



## Liechtenstein

### Country Reports on Human Rights Practices - [2002](#)

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The Principality of Liechtenstein is a constitutional monarchy and a parliamentary democracy. Prince Hans-Adam II is the head of state; all legislation enacted by the popularly elected Parliament (Landtag) must have his concurrence. The Parliament elects and the Prince appoints the members of the Government. The judiciary is independent.

The Interior Ministry maintained effective control of the regular and auxiliary police forces, which were responsible for internal and external security. There was no standing military force. There were no reports that security forces committed human rights abuses.

The country has a prosperous, highly industrialized, free-enterprise economy with a vital services sector. It participates in a customs union with Switzerland and uses the Swiss franc as its national currency. As a member of the European Economic Area (EEA), its 32,883 citizens enjoy a very high standard of living. The gross domestic product (GDP) in 2001 was approximately \$1.8 billion. There were no serious economic disparities. Unemployment remained low at 1.2 to 1.4 percent.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse. There were instances of violence against women. The Government continued to work to eliminate societal discrimination against women. Liechtenstein was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

#### RESPECT FOR HUMAN RIGHTS

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

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

###### b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices, and there were no reports that government officials employed them.

Prison conditions generally met international standards. Men and women were held separately. Facilities were available to hold juvenile prisoners separately from adults in a pretrial detention facility, but there were no cases of juvenile imprisonment during the year. If a juvenile offender were to be convicted of a crime requiring imprisonment, the prisoner also could be transferred to a youth facility in Austria. Pretrial detainees were held separately from convicted criminals.

The Government permitted visits by independent human rights monitors. A Representative of Justitia et Pax visited

prisoners twice a month; however, the CPT did not conduct visits during the year.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions. 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 and counsel was provided at government expense to indigent persons. Release on personal recognizance or bail is permitted unless the examining magistrate has reason to believe that the suspects are a danger to society or would not appear for trial.

Neither the law nor the Constitution prohibits forced exile, but the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judicial system has three tiers: lower court; high court; and Supreme Court. The court of first instance is the National Court. In addition, an Administrative Court hears appeals against government decisions. The State Court protects the rights accorded by the Constitution, decides 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 the right to a fair public trial, and an independent judiciary generally enforced this right. Citizens had the right to counsel and the right to appeal, ultimately to the Highest Court (Oberstes Gericht). Trials involving minor offenses were heard by a single judge, more serious or complex cases by a panel of judges, and the most serious cases, including murder, by a public jury.

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 may 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 prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press, an effective judiciary, and a democratic political system worked together to ensure freedom of speech and of the press. The law maintains and promotes diversity in the media; in 2001 the Parliament appointed an independent media commission to decide how to distribute approximately \$600,000 (954,000 Swiss francs) in government subsidies to the media groups for training or research programs dedicated to the promotion of news and information.

Two daily newspapers were published, each representing the interests of one of the two major political parties. There was one weekly newsmagazine. One state and one private television station broadcast, along with a private radio station, and residents received radio and television broadcasts from neighboring countries. An information bulletin also was issued by the third party (Freie Liste) represented in Parliament.

There were no restrictions on access to the Internet.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

The Constitution establishes the Roman Catholic Church as the official state church, and its finances are integrated directly into the budgets of the national and local governments. Under a 1998 interim regulation, state contributions to the Catholic Church temporarily had been paid into a blocked special account to be released when a new agreement was found. The 1998 regulation expired January 1 before a consensus had been reached. The Church thus again is entitled to the State's annual contributions of \$207,000 (300,000 Swiss francs) under the terms of a 1987 law. The State's financial contributions for 1999, 2000, and 2001 were paid to the Church. The Government continued to seek a wide consensus on this issue during the year.

Roman Catholic or Protestant religious education was compulsory in all schools, but the authorities routinely granted exemptions for children whose parents request them. Secondary school students were allowed to choose between religious or cultural courses of study as an interim solution.

For a more detailed discussion see the 2002 International Religious Freedom Report.

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

The Constitution provides for these rights and the Government generally respected them in practice.

In 2000 voters approved a referendum that changed naturalization requirements to facilitate the naturalization of long-term residents, but it required that applicants relinquish their citizenship in other countries. In 2001 627 immigrants were granted citizenship, compared with 368 in 2000.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government provided first asylum; however, since the country lacks an airport or international train station, it received few requests. Although the number of asylum requests increased following passage of the 1998 asylum law, asylum requests during the year dropped to 91.

There were no reports of arbitrary arrests of asylum seekers or foreigners.

A trilateral readmission agreement with Switzerland and Austria came into effect in January 2001. The Government returns persons who enter from Austria or Switzerland without permission to the respective Swiss or Austrian authorities.

There were no reports of the forced return of persons to a country where they feared persecution.

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

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections.

The country 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 was universal for adults over age 18, and balloting was secret. Political parties operated freely. Citizens regularly voted on initiatives and referendums.

A constitutional reform bill to increase the executive powers of the monarch failed to pass during the year. As a consequence, the Prince decided to put his constitutional proposals to a popular vote that is scheduled for March 16, 2003. The Prince pledged to abdicate to Austria if citizens do not approve his plan.

There were 3 women in the 25-seat Parliament, and 1 in the Cabinet, the Minister for Education, Transport and Communication, and Justice, who has served since February 2001. A growing number of women were active in

politics. Women served on the executive committees of the major parties.

In 2001 the Government took several steps to promote greater participation by women in politics. Prior to the February 2001 parliamentary elections, the Government conducted two billboard campaigns to promote female candidates, one encouraging women to run for office, and another calling on voters to support female candidates. In addition, the Government organized a series of workshops for female parliamentary candidates.

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

A few domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

The sole domestic local human rights organization, Justitia et Pax, is an informal group of approximately 10 members who monitor prison conditions and assist foreign workers with immigration matters. There were also three domestic nongovernmental organizations (NGOs) focusing on women's issues.

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

The law prohibits discrimination on the basis of race, sex, language, or social status, and the authorities generally enforced these provisions. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, ethnic group, or state.

#### Women

The law prohibits all forms of domestic violence, and the Government generally enforces the law. According to the police, there were 12 reported cases of violence against women during the year, of which 8 male aggressors were prevented from reentering the family home for 10 days, and 4 for a further period of 3 months. The Protection from Domestic Violence law entered into force in February 2001. The State may file charges without a complaint from the victim. Frauenhaus stated that one out of five women was a victim of domestic violence.

A women's shelter provided refuge for 27 women and 39 children during the year. The shelter provides refuge for noncitizens as well. Annual government financing for the shelter was approximately \$165,000 (240,000 Swiss francs). NGOs believed that, as in neighboring countries, trafficking in women occurred; however, no specific cases were documented during the year (see Section 6.f.).

Societal discrimination continued to limit opportunities for women in fields traditionally dominated by men. Men earned more than women and women generally did not receive equal pay for equal work. The Constitution provides for women's rights, and includes a significant number of laws to provide for equality of treatment among men and women to eliminate discrimination and sexual harassment and to create conditions that allow both men and women to combine work and family. A new law entered into force in January 2001 that mandates the division of retirement benefit claims in the case of divorce, under which the benefit claims accrued during the time of marriage are split between the parties, whether they worked outside the home or not. No case of gender discrimination had been brought to court by year's end.

Each Spring the Government adopts an action plan to promote equal opportunity for both women and men, and each Autumn the Government's Bureau for the Promotion of Equal Rights for Women and Men publishes a progress report. The 2002 action plan concentrated on women and politics, family and income, and violence against women. These themes were discussed during the second Women's Congress of Liechtenstein that began in October. The Government also started a project with both Swiss and Austrian neighboring regions to promote prevention and assistance to victims of domestic violence. The joint project is scheduled to end in March 2004.

In 1999 the Government signed the optional protocol to the U.N. Convention on the Elimination of All Discrimination Against Women. The protocol took effect on January 24.

Three women's rights groups were active. Frauenhaus Liechtenstein, Fruehstueckstreffen fuer Frauen, and Infra (Informations-und Kontaktstelle fuer Frauen) worked in areas of public affairs, information, legal counseling, lobbying, and other political activities (see Section 4).

## Children

The Government was strongly committed to children's rights and welfare and funded a system of public education and health care. The Government provided compulsory, free, and universal primary school education for children of both sexes for 9 years, normally until the age of 16. It provided free health care for children under the age of 16.

The Government supported programs to protect the rights of children and matched contributions made to the three NGOs that monitor children's rights. The Office for Social Services oversaw the implementation of government-supported programs for children and youth.

Possession of child pornographic material is a statutory offense. The Government also extended the statute of limitation for sexual offenses against children. A special police unit on computer crime continued to monitor child pornography on the Internet; however, no investigations were opened during the year. In September Liechtenstein experts supported Swiss authorities in Genesis, an operation that worked to eliminate a network of pedophilia in Switzerland and Europe.

During the year, two persons were convicted of child abuse in cases concerning sexual acts between minors (children under 14) and young adults (persons of 18 years).

In 2000 the Government established a Commission for the Coordination of Professionals in Cases of Sexual Offenses Against Children. The group consists of experts from different backgrounds and focuses on assisting professionals (counselors, therapists, and physicians) who deal with sexual offences against children. There was no societal pattern of abuse against children.

## Persons with Disabilities

Although the law does not prohibit discrimination against persons with disabilities, complaints of such discrimination may be pursued in the courts. The law provides for compensatory payments by the Government to companies that employ persons with disabilities. The law increased opportunities for their integration into the workforce and promoted their right to be self-dependent. Persons with disabilities were not subject to discrimination in the provision of state services nor was there societal discrimination against them.

The Government requires that buildings and government services be made accessible, and new public buildings generally met these provisions; however, some older buildings had not fulfilled these requirements.

## National/Racial/Ethnic Minorities

Rightwing extremists, known as skinheads, were not publicly active during the year. On October 1, the Government established a commission to address violence and advise the Government on preventative measures. The commission attempted to raise public awareness in order to address the problem of acts of violence in the public areas such as schools and playgrounds.

On August 10, the police arrested four Hungarian skinheads at the Austrian border. The police found approximately 250 neonazi stamps and badges as well as 100 neofascist publications in their car that were to be sold during a fascist meeting in the Swiss Zurich area. The four skinheads later were deported to Hungary by way of Austria on criminal offense charges of racist propaganda, and police authorities in Budapest, Vienna, and Zurich were informed. The police also filed a lawsuit against the skinheads on the grounds of racial discrimination, as provided for under Article 283 of the criminal code. The case was pending at year's end at the Public Prosecutor's office, and it was not determined whether the case will be dismissed.

Shortly after the World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance, held in Durban in 2001, the Government established a working group to implement the conference's recommendation at the national level under a National Action Plan (NAP). The working group organized the first set of human rights education classes for police officers during the year and these training sessions have been proposed to extend to the entire national administration as a whole as well as to the schools in 2003. As Foreign Minister Ernst Walch previously had announced at the Durban World Conference, the government submitted to Parliament a draft to accept the individual complaints procedure under Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination (to which the country is a State party).

In March an expert group to the Council of Europe's Commission against Racism and Intolerance (ECRI) visited.

The group met with representatives of various ministries and public administrations as well as with NGOs to research racism and intolerance in the country. The report is scheduled for publication in 2003.

## Section 6 Worker Rights

### a. The Right of Association

The law provides that all workers, including foreigners, are free to associate, join unions of their choice, and select their own union representatives, and workers exercised these rights in practice. Due to the country's small size and population, there was only one trade union, which represented approximately 13 percent of the work force; however, the union protected the interests of nonmembers as well.

The law encourages the formation of unions but does not prohibit antiunion discrimination. Instead it states that antiunion discrimination should be avoided.

Unions were free to form or join confederations and were allowed to affiliate with international bodies. The only union was a member of the World Confederation of Labor but was represented on an ad hoc basis by a Swiss union.

### 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 usually were adapted from those negotiated by Swiss employers and unions. In accordance with EEA guidelines, domestic labor law requires that employers consult with unions in cases of projected mass dismissals and submit employment contracts in written form.

Workers have the right to strike except in certain essential services. No strikes were reported during the year. The law does not provide specific protections for strikers. Employers were allowed to dismiss employees for serious offenses or for breach of contract, such as having a complaisant medical certificate.

There were no export processing zones.

### c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children, and there were no reports that such practices occurred.

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

The law prohibits the employment of children under 16 years of age. However, exceptions may be made for the limited employment of youths age 14 and over and for those who leave school after completing 9 years of compulsory education (see Section 5). Children of ages 14 and older may be employed in light duties for not more than 9 hours per week during the school year and 15 hours per week at other times.

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

The Government has not ratified International Labor Organization (ILO) Convention 182 on the worst forms of child labor.

### e. Acceptable Conditions of Work

There was no minimum wage. In 2001 a total of 59 households depended on public welfare, to obtain a yearly minimal income--set at \$12,200 (17,720 Swiss francs) for a 1-person household--and were considered working poor. A total of 474 households received public assistance in 2001.

The law sets the maximum workweek at 45 hours for white-collar workers and employees of industrial firms and

sales personnel, and 48 hours for all other workers. The law provides for mandatory rest periods, and with few exceptions, Sunday work was not allowed. Workers over the age of 20 received at least 4 weeks of vacation; younger workers received 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 generally enforced these provisions. The law provides for a hearing in cases in which workers removed themselves from dangerous situations. The law provides for the right of workers to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment.

#### f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, or within the country. However, some NGOs believe that, as in neighboring countries, trafficking in women occurred without report.

Any person leading another into prostitution faces up to 6 months in prison and/or heavy fines and up to 3 years in prison if the victim was under 18. Independent prostitutes were tolerated as long as they were confined to special salons, cabarets, or other private apartments. The police undertook regular controls on the prostitutes' working conditions and salaries, but acknowledged that many Swiss middlemen employed women working in the country.