children.

There is no pattern of societal abuse against children.

### 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. Amendments to the law on insurance for the disabled, which is intended to improve the economic situation of disabled persons, came into force in January.

The Government requires 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. Due to the country's small size and population, only one trade union operates, representing about 13 percent of the work force. The trade union, however, 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 27 years. The law does not provide specific protection for those who strike. Employers may dismiss employees for refusal to work; such dismissals may be contested. In 1997 the Government incorporated European Economic Area guidelines into labor law legislation that came into force in the spring. These guidelines require that, among other things, employers enter into consultations in cases of projected mass dismissals, and submit employment contracts in written form.

### 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. Except by implication, the law does not specifically forbid forced and bonded labor by children, but such practices are not known to occur.

### d. Status of Child Labor Practices and Minimum Age for Employment

The Government does not specifically prohibit forced and bonded labor by children, but such practices

are not known to occur (see Section 6.c.). 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. Children over age 13 may be employed in light duties for not more than 9 hours a week during the school year and 15 hours at other times.

Inspections are adequate. No employers have been fined or imprisoned for violations of the law. The Government devotes adequate resources and oversight to child labor policies. The observance of the law is effectively supervised by the Department for Worker Safety of the Office of the National Economy.

#### 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. The law provides for a hearing in cases in which workers remove themselves from dangerous situations.

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