



General Assembly

Distr.
LIMITED

A/HRC/WG.6/3/L.9
12 December 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Third session
Geneva, 1-15 December 2008

DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW *

Liechtenstein

* The final document will be issued under the symbol A/HRC/10/77. The annex to the present report is circulated as received.

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction.....	1 - 4	3
I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS	5 - 63	3
A. Presentation by the State under review	5 - 22	3
B. Interactive dialogue and responses by the State under review.....	23 - 63	6
II. CONCLUSIONS AND/OR RECOMMENDATIONS.....	64 - 66	15
Annex		
Composition of the delegation.....		19

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 third session from 1 to 15 December 2008. The review of Liechtenstein was held at the 9th meeting, on 5 December 2008. The delegation of Liechtenstein was headed by H.E. Rita Kieber-Beck, Minister of Foreign Affairs. At its 13th meeting, on 10 December 2008, the Working Group adopted the present report on Liechtenstein.
2. On 8 September 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Liechtenstein: Germany, Jordan and Mexico.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Liechtenstein:
 - (a) A national report submitted made in accordance with paragraph 15 (a) (A/HRC/WG.6/3/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.6/3/LIE/2);
 - (c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/3/LIE/3).
4. A list of questions prepared in advance by Denmark, Germany, the Netherlands, Sweden 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.

I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS

A. Presentation by the State under review

5. At the 9th meeting, on 5 December 2008, Ms. Rita Kieber-Beck, Minister for Foreign Affairs of Liechtenstein, introduced the national report, stressing that human rights have been defined as one of the priorities of the foreign policy of Liechtenstein. Liechtenstein is party to the large majority of United Nations human rights treaties and strives to abide by its obligations under them, including by regular reporting to treaty bodies and active follow-up to their recommendations. Dialogue with United Nations treaty bodies and monitoring mechanisms of the Council of Europe is regarded as a major source of inspiration for the State's national human rights policy.
6. Liechtenstein indicated that the report is the result of transparent and close cooperation of different parts of the national administration and of active participation by civil society. Owing to the small size of the country, exchanges with civil society are a particular feature of the State's human rights policy. Liechtenstein therefore notes with satisfaction that the universal periodic review dialogue is webcast.
7. Liechtenstein updated the Working Group on recent developments since the submission of its national report.

8. In September 2008, the Parliament discussed in a first reading the new Children and Youth Act, which has paved the way for the Government's proposal for accession to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. As a party to that Convention, Liechtenstein would be in a position to ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The Children and Youth Act also envisages the appointment of an ombudsperson for children, taking into consideration the Paris Principles.

9. The creation of the independent national preventive mechanism for the implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is founded on the revised Execution of Sentences Act, which also reflects relevant recommendations issued by the European Committee on the Prevention of Torture after its latest visit to Liechtenstein. Liechtenstein also indicated that its report to the Committee against Torture was submitted in November 2008. Therefore, Liechtenstein has honoured all its reporting obligations under the United Nations treaty body system.

10. The Liechtenstein Parliament has also adopted the Foreigners Act and the new Naturalization Act. According to the latter, citizenship will be granted to foundlings and stateless children. With the entry into force of the Act in February 2009, Liechtenstein will be in a position to withdraw its reservations to article 24 (3) of the International Covenant on Civil and Political Rights and to article 7 of the Convention on the Rights of the Child. It will also pave the way for the State's accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

11. Liechtenstein underlined its political will not to let the financial crisis compromise its commitment to development cooperation and to reach the 0.7 per cent official development assistance (ODA) target before the end of the decade. State ODA consists to a large extent of support for small-scale projects carried out by non-governmental organizations and local communities.

12. Responding to questions sent in advance by other countries, Liechtenstein indicated that the Equal Opportunity Commission and its operational Office of Equal Opportunity were established in 2005. The Commission defines strategies on questions of equal opportunity with social relevance, develops recommendations for action, observes developments, monitors implementation measures and advises the Government. The Office focuses its activities on combating discrimination and advancing de jure and de facto equal opportunity in areas such as gender equality, disabilities, migration and integration of foreigners, social disadvantage and sexual orientation. The Office in particular serves as a contact office for victims, provides substantial legal counselling and acts as a facilitator for people seeking advice, including with regard to complaints to the Administrative Court and the Constitutional Court. It also carries out awareness-raising initiatives and drafts opinions on legislative proposals.

13. While the Office is not fully independent in the sense of the Paris Principles, it directly supplements the existing legal and structural framework for lodging complaints for actions by local and central authorities. In order to further diversify and strengthen this regime, the establishment of an ombudsperson for children is planned, in accordance with the Paris Principles. In addition, the non-governmental organization Liechtenstein Association for People with Disabilities has been given the competence to monitor the implementation of the new Disability Equality Act and to address complaints to the Government and the courts for non-compliance with its provisions. These two new bodies will complement the work undertaken by

the Office of Equal Opportunity and the Commission as well as the activities carried out by the National Preventive Mechanism established under the Optional Protocol to the Convention against Torture. With these different mechanisms in place, the Government does not intend to establish a general human rights institution.

14. Liechtenstein stressed that the Gender Equality Act, with its special focus on the workplace, had been modelled on similar laws from neighbouring countries as well as on relevant European Union legislation. A large number of amendments to various laws have also been adopted in order to promote gender equality in all other spheres of life. Liechtenstein therefore does not deem it appropriate to adopt an overall legislation that would address in a single text all these issues, some of which are of a rather technical nature. The mandate of the Office of Equal Opportunity covers, however, all spheres of life and thereby provides the necessary coordination and overall approach that is the focus of a relevant recommendation by the Committee on the Elimination of Discrimination against Women.

15. Equality of women and men at the legal level has almost been completely achieved, as indicated by the delegation. However, action is still needed with regard to de facto equality and the Government continues to address this issue. Effecting a change in awareness is a long process, to which the Government is lending its active support. The many projects launched by the Office of Equal Opportunity cover areas such as education, work, compatibility between family and job responsibilities, violence against women and politics. The focus of the action plan for the period 2008/2009 is on the participation of women in political life. The next opportunity to measure the effect of activities undertaken will be the 2009 parliamentary elections. Currently, women account for 24 per cent of members of the national Parliament.

16. Liechtenstein indicated that an independent research institute is currently elaborating a concept for the improvement of data collection for the fight against racism and evaluation with regard to different forms of discrimination. The disaggregation of personal data in a country of only 35,000 inhabitants is however relatively sensitive with respect to violations of the right to privacy. In addition, this could sharpen the perception of ethnic and other differences and provide an additional breeding ground for discrimination.

17. As indicated by a question submitted in advance, the Commissioner for Human Rights of the Council of Europe recommended that the Government consider reducing further the residency requirement for naturalization as well as the system of voting by communities for the granting of citizenship. However, a large majority of participants in the broad consultation procedure leading to the adoption of the new Naturalization Act did not favour any change to the existing legal regime on either issue.

18. The European Commission against Racism and Intolerance recommended that Liechtenstein extend voting rights to long-term residents in local elections. In that regard, the delegation stressed that neither the International Covenant on Civil and Political Rights nor the European Convention on Human Rights and Fundamental Freedoms stipulate a right to vote for non-citizens. The delegation added that municipalities enjoy a very strong position in economic and political terms, and that participation in local elections would entail the right to participate in popular referendums. There are, however, many instances in which non-nationals play an active role in various advisory commissions at the local and national levels.

19. Liechtenstein also indicated that it has considered the recommendations issued by the European Committee on the Prevention of Torture very seriously and has taken the necessary

steps to ensure that the right of access to a lawyer is formally guaranteed to all persons from the outset of their detention. With regard to the Committee's concern about the use of a hood to cover the head of an arrested person for the duration of apprehension and transfer into custody, Liechtenstein explained that only a squad of the national police has the authorization to use this method, only as a last resort and in accordance with the principle of proportionality. This practice is rare and only followed in very particular cases when the suspect is an extremely dangerous or violent criminal, with the aim to ensure the personal safety of the officers involved in the apprehension. The apprehension of suspects is a regular subject of basic and continuing police training. The Committee, in this respect, indicated that, during its visits to Liechtenstein, it heard no allegations and gathered no other evidence of ill treatment during police custody and interrogation.

20. On the issue of the connection of young right-wing extremists to similar groups in neighbouring countries, Liechtenstein stated that a commission on protection from violence, chaired by the national police, was appointed in 2003. Its mandate is, *inter alia*, to monitor closely the evolution of persons adhering to such ideologies, to prosecute criminal offences linked to right-wing extremism and to take all measures necessary to prevent activities of the radical right. The commission was also mandated in 2007 to conduct a sociological study of the phenomenon in order to paint a more accurate picture of the problem and its root causes, and to develop a strategy and specific concept for action to prevent the expansion of right-wing extremism, as suggested by the Committee on the Elimination of Racial Discrimination. The result of the study is expected in 2009. In addition, there is regular and close regional cooperation among the police forces of Liechtenstein, Switzerland, Austria and Germany on this issue.

21. Close regional cooperation is also an important pillar of the State's policy to combat trafficking in persons. At the national level, a round table on human trafficking, established in 2006, prepared a set of guidelines on the handling of cases of trafficking of persons, which was adopted by the Government. The guidelines provide for, *inter alia*, a period of reflection of 30 days for potential victims. If the victim decides to cooperate with the authorities, a residence permit is granted for the time of the investigations and court procedures. The round table is currently developing a prevention project for nightclub dancers, considered to be the most vulnerable group. The Government has also adopted detailed regulations on the protection of nightclub dancers, which are the basis for regular inspections of nightclubs by the national police and the Immigration and Passport Office. To date, no cases of human trafficking have surfaced in Liechtenstein.

22. Liechtenstein indicated that the curricula of primary- and secondary-school levels include measures to better integrate immigrant children. A special focus is placed on intensive German language courses. In order to promote mutual respect and tolerance, religious instruction in German for Muslim children was introduced in primary schools for the 2007/2008 school year as a pilot project. Owing to its success, the project was prolonged for the 2008/2009 year and will, after being evaluated by the relevant authorities, eventually become part of the regular primary school curriculum.

B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, statements were made by 26 delegations.

24. A number of delegations thanked the delegation for its comprehensive statement and national report, and noted with satisfaction the consultation of a wide range of non-governmental organizations in the preparation of the national report. Liechtenstein was also commended for its cooperation with human rights mechanisms, at the European and international levels, in particular with United Nations treaty bodies.

25. The Netherlands appreciated the answers provided by Liechtenstein to the written questions they had submitted concerning integration of non-citizens in the educational process and their participation in local politics. They noted, in particular, the introduction of Islamic education in public primary schools, underlining that Muslim parents could previously only send their children to a mosque for religion tuition. The Netherlands recommended that Liechtenstein continue to take steps to improve the integration of different groups, in particular in the education process, and report on results in the next round of the universal periodic review. It also recommended that Liechtenstein consider giving voting rights to long-term non-citizen residents in local elections, and set up adequate mechanisms allowing non-citizens to be consulted and to participate actively in the political decision-making process at the local level. While welcoming the positive steps taken to extend equal rights to same-sex couples, the Netherlands recommended that sexual orientation and gender identity be included in equality laws and initiatives.

26. Mexico welcomed the establishment of the Equal Opportunity Commission, the Commission on Protection against Violence and the Corrections Commission, which will function as national preventive mechanisms pursuant to the Optional Protocol to the Convention against Torture. Mexico enquired about measures taken to raise awareness of gender equality and to eliminate stereotypes and attitudes that lead to the relegation of women to traditional roles. It recommended that Liechtenstein address the recommendations of the Committee on the Elimination of Discrimination against Women, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, so as to resolve gender inequality, particularly in the field of employment and representation in high-ranking posts, and increase efforts to eliminate domestic violence. Mexico also recommended that Liechtenstein address the issue of inheritance rights of women. It requested information about measures taken to protect the rights of migrants regardless of their status and to foster their integration with equal opportunities, regardless of their country of origin. Mexico urged Liechtenstein to intensify efforts to resolve persistent challenges in this area, focusing in particular on access to quality education, health services and housing, labour rights, processes of naturalization and family reunification. It appreciated the information provided by the Minister regarding safeguards of the rights of detainees, and encouraged Liechtenstein in its efforts to comply with observations of the Human Rights Committee on this matter. Mexico encouraged Liechtenstein to accede to the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, as well as to the protocols to the Convention on the Rights of the Child. It also recommended that the State ratify the Convention on the Rights of all Migrant Workers and Members of Their Families and the Convention for the Protection of All Persons from Enforced Disappearance.

27. France welcomed the fact that Liechtenstein is a party to main human rights instruments. Referring to the concerns expressed by the Committee on the Elimination of Racial Discrimination regarding family reunification and its dependence on the financial capability of the applicant, France enquired whether Liechtenstein intends to ensure greater flexibility in the criteria for family reunification. As noted by France, the Committee also referred to restrictions governing access to citizenship, which is granted after 30 years of permanent residence. With regard to accelerated procedure, which calls for five years of permanent residence and a positive

vote from the municipality of the applicant's residence, the Committee indicated that the latter requirement is not based on objective criteria and could be discriminatory. France asked whether Liechtenstein intends to introduce flexibility in the legislation to facilitate access to citizenship. In relation to the indication by the Committee on the Rights of the Child that fathers of children born out of wedlock are not able to seek custody of their children, which is automatically given to mothers, France asked whether national legislation could, in the medium term, grant fathers the opportunity to seek custody of their children born out of wedlock. France also referred to the Committee on the Rights of the Child, which indicated that all forms of corporal punishment were not explicitly banned in all places, particularly within the family, and recommended that Liechtenstein prohibit by law all forms of corporal punishment for children, without exception. While welcoming the Government's decision to establish an ombudsman for children, France recommended that Liechtenstein consider establishing an independent mechanism mandated to consider complaints of child rights violations as soon as possible. France also asked whether the Government plans to become a member of the International Labour Organization (ILO).

28. Germany noted the concern of the Committee on the Elimination of Discrimination against Women about the persistence of traditional attitudes and stereotypes regarding the roles and responsibilities of women and men in family and society. The Committee recommended in particular the extension of the present legislation regarding gender-based discrimination in the workplace, as included in the Gender Equality Act, to all spheres of life. Germany enquired how Liechtenstein intends to follow up on this recommendation.

29. Sweden, while acknowledging that the human rights situation in the country is generally very good, raised the issue of gender equality. Noting that, despite measures taken, women are unrepresented in Parliament and in Government, Sweden recommended that Liechtenstein continue exploring new policy measures to promote gender equality and to achieve gender balance in political bodies.

30. Monaco noted that the national report gives some indications of the proactive ODA policy of Liechtenstein, and asked how it intends to further associate civil society and non-governmental organizations with it.

31. Italy, bearing in mind the State's outstanding record with respect to the rights of the child, recommended that Liechtenstein ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, which it signed in 2000. Recalling the recommendations by the Council of Europe Human Rights Commissioner that Liechtenstein address the situation of foreign spouses who are victims of domestic violence and wish to continue residing in the country after separation from their partners, Italy enquired whether Liechtenstein has taken any measures to follow up on this recommendation, in particular by allowing resident permits of foreign spouses to be independent of marital relationship.

32. Argentina, while underlining the continuous progress achieved in the field of gender equality, noted that certain problems remain in the area of de facto equality. Despite the adoption of the 1999 Gender Equality Act, which Argentina noted as a positive step, the Committee on the Elimination of Discrimination against Women stressed the persistence of certain stereotypical attitudes relating to the roles and responsibilities of men and women in the family and society at large, and urged Liechtenstein to implement a comprehensive policy to overcome these stereotypes in the public and private spheres. Argentina enquired about policies that the State is implementing or plans to implement in this respect. Argentina recommended that Liechtenstein

consider the possibility of ratifying the Convention for the Protection of All Persons from Enforced Disappearance and accept the jurisdiction of the Committee on Enforced Disappearances.

33. The Russian Federation recommended that Liechtenstein, as suggested by the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination, consider establishing an independent national human rights institution, in accordance with the Paris Principles. The Russian Federation, also stressing the concerns expressed by the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women that too many women are either unemployed or occupy low key posts, recommended that Liechtenstein enhance efforts to ensure equality of opportunity for women and men in the labour market.

34. Switzerland referred to the national report, which mentioned efforts made by Liechtenstein to achieve de facto equality between women and men. However, paragraph 76 (a) of the report also referred to de jure discrimination in the area of inheritance. Switzerland asked whether the authorities plan to amend the inheritance law to ensure equality of treatment between women and men. It recommended that Liechtenstein introduce ex-officio prosecution for all acts of domestic violence and that it pursue its work to draft and enact a law allowing registered partnerships for same-sex couples.

35. Responding to the issues raised, Liechtenstein remarked on the issue of equality between men and women. In 1984, Liechtenstein introduced the right of women to vote and to be elected only. As stressed previously, the State hoped that women would have greater representation in Parliament after the 2009 elections and that more women would enter the five-member Government, which presently comprises only one woman.

36. The issue of gender equality is taken very seriously. The Office of Equal Opportunity covers all rights of women. Responding to a question raised by Switzerland, the delegation explained that there is no de jure discrimination against women in the area of inheritance, but that a case of potential de facto discrimination is currently the subject of an expert study mandated by the Ministry of Justice. The study is being undertaken while a reform to the inheritance law has been initiated, with the aim to, inter alia, improve the rights of surviving spouses. The Government is also considering ways of allowing de facto and same-sex couples to benefit from the right to inheritance.

37. Liechtenstein has elaborated a comprehensive policy and has taken measures to overcome stereotypes by raising awareness of gender equality. Workshops conducted in schools aim at shaping attitudes through the positive identification of young people with historic female figures. Another goal is to raise awareness about the long-lasting oppression of women. The Bureau of Sexual Issues and HIV-AIDS Prevention has also taken a number of measures, including in relation to the equality of girl and boy adolescents, offering not only sex education but also discussing the relationship of young people to their roles, their expectations and to the other gender. Various campaigns have been undertaken to break stereotypes. None of the measures are intended to have an immediate measurable effect. However, by questioning role images and showing greater career opportunities and sensitizing children, teachers and parents, changes in attitudes are expected to appear in the medium term. Therefore, in response to Sweden, the delegation asserted that general awareness-raising efforts continue to be made. It mentioned, in addition, the equal-opportunity prize offered every year since 2000, the establishment of a project group that aims to improve the involvement of men in the process of

achieving equal opportunity, as well as awareness-raising projects on the issue of domestic violence. In this regard, the delegation added that rape in marriage and partnership became punishable by law in 2001.

38. With regard to the issue of fathers requesting custody of their children, the delegation indicated that, under current provisions, mothers are entrusted with the custody of their children born out of wedlock, and that it is not possible for fathers alone to apply for joint custody. However, fathers can participate in the fostering and education of their children, and have the right to information and comment.

39. Responding to a question by Italy, the delegation indicated that, under the law, in particular the New Foreigners Act, a spouse may stay in Liechtenstein after divorce from a marriage lasting less than five years of marriage provided that that spouse has been subject to physical, moral or sexual violence.

40. In response to the question of France on family reunification being dependent on financial means, the delegation stressed that such a ruling does not apply to citizens of the European Union, the European economic area or of Switzerland. In the case of third-country citizens, the condition of having financial means is a general ruling, where it is assumed that these people have sufficient means when they have a stable economic activity.

41. Migrant workers have all the rights and obligations of other members of society, as further indicated by the delegation. This includes access to housing and education.

42. In relation to the questions asked by the Netherlands and Mexico on the issue of integration and access to quality education, Liechtenstein indicated that its school system is steadily moving in the direction of integration and inclusion for all. The pilot project on the teaching of Islamic education in public primary schools is being prolonged for the ongoing school year and will probably be part of the general curriculum within a short time frame. Programmes on quality education for all, in particular for immigrants, have also been developed. In particular, a whole system of support for pupils and students with German as their second language has been established, and special measures and school assistance foster their integration and improve their situation.

43. On the issue of accession to international human rights treaties, Liechtenstein explained that it adheres to the principle of first introducing laws to ensure subsequent treaty ratification and immediate implementation. At the same time, in its legal system, a convention may be self-executing when precise enough; in such cases, no national measures are necessary. With regard to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, studies have shown that Liechtenstein will not be able to ratify it in the near future, as too many provisions do not relate to the circumstances prevailing in Liechtenstein, a small country with a high percentage of foreigners. On the other hand, Liechtenstein has been a member of the European economic area since 1995, and must apply the corresponding European Union directives. The situation of migrant workers in the country is much better than the non-ratification of the Convention might suggest. This is also true of other conventions.

44. Norway highlighted the State's goal of reaching an ODA share of 0.7 per cent of its gross national income by the end of 2009. Norway drew attention to the concerns expressed by the Committee on the Elimination of Discrimination against Women about the persistence of stereotypes regarding the roles of women and men in society and the family. It recommended

that Liechtenstein follow up on its recommendations, namely to put in place a comprehensive policy with the aim of overcoming traditional stereotypes regarding the roles of women and men in society and the family. Also noting the concern of the Committee about the continued underrepresentation of women in elected and appointed bodies, Norway echoed the Committee's recommendation that special measures be taken to accelerate women's participation at all levels and in all areas of public life. Norway also wished to learn more about the cooperation of the authorities with non-governmental organizations, in particular with respect to the promotion of gender equality. In relation to the concern expressed by the Committee on Economic, Social and Cultural Rights that immigrant children tend to perform poorly in school, are likely to attend lower-standard secondary schools and are underrepresented in tertiary education, Norway enquired about measures taken or planned to address this problem, to promote the integration of these children, and to follow up on the relevant Committee's recommendations.

45. The United Kingdom recommended that Liechtenstein continue to consult stakeholders in its work to follow up the outcome of the present review. Noting the recommendation by the Council of Europe Commissioner for Human Rights that Liechtenstein give serious consideration to the establishment of an ombudsman office, it recommended that Liechtenstein establish such an institution at the earliest opportunity. The United Kingdom welcomed the adoption of the national plan of action against racism and the efforts made to implement the plan, but noted with regret that it is not to be extended beyond its initial five-year timeframe. Therefore, it recommended that Liechtenstein maintain its efforts in this area to ensure full implementation of the plan.

46. China, noting the importance Liechtenstein attaches to gender equality and the progress made in this regard, enquired about the specific difficulties encountered and trends identified for the improvement of women's participation in political life. China also noted that, to combat violence by extreme right-wing movements, the Government established in 2003 a commission on the prevention of violence; China wished to learn more about the functioning of the commission, the results achieved and the difficulties encountered.

47. Cuba noted that the national report, in particular, describes steps taken to ensure equal opportunity in key areas such as gender equality, disabilities, social inequalities and sexual orientation, as well as those measures aimed at combating all forms of discrimination. The establishment of the commission and the Office of Equal Opportunity represents an important measure in this context. Cuba recommended that Liechtenstein continue efforts to elaborate and implement policies aimed at eliminating all forms of discrimination and ensuring equality and full enjoyment of all human rights for all citizens.

48. Turkey noted that several treaty bodies, including the Committee on the Elimination of Discrimination against Women and the European Commission against Racism and Intolerance, have expressed concerns about the rise in xenophobic and right-wing tendencies against people of different origins in Liechtenstein. It welcomed the establishment of the Office of Equal Opportunity and its accompanying commission as well as the commission against right-wing extremism. The research undertaken by the Government constitutes an important step to assess the scale and root-causes of this phenomenon. Turkey recommended that Liechtenstein continue to monitor tendencies that may give rise to racist and xenophobic acts, in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination and other treaty bodies. It welcomed the establishment of the Working Group for the Integration of Muslims in 2004 to enhance dialogue with the Muslim community, and underlined the fact that such projects are examples of good practices. Turkey asked whether the authorities have held consultations

with the Working Group or other migrant groups about the impact of existing procedures on family reunification and naturalization, and enquired about the Government's plans to review the relevant legislation in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination.

49. Brazil noted that the standing invitation issued by Liechtenstein to the special procedures of the Human Rights Council is an example of cooperation with human rights mechanisms. It welcomed the adoption of a national plan of action aimed at implementing the conclusions of the Durban Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the creation of an intergovernmental working group against racism, anti-Semitism and xenophobia to coordinate activities of the plan. It asked the delegation to elaborate more on the conclusions of the working group, mostly in the field of integration of non-nationals. In particular, Brazil enquired about practical measures taken to ensure that children of immigrant origin are given equal access to education, including higher education, and employment. It recommended, within the context of paragraph 1 of Council resolution 9/12, the establishment of the institution of an ombudsman. It encouraged Liechtenstein to continue strengthening a system of data collection with a view to determine the extent of manifestations of racism and direct and indirect racial discrimination.

50. Canada commended the State's efforts in developing a strategy for the integration of non-citizens from minority communities, and encouraged Liechtenstein to maintain an open, just and hospitable climate for non-citizen migrants, refugees and asylum-seekers. It recommended that Liechtenstein develop further the "promotion" aspect of integration to enhance genuine respect for diversity and knowledge of different cultures and traditions, as outlined by the European Commission against Racism and Intolerance. Canada noted that the State's efforts at creating dialogue between Muslim and Christian communities are a good development, and applauded the country's five-year plan of action against racism. Canada hoped that the Office of Equal Opportunity would continue the work of this important agenda. Canada agreed with the recommendations of the Committee on the Elimination of Racial Discrimination regarding the granting of citizenship, particularly in making the process easier and more inclusive. Canada recommended that Liechtenstein reconsider its practice of voting by local residents for the granting of citizenship and that it consider reducing the length of periods of required residency. Canada supported the State's efforts to tackle issues of gender equality and recommended that Liechtenstein intensify efforts to ensure equal opportunities for men and women in both the private and public sectors, including by expanding measures which facilitate women's re-entry into the workforce after childbirth.

51. Malaysia was encouraged by the numerous measures taken by the Government to improve intercultural and interreligious understanding as well as its continuing efforts made in the fight against racism, intolerance and xenophobia. It recommended that Liechtenstein reinforce its efforts to promote ethnic and religious tolerance between the different communities in the country through education and public-awareness campaigns. It also recommended that Liechtenstein consider adopting a comprehensive strategy for the integration of people of different ethnic origin or religion. Malaysia noted with satisfaction the appointment in 2007 of a working group on the promotion of the integration of Muslims to institutionalize the dialogue between members of the Muslim communities and the Christian population. It recommended that more support and consideration be given to minority groups, including the Muslim community, in particular with regard to financial support, places of worship, cemeteries and other special concerns.

52. Azerbaijan noted with appreciation the establishment of the Equal Opportunity Commission and the round table on trafficking, as well as the adoption of the national plan of action against racism. It commended the absence of poverty, long life expectancy and low figures of crime and unemployment in the country. Noting the persisting problem of xenophobia and intolerance against people of different ethnic origin or religion, particularly against Muslims and people of Turkish origin, Azerbaijan enquired about concrete steps taken or envisaged to eliminate the problem. Azerbaijan recommended that Liechtenstein intensify its efforts to promote ethnic and religious tolerance in the country. It noted with satisfaction the establishment of a violence protection commission and recommended that Liechtenstein continue efforts to fight right-wing extremism. Azerbaijan also wished to know when Liechtenstein will consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and why this has not been done yet. Noting that, despite progress, the reduction of gender inequality remains undesirable slow, Azerbaijan asked Liechtenstein what steps should be taken further to accelerate this process.

53. Algeria noted the difference of treatment between non-citizens from the European economic area and those from other countries, taking into consideration the Constitution, which provides that non-citizens are dealt with under treaties or, by default, on the basis of the principle of reciprocity. This results in a de facto and alarming discrimination between European non-citizens and those from developing countries, to gaps in terms of protection and different criteria being used in the area of family reunification. Algeria recommended that Liechtenstein envisage taking measures appropriate to remedy this situation. It recommended that Liechtenstein consider acceding to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Algeria welcomed the Government's commitment to increase the proportion of ODA to 0.7 per cent of GDP in 2009. Algeria recommended that Liechtenstein implement that commitment and that it pursue its actions in the area of ODA.

54. Romania congratulated Liechtenstein on the ongoing adaptation of its domestic legal framework to ensure implementation of its international obligations. Romania wished to learn more about the State's intentions with regard to the adoption of a national human rights institution, in accordance with the Paris Principles. It also requested additional information about the status of preparation for the signature and ratification of the Convention on the Rights of Persons with Disabilities.

55. The Philippines commended Liechtenstein for the abolition of the death penalty and recognized the specific challenges that it faces as a very small country. The Philippines noted that Liechtenstein has established an Equal Opportunity Commission and recommended that the establishment of an independent national human rights institution also be considered. It expressed the hope that non-nationals from outside the European economic area will not be discriminated with regard to the right of family reunification.

56. The Islamic Republic of Iran referred to United Nations human rights treaty bodies that have expressed their concern about the persistence in Liechtenstein of cases of xenophobia and intolerance against people of different ethnic and religious backgrounds, particularly against Muslims; the rise in xenophobic and right-wing tendencies among youths; and the increased networking by a core group of right-wing extremists with groups abroad. It asked the Government to elaborate further on measures taken to tackle this issue. It recommended that Liechtenstein take concrete measures to combat all forms and manifestations of racism, racial discrimination and related intolerance, particularly against religious minorities. Also referring to concerns expressed by treaty bodies about the persistence of domestic violence, especially

against women and children, it reiterated the recommendations made by the Human Rights Committee that the Government take all necessary measures to combat domestic violence, punish offenders and provide material and psychological relief to the victims. The Islamic Republic of Iran recommended that Liechtenstein promote the family and associated values among society to tackle domestic violence.

57. Guatemala enquired about the way cases are dealt with when prisoners have children and about arrangements and measures adopted as an alternative to custody both before and after trial or sentencing. It also enquired about the measures taken to ensure that the situation of pregnant women or mothers of babies or young children is properly handled.

58. Bangladesh noted concerns that have been expressed about the situation of women and children, in particular those of immigrant origin. Persistence of xenophobia and intolerance against people of different ethnic origin or religion, particularly against Muslims, continue to be an issue of concern. Incidents of incitement to racial hatred by right-wing extremists are another worrisome development. The existence of a penal provision prohibiting racial organizations would make a difference, as the Committee on the Elimination of Racial Discrimination recommended. Bangladesh noted that many positive steps have been taken by the Government, particularly on the integration of Muslims into society. Bangladesh recommended that Liechtenstein continue its efforts to improve the situation of migrants, at the legal, judicial and administrative levels; establish a national human rights institution, in accordance with the Paris Principles; and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

59. Slovenia enquired about measures taken by Liechtenstein to implement the recommendations of the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights that it consider establishing an independent national human rights institution, in accordance with the Paris Principles, and the recommendation by the Council of Europe Commissioner for Human Rights that it seriously consider establishing the institution of an ombudsman. It recommended considering the ratification of ILO fundamental conventions. Slovenia commended Liechtenstein for the establishment of the Equal Opportunity Commission and noted that the Parliament mandated the Government to draft a law on registered partnership of same-sex couples, and enquired on when the draft law is expected to be presented for adoption and how civil society was included in its preparation. Slovenia further asked how the best interests of children are taken into account when their parent or parents are arrested or sentenced, and how children are allowed to maintain contact with their imprisoned parent. Slovenia recommended that Liechtenstein give priority to non-custodial measures when sentencing or deciding on pre-trial measures, in particular in relation to the role of primary carer of a child, and that it identify and take measures to protect the best interests, needs and physical, social and psychological development of children affected by parental detention or imprisonment.

60. Responding to the question raised by Monaco regarding the involvement of civil society in international cooperation for development, the delegation of Liechtenstein underlined the fact that a private law foundation, established in 1965 as a non-governmental organization, provides ODA on behalf of the Government. This close linkage with civil society has led to a mechanism through which the Government doubles funds provided by private organizations for disaster relief and specific development projects, thereby creating considerable incentives for individuals to join the collective effort of the Government and relevant non-governmental organizations.

61. Liechtenstein has a short history of immigration of Muslim people, as indicated by the delegation. Today, 1,600 Muslims live in Liechtenstein, many of them citizens. In response to the question raised by Turkey, the delegation explained that the Working Group for the Integration of Muslims was an initiative of the Government, and also comprises Muslims, ensuring equal representation as from the Government side. All issues are tackled and an open dialogue is maintained. This helps the Government to know the needs of people with different religious or cultural backgrounds.

62. The Violence Protection Act provides protection against domestic violence, including preventive expulsion of the potential perpetrator and prohibition of re-entry into the common home imposed by the police. Victims of violence may find shelter at the women's home. The entry into force of the new Victims Assistance Act on 1 April 2008 concluded a three-phase project, which began with an amendment to the Sexual Criminal Law and continued with revisions of the code of criminal procedure with respect to the protection of victims and combating violence against women and girls. The goal of the revisions in the code of criminal procedure was to improve the legal standing of victims in criminal proceedings. The goal of the Victims Assistance Act, namely the best possible support for victims, will be achieved on the basis of counselling and financial assistance. For this purpose, a victim assistance office was established.

63. In response to the question asked by Romania on the establishment of a national human rights institution, Liechtenstein reiterated its statement that the establishment of various independent human rights bodies in the country usefully complement the Office of Equal Opportunity.

II. CONCLUSIONS AND/OR RECOMMENDATIONS

64. The recommendations formulated during the interactive dialogue have been examined by Liechtenstein and the recommendations listed below enjoy the support of Liechtenstein:

1. Continue to consult stakeholders in its work to follow up the outcome of the universal periodic review (United Kingdom);
2. Ratify the Convention for the Protection of All Persons from Enforced Disappearance (Argentina, Mexico) and accept the jurisdiction of the Committee on Forced Disappearances (Argentina);
3. Ratify the Optional Protocol to the Convention on the Rights on the Child on the Sale of Children, Child Prostitution and Child Pornography (Bangladesh, Italy, Mexico);
4. Consider establishing an independent mechanism mandated to consider complaints of child rights violations as soon as possible (France);
5. Continue efforts to elaborate and implement policies aimed at eliminating all forms of discrimination and ensuring equality and full enjoyment of all human rights for all citizens (Cuba);
6. Follow up on the recommendations made by the Committee on the Elimination of Discrimination against Women to put in place a comprehensive policy with the

aim of overcoming traditional stereotypes regarding the roles of women and men in society and the family (Norway);

7. Continue exploring new policy measures to promote gender equality in order to achieve gender balance in political bodies (Sweden);
8. Address the recommendations of the Committee on the Elimination of Discrimination against Women, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights so as to resolve gender inequality, particularly in the field of employment and representation in high-ranking posts, and to eliminate domestic violence (Mexico);
9. Take all necessary measures to combat domestic violence, punish offenders, provide material and psychological relief to victims, as recommended by the Human Rights Committee, and promote family and associated values in society to tackle domestic violence (Islamic Republic of Iran);
10. Pursue work to draft and enact a law establishing registered partnership for same-sex couples (Switzerland);
11. Maintain efforts to ensure the full implementation of the national plan of action against racism (United Kingdom);
12. Continue to take steps to improve the integration of different groups, in particular in the education process, and report on results at the next round of the universal periodic review (Netherlands);
13. Take concrete measures to combat all forms and manifestations of racism, racial discrimination and related intolerance, particularly against religious minorities (Islamic Republic of Iran);
14. Continue monitoring tendencies that may give rise to racist and xenophobic acts, in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination and other treaty bodies (Turkey);
15. Continue efforts to fight right-wing extremism (Azerbaijan);
16. Continue strengthening a system of data collection with a view to determine the extent of manifestations of racism and direct and indirect racial discrimination (Brazil);
17. Pursue efforts to comply with the observations of the Human Rights Committee regarding safeguards of the rights of detainees (Mexico).

65. The following recommendations will be further examined by Liechtenstein, which will provide responses in due time. The responses of Liechtenstein to the recommendations will be included in the outcome report adopted by the Council at its tenth session:

1. Accede to the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (Mexico);

2. Accede to the Convention on the Rights of all Migrant Workers and Members of Their Families (Algeria, Mexico);
3. Consider ratifying the fundamental conventions of the International Labour Organization (Slovenia);
4. Establish an ombudsman institution at the earliest opportunity (United Kingdom);
5. Establish the institution of an ombudsman (Brazil);
6. Establish a national human rights institution, in accordance with the Paris Principles (Bangladesh);
7. Consider establishing an independent national human rights institution in accordance with the Paris Principles, as suggested by the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination (Philippines, Russian Federation);
8. Take special measures to accelerate women's participation at all levels and in all areas of public life (Norway);
9. Enhance efforts to ensure equality of opportunity for women and men in the labour market (Russian Federation);
10. Intensify efforts to ensure equal opportunities for men and women in both the private and public sectors, including by expanding measures that facilitate women's re-entry into the workforce after childbirth (Canada);
11. Address potential de facto discrimination of women with regard to inheritance (Mexico);
12. Introduce ex-officio prosecution for all acts of domestic violence (Switzerland);
13. Include sexual orientation and gender identity in equality laws and initiatives (Netherlands);
14. Intensify efforts to promote ethnic and religious tolerance in the country (Azerbaijan);
15. Reinforce efforts to promote ethnic and religious tolerance between the different communities in the country through education and public-awareness campaigns (Malaysia);
16. Consider adopting a comprehensive strategy for the integration of people of different ethnic origin or religion (Malaysia);
17. Intensify efforts to resolve persistent challenges with respect to the integration of foreigners, in particular in the areas of access to quality education, health services and housing, labour rights, processes of naturalization and family reunification (Mexico);

18. Better develop the “promotion” aspect of integration to enhance genuine respect for diversity and knowledge of different cultures and traditions, as outlined by the European Commission against Racism and Intolerance (Canada);
19. Give more support and consideration to minority groups, including the Muslim community, in particular on financial support, places of worship, cemeteries and other special concerns (Malaysia);
20. Continue efforts to improve the situation of migrants, at the legal, judicial and administrative levels (Bangladesh);
21. Consider giving voting rights to long-term non-citizen residents in local elections and setting up adequate mechanisms enabling non-citizens to be consulted and to participate actively in the political decision-making process at the local level (Netherlands);
22. Reconsider its practice of voting by local residents for the granting of citizenship, as well as consider reducing the length of the period of required residency (Canada);
23. Envisage taking measures to remedy the discrimination made between European foreigners and those from developing countries, including in the area of family reunification, and gaps in protection this has led to (Algeria);
24. Prohibit by law all forms of corporal punishment of children, without exception (France);
25. Give priority to non-custodial measures when sentencing or deciding on pre-trial measures, in particular in relation to the role of the primary carer of a child, and identify and implement measures to protect the best interests, needs and physical, social and psychological development of children affected by parental detention or imprisonment (Slovenia);
26. Implement its commitment to increase the proportion of ODA to 0.7 per cent of GDP in 2009 and pursue actions in the area of ODA (Algeria).

66. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Annex

COMPOSITION OF THE DELEGATION

The delegation of Liechtenstein was headed by Ms. Rita Kieber-Beck, Minister for Foreign Affairs, and comprised 11 members:

Ms. Rita Kieber-Beck, Minister for Foreign Affairs;

Mr. Roland Marxer, Director of the Office of Foreign Affairs;

Mr. Norbert Frick, Ambassador, Permanent Representative of the Principality of Liechtenstein to the United Nations Office in Geneva;

Mr. Patrick Ritter, Minister, 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. Guido Wolfinger, Director of the Office of Education;

Ms. Bernadette Kubik-Risch, Director of the Office of Equal Rights and Opportunity;

Mr. Jules Hoch, Director of the Criminal Investigation Division of the National Police;

Mr. Carlo Ranzoni, Judge;

Mr. Hugo Risch, Director of Social Services Division of the Office of Social Affairs;

Ms. Isabel Frommelt, First Secretary of the Office of Foreign Affairs.
